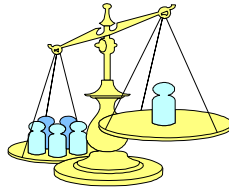


SPOTLIGHT ON WEIGHTS & MEASURES

SONOMA COUNTY SEALER OF WEIGHTS AND MEASURES



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DEVICES

During August we spent most of our time in the field inspecting over 250 devices that will be used this harvest season (made up of mostly vehicle, crane and dormant scales). We inspect most of these devices on site at wineries and farms spread all over Sonoma County. Our heavy capacity vehicle used in testing these devices is shared with Napa County Weights and Measures so the two counties must coordinate their inspections carefully in order to get the devices inspected in a timely manner. Some of the larger wineries use their scale all year round while other smaller operations may only use their scales a few times a year, dusting them off just for harvest. The main equipment used for inspection of these scales is a 36,000-pound crane truck carrying 11,000 pounds in known test weights.

We use the crane to place known weights on the scale. The crane places 1,000 to 2,000 pounds of weight at a time on the scale and then we compare our known weight with the scale read-out (the same principle for all scales we inspect is used on large scales and small scales). The official tolerances (errors) prescribed by the weights and measures code for commercial devices are the limit of inaccuracy officially permissible. It is recognized that an errorless value or performance in equipment is unattainable. Thus, tolerances are established to fix the

range of inaccuracy within which the equipment will be officially approved. In the case of classes of equipment on which the magnitude of the errors of value or performance may be expected to change as a result of use, two sets of tolerances are established: acceptance tolerances and maintenance tolerances. Acceptance tolerances apply to new or reconditioned equipment and are usually smaller, generally one-half of the maintenance tolerance. Maintenance tolerances apply to equipment that is in use and allow an additional range of inaccuracy permitting a limited amount of deterioration before the equipment will be officially rejected for inaccuracy and need reconditioning or adjustment. These tolerances are so fixed that the permissible errors are sufficiently small so that there is no serious injury to either the buyer or the seller.

QUANTITY CONTROL

Weights and Measures received four quantity control complaints in August. All of the complaints were in regards to price discrepancies at the cash register. One complaint was regarding an advertised sign placed on a computer monitor within the store. When the customer went to buy the monitor, he was told the price was an error and the monitor would cost him several hundred dollars more. He declined the purchase. An inspector

did a price verification audit within the store. The monitor in question was the last one in the store at that time and had been reduced to the price the customer had originally seen it for. The manager did not know what had happened but said they would honor the price advertised. Because the price was now at the price the customer had seen, there was no proof it had been increased for this particular customer. A random sample of thirty items throughout the store was selected and scanned at the cash register. Two overcharges were identified and the store did receive a Notice of Violation for those overcharges. A follow up inspection will be done to see if this is an ongoing problem at this business.

Another complaint was on an ad placed in the paper by a company for two speakers (a pair) at a particular price. The customer went to purchase the two speakers and was told the price advertised was an error and the amount advertised was applicable to each of the speakers. This amounted to over \$300 more than the customer thought he would be paying. The inspector talked to the manager who said the corporate headquarters had sent via E-Mail to the store disclosing the error in the advertisement. However, the store had not posted any retraction at the cash register nor had a retraction been posted in the location the speakers were offered for sale. The complainant was sold the speakers for the price advertised for the pair. The sale was for closeout items or last ones in stock. A Notice of Violation was issued to the store for Business and Professions Code 12024.6 which states that no person, firm, corporation, or association shall advertise, solicit, or represent by any means, a product for sale or purchase if it is intended to entice a consumer into a transaction different from that originally represented. If the store had posted a disclosure and/or retraction to the public that the advertisement had been released in error they would not have to honor the advertised price.

Two other quantity control complaints were investigated and a price verification audit was done at each location. Both stores passed the audit. Upon investigating the complaints the inspector identified the problem with clerk errors. The sales were in-store sales and the salesclerks had to manually give the additional discount at the register and they had failed to do so. The managers at both stores said it does happen occasionally and the store would make it up to the complainants if they would come back in with their receipts.

CONSUMER TIPS

Back to School sales are upon us and many stores are offering buy one, get one free or sales that declare the more you buy, the more you save. The discounts can range from 10 percent to up to 50 percent discounts. Always check the advertisement carefully. Some of the stores will advertise two for \$1.00 or three for \$1.00 and in small print state you have to purchase two or the three to get the discount. In other words, if you select one for the two for \$1.00 you will get charged a higher price than 50 cents.

