



*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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**Legislative Mandate**

§3.2-5609(B) of the Code of Virginia

**EXECUTIVE SUMMARY**

During the fiscal year (FY) ending June 30, 2015, staff assigned to the Weights and Measures Program in the Virginia Department of Agriculture and Consumer Services (VDACS) inspected 74,082 weighing and measuring devices used in commercial transactions in the Commonwealth, a 7.7 percent increase over the number of devices inspected the previous year. The frequency of inspection per device was approximately 36 months. Staff also collected 4,931 motor fuel samples and investigated 583 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 2015 was \$2,537,283, and 40 full-time equivalent 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, vehicle tank meters, warehouse scales, farm scales, vehicle on-board weighing systems, vehicle scales, 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 (scanners), 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 167,512. The identification of additional weighing and measuring devices resulted in a significant 29 percent increase over the estimated number of weighing and measuring devices used commercially in Virginia that were subject to inspection in FY 2014. The net gain of one additional inspector during the reporting period allowed the program to inspect a greater number of locations, which, in turn, improved the accuracy of the device population data.

Device Type	Est. Number
Petroleum Product Dispensers	123,509
Computing/Hanging/Counter/Platform Scales	37,258
Vehicle Scale	1,678
Vehicle Tank Meters	1,599
Medium Capacity Scales	1,586
Liquefied Petroleum Gas (LPG) Meters	1,369
Farm Scales	269
Livestock Scales	91
Bulk Rack Meters	87
Railroad Scales	40
Monorail Scales	14
Belt Conveyor Scales	5
Vehicle On-Board Weighing System	7
<b>Total</b>	<b>167,512</b>

During the reporting period, staff inspected 74,082 weighing and measuring devices, including 57,289 petroleum product dispensers, eight stroke pumps, 137 vehicle tank meters, 334 LPG propane meters, 227 LPG propane pumping station meters, eight timing devices, 608 counter weights, 32 peanut moisture machines, and 15,439 scales. Of the 74,082 weighing and measuring devices inspected, 16,857 were rejected for inaccuracies. Staff also collected 4,931 motor fuel samples. Laboratory analysis revealed that of the 4,931 motor fuel samples collected, 130 were in violation. Staff spent approximately 2,200 hours investigating a total of 583 consumer complaints submitted to the Office of Weights and Measures. Of the 583 complaints submitted, 509 pertained to weighing and measuring devices and 74 pertained to motor fuel quality. The table below contains select performance data dating since 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 2015</b>	167,512	74,082	4,931	583
<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 21,503 store-prepared packaged commodities for accurate weight and conducted 66,252 point-of-sale price verifications on point-of-sale systems. Staff in the Metrology Laboratory performed 7,627 calibration tests and tested 3,093 radar tuning forks. Compliance staff assessed approximately \$10,960 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 22 Notices of Violation and 40 Letters of Caution for infractions of the Weights and Measures Law, the Motor Fuels and Lubricating Oils Law, and the Service Agencies and Technicians Law.

During the reporting period, one inspector resigned, and two new inspectors were hired. The net gain of one field staff resulted in an increase in the number of devices identified and the number of devices inspected. During the fiscal year ending June 30, 2015, the number of devices inspected increased from 68,760 to 74,082. During the same period, the average inspection interval increased from 28 months to 36 months. This increase in average time between inspections is due to the identification of approximately 37,000 additional devices that were included in the total estimated number of weighing and measuring devices used commercially in Virginia in FY 2015. 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.