



Southern Weights & Measures Association

131th Edition

SWMA Newsletter

January 2013

JURISDICTIONAL NEWS

MARYLAND

The Maryland Department of Agriculture Weights and Measures welcomes our new NTEP understudy Zack Tripoulas to the Maryland NTEP brick and mortar lab. Zack will train under NTEP Evaluator, Ed Payne and then transition into Ed's position when he retires to sunny Florida.



Left to right: Ed Payne and Zack Tripoulas

Zack was previously an outstanding and enthusiastic field inspector. Inspectors John Hartman, Joe Lutz and Katie Hall continue to do very well after being hired last year. This month, we are starting the hiring process to fill field inspector positions left vacant by retirees, promoted personnel and/or resigned individuals.

In December, all current Weights and Measures staff as well as our retirees enjoyed a holiday lunch with barbeque meats, a Will Wotthlie pot roast (a banquet in itself), homemade goodies and some good conversation and good company. It was a pleasure to spend time with everyone during the Holiday Season.

Safety training reminds us how to work safely in cold weather and how to avoid carbon monoxide poisoning. An interesting study from Iowa State University Extension (Ames, IA) found that idling your vehicle in an attached garage to warm it up in the morning can leave high carbon monoxide levels in your home for more than eight hours! Read the short paper at:

www.extension.iastate.edu/Pages/communications/CO/co_car.html.

The CDC has Frequently Asked Questions about CO poisoning at :

<http://www.cdc.gov/co/faqs.htm>. Our next training session will be held in February.

MDA's metrology lab continues to provide testing and calibration services for our program as well as for industry. Congratulations to Steve Barry for leading the effort to achieve NVLAP accreditation for our metrology lab once again.

In October, three staff members were recognized for reaching the 30 year milestone and all were employed as weights and measures inspectors during their entire tenure.



Thirty year awards were presented to left to right: Senior Inspector IV William Hall III, Senior Inspector IV Barbara Miller and Field Supervisor Donald Mason.

The program continues taking enforcement action against violators in short weight packages and misrepresentation of prices. October through December 2012, the enforcement actions taken are:

- On September 17, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Safeway 945 of Potomac, MD 20854.
- On September 27, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Giant Food 108 of Baltimore, MD 21212.
- On September 27, 2012, MDA received \$1,500.00 for a civil penalty assessed for short weight to Giant Food 127 of Olney, MD 20832.
- On October 11, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Harris Teeter of Potomac, MD 20854.
- On October 25, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Giant Food 329 of Rockville, MD 20850.
- On October 25, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Whole Foods 70 of Rockville, MD 20852.
- On November 1, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Ceriello Fine Foods of Baltimore, MD 21212.
- On November 14, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Shop Rite of White Oak of White Oak, MD 20904.
- On November 16, 2012, MDA received \$1,000.00 for a civil penalty assessed for short weight to Safeway 4868 of Laurel, MD 20707.
- On November 26, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Atlantic Supermarket of Langley Park, MD 20873.
- On October 3, 2012, MDA received \$1,000.00 for a civil penalty assessed for price verification to Advanced Auto Parts of Baltimore, MD 21223
- On November 1, 2012, MDA received \$1,000.00 for a civil penalty assessed for price verification to CVS 5764 of Baltimore, MD 21223.

- On November 1, 2012, MDA received \$2,000.00 for a civil penalty assessed for price verification to CVS 4411 of Baltimore, MD 21215.
- On December 27, 2012, MDA received \$2,000.00 for a civil penalty assessed for price verification to CVS 4411 of Baltimore, MD 21215. †

MISSISSIPPI

Weights and Measures duties at the MS Department of Agriculture are divided among three Divisions within the Bureau of Regulatory Services. We are pleased to share with you an article on Regulatory Services in the new Mississippi Agriculture magazine initiated by Commissioner Cindy Hyde-Smith. The link to the article is:

<http://farmflavor.com/us-ag/mississippi/industry-overview-mississippi/consumer-safety-measures/>

Our Weights and Measures Division inspects all NTEP Approved Scales within the State from jewelry/pawn shop scales to rail scales.



Doug Moak

We recently hired a full time Inspector (Doug Moak from Bogue Chitto, MS) for the entire Southern District. Doug will calibrate farm milk tanks and livestock scales for this District. The Department also hired a full-time Intermediate Inspector (Will McNeese from New Hebron, MS) to test small to medium size scales with capacity of 1 to 1,000 pounds.



R. Craig Allgood

R. Craig Allgood of Laurel was promoted to Supervisor for the Southern District after Mel Iasigi's promotion from that po-

sition to Metrology Lab Director. The Department's Metrology Lab recently received NIST lab certification for 2013.

Our Petroleum Division enforces the Petroleum Products Inspection Law. In accordance with that Law, the Department assesses penalties for fuel-quality violations, such as water in tanks, off-spec product and selling unbranded fuel from a branded station, among others. The Petroleum Division collected \$39,750.00 in penalties for the first half of fiscal year 2013. The Petroleum Division plans to fill an inspector position recently vacated by Danny Runnels, who retired after 23 years of service. Good luck to Danny in his future endeavors.

