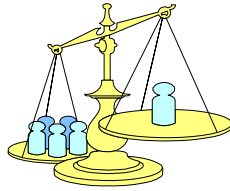


# SPOTLIGHT ON WEIGHTS & MEASURES

## SONOMA COUNTY SEALER OF WEIGHTS AND MEASURES



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### COMPLAINTS

In August we received very few complaints from the public. Four of the complaints were related to service stations. Our inspectors investigated each complaint but were unable to replicate or verify the nature of any of the problem described.

The most common complaint we receive regarding service stations is something like this: *"I was able to pump 15 gallons into my tank and I normally pump only 13 gallons."* This type of complaint is very difficult to verify because we do not know and can't prove the exact size of the vehicle's fuel capacity and we do not know how much fuel was in the vehicle's tank before the fuel was purchased. As Weights and Measures Inspectors and third party mediators of disputes, all we can do is test the device in question with approved testing standards and applying approved testing methods.

We typically approach these types of complaints by identifying ourselves to the business and informing them of the nature of the visit. We then inspect the device in question by using traceable "standards" and measure a metered amount of fuel. We use two five-gallon standards and perform two measuring tests on the meter.

The first test we will dispense and measure five gallons through the meter with the nozzle handle fully squeezed (maximum rate test). A second measuring test is done by backing off the nozzle handle to allow the meter to dispense at its minimum rate, which is usually twenty percent of the maximum rate.

While in the process of performing these tests, we also check for other things such as: internal valve or gasket leaks that allow the meter to advance when the nozzle handle is not depressed, and interference from electrical sources from the dispenser under test or any adjacent dispensers. In addition to these and other tests, we also enforce labeling and sign requirements that service stations are required to follow. Such labeling requirements as the price per gallon, the fuels' grade designation, and the octane rating are inspected.

Our most successful investigations of these types of complaints occur when the person making the complaint calls our office as soon as possible after the purchase. If there is a delay, the problem may already have been fixed by the business by the time our inspectors get there, or the product may have already been sold as in the instance of contaminated low octane fuel.

## COMPLAINTS (CONT.)

We encourage the public to be observant, attempt to report or work out the problem with the business, and to call our office in a timely manner when they think they have observed a problem with any commercial device. Our county seal and phone number are found adhered to the display of most commercial devices.

Our Quantity Control program had six complaints in August. The majority was related to customers not receiving the appropriate advertised discounted price at the time of purchase. These types of complaints are usually easy to verify because the customer can see the advertised price and the "discount" sign to compare them to what they were charged at the register.

We run into difficulties when the customer waits and the advertised sale items have already come off sale. The sale information is no longer in the business's computer. This prevents us from performing an undercover purchase of the items and replicating what the customer experienced.

If the customer keeps their receipt and the item in question was advertised in a circular, the likelihood of proving that the customer was charged the incorrect price is much higher. If the customer does not keep the receipt and the item in question was an "in store" sale that only one store advertised through a shelf price, it is much more difficult to prove the customer's complaint. If we can't verify the sale price and compare it to the price charged on the receipt we, as inspectors, can't take immediate action against the store without irrevocable proof.

### CONSUMER TIP

California's Division of Recycling, under the Department of Conservation, is responsible for administering the State's recycling regulations.

They set and update CRV values assigned to recyclable containers sold within the state of California. Requirements in AB28 updated CRV values beginning in January of 2004 but there still seems to be some confusion from some members of the public on redemption amounts and conditions for redemption of recyclable containers.

The consumer has the right to be paid per container when bringing in 50 (fifty) containers or fewer of each material type (aluminum, plastic, glass, and bimetal) in a single load. **Recycling centers, at their discretion, may redeem more than 50 containers per material by count.** Sometimes the customer receives more money if the items are redeemed by count and sometimes more if they are redeemed by weight. The type and number of containers and the material being recycled influence value. The key rule is that the California Redemption Value of each container is to be returned to the customer at the time of redemption.

The Division adjusts the value of a recycled pound of each type of beverage container material each year on January 1. The adjustment on January 1, 2004, reflects the increase in the amount of the refund from 2.5 cents to 4 cents for beverage containers with a capacity of less than 24 fluid ounces and from 5 cents to 8 cents for every beverage container with a capacity of 24 fluid ounces or more. Current efforts are underway to require recycle centers to post the consumer rights as stated above.

