



*VIRGINIA DEPARTMENT  
OF AGRICULTURE AND  
CONSUMER SERVICES*

**ANNUAL REPORT ON THE TESTING AND  
INSPECTION ACTIVITIES OF THE  
DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES  
WEIGHTS AND MEASURES PROGRAM**

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Commissioner**

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Department of Agriculture and Consumer Services Weights and Measures Program**

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Annual Report on the Testing and Inspection Activities of the Department of Agriculture and Consumer Services Weights and Measures Program

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**Legislative Mandate**

§3.2-5609(B) of the Code of Virginia

**EXECUTIVE SUMMARY**

During the fiscal year ending June 30, 2014, staff assigned to the weights and measures program in the Virginia Department of Agriculture and Consumer Services (VDACS) inspected 68,760 weighing and measuring devices used in commercial transactions in the Commonwealth, a 22 percent increase over the number of devices inspected the previous year. The frequency of inspection per device was approximately 28 months. Staff also collected 4,093 motor fuel samples and investigated 600 consumer complaints.

## OVERVIEW

The weights and measures program promotes equity in the marketplace through the uniform administration of weights and measures laws and regulations. The general fund appropriation for FY 2014 was \$2,604,920 and 38 full-time equivalent (FTE) positions were assigned to the program. In addition to the central office in Richmond, the program has three regional offices located in Franklin, Harrisonburg, and Wytheville.

Staff tests retail devices that are used to dispense gasoline, diesel fuel, fuel oils, liquefied petroleum gas (LPG), and kerosene. Staff also tests devices used to weigh retail purchases, road and other construction materials, agricultural products, and household goods. These devices include retail scales; medium-capacity bench, counter, and floor scales; and large capacity devices such as bulk plant meters, warehouse scales, farm scales, vehicle on-board weighing systems, hopper scales, livestock scales, and railroad scales. In addition to inspecting devices, staff collects samples to verify the quality of motor fuels sold in Virginia, provides calibration tests at the Metrology Laboratory, determines the accuracy of point-of-sale systems, verifies the accuracy of packaged commodities, enforces advertising and method-of-sale requirements, and investigates related complaints.

## INSPECTION AND COMPLAINT INVESTIGATION ACTIVITIES

The number of weighing and measuring devices used commercially in Virginia that are subject to inspection is estimated at 130,388. The net gain of two additional inspectors during the reporting period allowed the program to inspect a greater number of locations, which, in turn, improves the accuracy of the device population data.

Device Type	Est. Number
Petroleum Product Dispensers	94,731
Computing/Hanging/Counter/Platform Scales	29,664
Vehicle Tank Meters	1,491
Vehicle Scale	1,475
Medium Capacity Scales	1,365
Liquefied Petroleum Gas (LPG) Meters	1,156
Farm Scales	271
Livestock Scales	80
Bulk Rack Meters	96
Railroad Scales	38
Monorail Scales	12
Belt Conveyor Scales	5
Vehicle On-Board Weighing System	4
<b>Total</b>	<b>130,388</b>

During the reporting period, staff inspected 68,760 weighing and measuring devices, including 51,316 petroleum product dispensers, 473 vehicle tank meters, 196 LP gas meters, nine bulk rack meters, and 16,766 scales. Of the 68,760 weighing and measuring devices inspected, 13,111 were rejected for inaccuracies. Staff also collected 4,093 motor fuel samples. Laboratory analysis revealed that of the 4,093 motor fuel samples collected, 74 were found in violation. Staff spent 2,078 hours investigating a total of 600 consumer complaints. Of the 600 complaints submitted, 539 pertained to weighing and measuring devices and 61 pertained to motor fuel quality. Staff spent 1,877 hours investigating complaints pertaining to weighing and measuring devices and 201 hours investigating motor fuel complaints. The table below contains select performance data dating back to FY 2006.

<b>Year</b>	<b>Estimated Number of Devices</b>	<b>Devices Inspected</b>	<b>Motor Fuel Samples</b>	<b>Complaints Investigated</b>
<b>FY 2014</b>	130,388	68,760	4,093	600
<b>FY 2013</b>	120,824	56,189	4,430	608
<b>FY 2012</b>	120,215	61,516	4,009	749
<b>FY 2011</b>	120,215	62,323	4,270	616
<b>FY 2010</b>	118,000	46,304	3,836	687
<b>FY 2009</b>	118,000	45,903	2,500	2,619
<b>FY 2008</b>	118,164	57,812	2,685	885
<b>FY 2007</b>	112,474	55,147	3,328	714
<b>FY 2006</b>	108,587	63,983	3,908	1,146

Staff also sampled 11,718 store-prepared packaged commodities for accurate weight and conducted 27,304 point-of-sale price verifications on point-of-sale systems. Staff in the Metrology Laboratory performed 7,582 calibration tests and tested 3,491 radar tuning forks. Compliance staff assessed approximately \$1,080 in civil penalties for various violations of the Weights and Measures Law, the Motor Fuels and Lubricating Oils Law, and the Service Agencies and Technicians Law. Additionally, staff issued one warning letter.

During the reporting period, two inspectors retired, one inspector resigned, and five new inspectors were hired. The net gain of two field staff had a positive impact on the number of devices inspected and on inspection frequency. During the fiscal year ending June 30, 2014, the number of devices inspected increased from 56, 189 to 68,760. During the same period, the inspection frequency decreased from 30 months to 28 months. With continued funding support, the program will continue to assure both consumers and businesses that the most critical weighing and measuring devices used in the Commonwealth meet the required specifications.