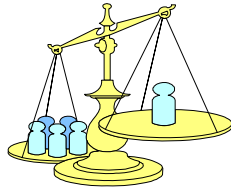


# SPOTLIGHT ON WEIGHTS & MEASURES

## SONOMA COUNTY SEALER OF WEIGHTS AND MEASURES



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### Frequently Asked Questions

Throughout the year Weights & Measures receives calls from the public and businesses asking about certain regulation inspection techniques and trade practices. Here are samples of recent inquiries.

“How do we know your weights are correct?” Our test weights must meet construction and maintenance requirements developed by the National Institute of Standards and Technology and by international agreements. The field kits are made of hollow stainless steel blocks and are adjusted using lead spheres. The access cavity is plugged with a lead seal and stamped with a security code by the state Division of Measurement Standards. Other weights from 25 to 1000 lbs are made of cast iron and are adjusted to as close to the reference standard as possible using lead spheres. Even the type of paint used on the cast iron weights is specified, so it doesn't chip causing minor errors.

“The gas pump kept running after I shut it off. What happened?” One possibility could be a leak in the fuel hose that is being drawn back through the vapor recovery hose. Modern vapor recovery systems use co-axial systems, a liquid hose surrounded by a vapor return hose. If the liquid hose develops a leak through a wall rupture or seal malfunction, a portion of the measured product is not delivered. Our inspectors test for this condition

and will Red Tag any dispenser where it is found.

“My mechanic found water in my gas tank. Will the station where I purchased the gas pay for the repairs?” Maybe. The department cannot assess the cost of repairs. If our inspectors detect water being dispensed from the same meter, we will close it down. If reported quickly after the purchase, the inspection results will be good evidence that the station is responsible. An official sample is sent to the state petroleum lab in Sacramento to verify the contamination. Our inspectors inspect every storage tank for water contamination, and direct owners if contamination is found to have it removed.

“I plan to start a firewood business. What do I need to do?” Firewood sellers have an obligation to deliver the correct quantity ordered and to issue a receipt stating the amount, the cost, their name, address and phone number, and the species of wood, if a species is advertised. Firewood is sold by the cord measure, which is 128 cubic feet (4 feet X 4 feet X 8 feet), or some fraction of a cord. Stacking makes a difference. Wood must be stacked in parallel ranks with a minimum of air gaps, so to not inflate the volume. Cross stacking the ends makes the pile stronger, but inflates the size of the row.

## Frequently Asked Questions (Cont.)

“Your inspector told me I may have to pay a fine for scanner price violation. Will you explain how that works?” An administrative penalty may be proposed for violation of the Business and Professions Code. Our normal enforcement procedure is to warn, notify of violation(s), and propose an administrative penalty if corrective measures are not successfully implemented. Occasionally a penalty will be proposed for a first violation. Penalties range from \$100 to \$1,000 per violation. The penalty amounts are assigned to Code sections and based on the severity of consumer harm and competitive advantage resulting from the violation. At the time of the inspection, the inspector explains the nature of the violation and whether it warrants the consideration of proposing a penalty.



The proposal is reviewed, and if it is justified under the penalty guidelines, the Sealer issues an Order. The respondent has due process rights. They have a choice whether to sign the Stipulation that the violation occurred and pay the proposed penalty, ask for a hearing to offer evidence that the violation did not occur, or that the amount of the penalty is not justified. If the Stipulation is signed, the process is over. If a hearing is requested, a Hearing Officer will preside at the session and weigh all evidence presented and render a decision whether the action and penalty will be upheld. The burden to prove that the violation occurred and the penalty amount is justified is on the department. If the allegation is not proven, the process is over. If the allegation is upheld, the business respondent may appeal the decision to the Secretary of the Department of Food and Agriculture.

## Consumer Corner

Every service station open to the general public must display their prices on a sign visible from the street. With the price of gasoline changing nearly every day, it's important to know ahead of time what the cost of fuel is. Several years ago the legislature required stations to position their advertising signs so they are visible from normal driving lanes, before turning into the station. The purpose is to enable consumers to make a value comparison before driving into the station. The sign must state the highest price charged for each of the three highest sales volume grades. For example, the sign could state three grades of gasoline prices or two grades of gasoline and diesel fuel if it is a high volume seller.

## Coming Events

Spring and summer brings increased agricultural production. To meet the increased use of scales used at Farmers Markets, our inspectors will be visiting each market site to seal scales. We normally make two visits one in early spring and another in mid-June.

The annual Crane Scale Certification Days are coming. We will contact crane scale owners to ask them to reserve a time for either Healdsburg or Sonoma dates. On these days, our heavy capacity weight truck will be stationed at the County Corporation Yard where crane scale owners will bring their devices to have them sealed. This method is quicker than us visiting each vineyard or winery. Most of the devices are passed, but the inspection days are scheduled far enough in advance to have repairs made before they are needed for the grape harvest and crush.

