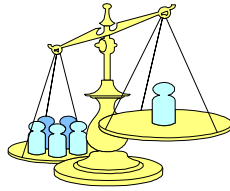


SPOTLIGHT ON WEIGHTS & MEASURES

SONOMA COUNTY SEALER OF WEIGHTS AND MEASURES



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DEVICES

February's emphasis was on computing scales, mainly those used at supermarket check-stands and delicatessens. These tests are done annually to ensure the scale is "correct". Correct indicates all specifications, tolerances and user requirements are met.

The annual examination is done "as found", meaning as the scale is being used by the business. The examination tests that the scale weighs products accurately, rounds off weights and prices properly and is well maintained, also that the cash register it is linked to prints a receipt showing the true net weight, the commodity or code, and the price charged.

A red-tagged device is placed out of order if the error is "out of tolerance," which creates an overcharge to the customer. An out of tolerance device is one that exceeds the acceptable error limits established by the National Institute for Standards and Technology. A red-tagged device must be corrected within thirty days or be subject to impoundment. However, if the scale is out of tolerance to the customer's advantage, the business is given only ten days to repair and bring the scale into compliance.

The business will typically have a service agent repair the scale. The service agent will notify Weights and Measures within 24 hours of the scale's repair via a "placed in service report". Service Agents are authorized to remove red-tags and put the scale back into service.

A Weights and Measures inspector will return to the store within two weeks to retest the scale, and if it passes a seal will be placed on the device.

Electronic scales used in supermarkets today are amazingly accurate, even with the heavy use of every day shoppers. However, they must be maintained and kept free from rubbing against the sides of the counter and kept clean of debris that may gather around the scale causing an error. Scales must also be level in order to weigh accurately.

COMPLAINTS

A complaint was received questioning the amount of money received from a recycling company. The complainant believed the company was not paying customers the correct amount for cans brought in and weighed on their scale. Several undercover sales of cans were made by our inspectors to see if the company was underpaying. The inspections revealed that the company was using a scale not suitable for the transaction. The scale being used is known as a "dormant" scale, which is normally used for heavy capacity weighing. It is not suitable for small loads because the minimum increment of the scale is too large to distinguish variations in can counts. The division of the dormant scale is one pound. The company was given a notice to use their smaller portable platform scale for all redemptions that are twenty pounds or less.

COMPLAINTS (CONT.)

Dormant scales are appropriate for recycling of metals such as appliances, car parts, and bulk scrap.

Another complaint was received regarding an electric meter bill. The complainant had a high utility bill and was confused by the bill. The complainant had just purchased a new furnace, yet the gas usage was zero and the electric bill seemed erratic. After questioning the billing, the next month the complainant received a credit on the bill with no explanation. The inspector reviewed the billing and found that the complainant had been overcharged; the billing agent had caught the error and given her a credit for that overcharge on the next bill. The electric meter was tested and found to be accurately measuring the current usage. Our office is in contact with the billing company regarding questions of another bill at the same location.

QUANTITY CONTROL

The Division received an unusual complaint regarding tooth whitener. The complaint was concerned with the formula used not the quantity. The customer purchased the product when it was on sale. When her husband used the whitener it "blew up" in his hand causing a loud bang and ringing in his ears. The complainant called us because she had read the Press Democrat article, which described how we visit locations to conduct a variety of tests. She felt we would respond quickly. The complainant also notified the manufacturer who stated they would look into the matter. The store manager was also contacted regarding this product, and the store removed the product from the shelves. The remaining product is being stored in their warehouse pending investigation. Additionally, a report was forwarded to the corporate office regarding the product. The complaint is being forwarded to the FDA for investigation, since the FDA handles complaints regarding cosmetics.

CONSUMER CORNER

Buyer Beware! When purchasing candy for Easter or Easter Egg grass on sale, watch out for the small print. Some stores are now advertising items with sale tags that read, "2 for \$1" or "3 for \$1" in good size print. Followed by very small print in the advertisement stating, "you must buy two or the three items" in order to get the sale price. If you only select one of the advertised items, you will pay a higher price.

CONSUMER TIP

Many consumers shop at a particular store because of an advertisement they've seen in the newspaper or on television, or heard on the radio. The purpose of advertisements is to appeal to the consumer and entice them to come into the store. The advertisement, however, must be truthful. If the advertising is for an item on sale at "Fifty Percent Off", the item must be in the store and for sale at fifty percent off. If the sale is only on a particular product that product must be specified. Also any exclusion must be specified. If the item is sold out, a store may give the customer a rain check for that item; however, that is not always the case and is not a requirement. Larger chain stores do not always carry the same products. A product may be in an advertisement for a particular chain store, when the consumer goes to purchase the product that particular store may state they do not carry that item. A store may also specify the sale is "Limited to Stock on Hand", meaning that no rain checks will be issued: the item could be a closeout, end of season clearance, or replacement stock is not available from the manufacturer.

