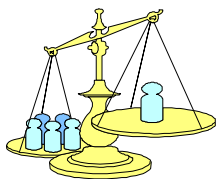


SPOTLIGHT ON WEIGHTS & MEASURES

SONOMA COUNTY SEALER OF WEIGHTS AND MEASURES



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QUANTITY CONTROL

Periodically packages are inspected to insure the labeled quantity statement is accurate. A package is defined as a commodity put up or packaged in any manner in advance of sale in units suitable for either wholesale or retail sale. There must be a statement of identity of the product that shall not include the weight of the packaging materials containing or enclosed with the commodity. The commodity also must comply with the Fair Packaging and Labeling Act adopted by the State of California. The three basic requirements for labeling are:

1. A declaration of identity that is the common or usual name of the commodity.
2. A declaration of responsibility that includes the name, address, and zip code of the manufacturer, packer, or distributor.
3. A declaration of quantity of the commodity in the lower 30% of the principal display panel area.

The Department of Weights and Measures inspects packages when a complaint comes into the office, and when the State Division of Measurement Standards issues a surveillance report for a specific commodity or requests a survey of a particular commodity.

Periodically, Weights and Measures inspectors perform random audits in stores.

In November a complaint was received regarding cookies. The complainant purchased several two-ounce bags of cookies and suspected the bags were short-weight. He brought several bags into the office for the inspectors to weigh. The bags met the labeled net contents of two ounces.

Several businesses are under increased inspection because of scanner violations. The District Attorney is considering possible legal action.

A Notice of Violation was issued to one store for short measure of prepackaged deli items. Random packages in the deli counter were weighed to see if the labeled contents were accurate. Many packages were being offered for sale at gross weight. This means the packages offered for sale included the packaging and the product in the labeled weight, which is a violation of Business and Professions Code 12024. A Civil penalty was issued to the store for the violations.

DEVICE COMPLAINTS

Six complaints were received in November. Five of the complaints involved gas stations. The complainants said they were overcharged on the amount of gasoline they received. All

DEVICE COMPLAINTS CONTINUED

of the dispensers tested by the inspectors were found to be dispensing correctly.

One complaint came in regarding electric meters at three separate locations in a mobile home park. The meter at one space was found to be over-registering and the meter was placed out-of-order. It is rare to find an electric meter over-registering since they usually slow down over the years from a variety of environmental factors. One other meter was tested and found correct. The third meter was incorrectly wired. Electricity should go to the meter first and then the service breakers. If the electricity goes to the service breakers first and then the meter, as this one was, there is a possibility the tenant is getting free electricity. Since we are an impartial third party favoring neither the buyer nor the seller, any incorrect wiring that affects meter accuracy must be corrected. The park has thirty days to correct the out-of-order meter and wiring.

FIREWOOD COMPLAINTS

Three firewood complaints were received in November. The inspectors were unable to measure the wood in two of the complaints

One complainant contacted the firewood dealer directly and the dealer delivered additional wood to the complainant, who was satisfied with the amount. The complaint involved an alleged 20% shortage on half a cord of wood.

The inspectors were unable to locate another firewood dealer in response to a complaint in Cloverdale. The police department has a description of the seller and his truck and will pull him over when he is spotted.

It is important for buyers to be wary of firewood dealers who don't give phone numbers, receipts or business addresses. Lack of these items can hamper investigation if a shortage is suspected.

The third complaint involved a firewood dealer offering wood by the buyer's truckload. The buyer brings his truck to the location, fills his truck, and agrees to a purchase price set by the seller. This is legal as long as both parties agree to it.

CONSUMER TIPS

Is there a deduction for the ice on a frozen turkey? The law requires commodities be labeled for net quantity. If a product is frozen and has excessive ice, the ice is removed upon weighing the product.

CONSUMER CORNER

Many stores now sell turkeys of various weights for a flat rate. For example, up to 12 pounds \$3.99, 12 to 18 pounds \$4.99, above 18 pounds \$5.99. This is legal in California. However, each turkey still must have a net weight statement on the label.