The Consumer Protection Division performs weights and measures responsibilities in retail food establishments in addition to sanitation inspections. Ross Robertson retired in April 2012 after 24+ years of dedicated service in the Consumer Protection Division.



Matthew Maples

In September of 2012, the Department hired Matthew Maples of Oxford to fill Ross' vacated position. ☩

NORTH CAROLINA

Standards Laboratory

The last quarter of the year is a usually a slow time for the Standards Laboratory. We finished up the year with two successful Test Can Days, one in November the other in December. On these days we conduct calibrations of 5 gallon test measures for those last minute petroleum technicians who didn't make the sites we previously set up out in the field the first two weeks in October. At last count we calibrated over four hundred 5 gallon test measures, 407 to be exact, which is a few more than we did last year.

In November, we submitted our application to NIST to maintain recognition as an accredited state laboratory. In December our senior metrologist, Van Hyder, attended a Proficiency Test Workshop in Boulder, Colorado. The purpose of this workshop was to analyze the current PT program and build on the first meeting held in 2007, which Mr. Hyder was also a part of.

The grain moisture meter testing program ended its 2012 harvest with a spotty soybean crop. Yields were down this year. While finding robust samples for the 2013 testing season

was difficult, we were able to find an adequate amount for the upcoming year. We look forward to the beginning of a new year of grain inspection.

Sharon Woodard

Motor Fuels Laboratory

Willie McCook joined the Motor Fuels Lab as General Utility Worker. He previously held a similar position at the NC Aquarium in Wilmington, but was ready to come back home to the Raleigh area.

In November we had our annual training for both lab and field staff. Much of the material is safety oriented presented by our own staff, but also includes online, videos and a police officer to discuss personal safety. The last afternoon is dedicated to field staff topics.

Speaking of safety, we have set a goal to become a Public Sector member of the NC Dept. of Labor's Star Safety Program. This program is employee driven and requires their participation rather. Once we apply (and are accepted), we will have an audit and interviews by their staff. The NC Dept of Agriculture has about 6 locations that have achieved this distinction, including the Standards Laboratory.

LP-Gas Section

Work continues on the new database for recording inspections of propane dealers, trucks, and sites. This summer, we were able to get some hand-me-down Toughbook computers and bought some Mi-Fi devices. LP-Gas inspectors are the first in the Division to have field computers. Inspectors are now recording inspections of dispensing sites and trucks using the online system. However, as of this writing, warning and penalty letters are not being generated by the system but may be by the end of January. Still to come are inspections of bulk storage facilities and miscellaneous sites.

The earlier database for recording bulk site inspections is still operating and helping us to send out warning and penalty letters to push for making corrections. While the preference is for sites to make corrections and repairs, we collected over \$33,500 in civil penalties in 2012. At present there is about \$10,000 in civil penalties that are overdue and have been referred to the Attorney General's Office.

During the North Carolina State Fair we recorded inspections for hundreds of locations, mostly food vendors, each day of the fair this past October. In addition, the inspector spends many days prior to the fair working to insure that tanks are located properly before they are put into service. With almost a million people coming through the gates this year, we are glad to report there were no propane-related incidents.

Richard Fredenburg

Measurement Section

This year Measurement Section Inspectors conducted inspections at 15,882 locations as well as completing 2,244 special requests or complaints. 26,563 small and medium

capacity scales (2,500 pounds or less) were tested. 2,267 were taken out of service for a rejection rate of 8.53%. Inspections were conducted on 2,173 vehicle and livestock scales. 353 were rejected for a rejection rate of 16.24%. Inspections were done on 2,414 Scanning Systems with 213 exceeding the 2% allowable overcharge error rate for a failure rate of 8.82%. Civil penalties in the amount of \$80,484.00 were collected from 52 locations that exceeded the 2% overcharge error rate on the follow-up 300 item scan inspections. The county school systems in which the violations occurred received the monies collected for these civil penalties. 3,371,494 packages were inspected for correct net contents and correct labeling. 422 stop sales orders were issued involving 60,103 packages. 99,182 gas, diesel or kerosene dispensers were tested. 10,593 dispensers were rejected for repairs with a failure rate of 10.68%. 3,951 vehicle, rack or terminal meters were tested. Of these, 597 meters failed to meet the allowable tolerance with a rejection rate of 15.11%.

We lost many years of excellent experience this year due to the retirements of Donald Byrd, John Rogers and Reggie Shufford. Travis Burger also left for employment elsewhere.

Wayne Compton was promoted to fill Mr. Byrd’s supervisor position. Bryan Moore was promoted to fill Mr. Compton’s Standards II Inspector position. Michael Beal was promoted to filled Mr. Roger’s Standards II Inspector position. Three positions are in the process of being advertised. All these promotions mean we are filling one hole and digging another but, we will get them all filled one day. The guys being promoted are well deserving.

In December we hosted a package checking class taught by Lisa Warfield and David Sefcik from NIST. We had about a dozen of our inspectors along with our supervisors. We also had ten other inspectors/staff from seven other states participate. Our inspectors found it very worthwhile and they were happy to have first hand training rather the condensed version provided by our staff.

Jerry Butler



WHY WOMEN LIVE LONGER

Contact SWMA

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