

**INDIANA STATE DEPARTMENT OF HEALTH
Division of Weights & Measures
Motor Fuel Inspection Program
Metrology Laboratory
Sanitary Bedding
107 Years of Equity in the Marketplace
2017-2018 Annual Report**

The Division of Weights and Measures: Primary responsibility is to protect the citizens and merchants of Indiana through numerous and varied enforcement activities. The delivery of proper weight and measure and the elimination of fraud and misrepresentation in commercial transaction have been the objectives of this Division since its inception as Indiana Bureau of Weights & Measures in March 1911. The acts of 1947 decommissioned Indiana Bureau of Weights & Measures changing the name to Division of Weights & Measures under the authority of the Indiana State Department of Health.

Weights and Measures inspectors protect both the buyers and sellers interest by providing equity in the marketplace. Inspectors examine and test with State certified standards every weighing and measuring device used commercially in the State of Indiana. In addition, inspectors check weight on various prepackaged commodities, review commodity labels for compliance, motor fuel quality testing and metrology calibrations. Inspectors investigated 132 **consumer complaints** concerning shortages and fuel issues. Inspectors investigated 18 **Indiana Attorney General complaints** mainly fuel related.

The following sections describe the program areas within the Division of Weights and Measures.

The County, City & State Inspectors Program: Counties with a population of 30,000 or more shall have the authority to have a Weights and Measures inspection program. The City may provide an Inspector if the population is 20,000 or more. There are a total of 57 local County and City jurisdictions (Deputy State Inspectors) under the direction of the State of Indiana Weights & Measures Office. The State Division of Weights and Measures has jurisdiction over all inspections in 39 counties. The Division also provides inspection of numerous vehicle scales & L.P. gas meter locations in 92 Counties, State Weights & Measures test 36 Compressed Natural Gas retail filling stations.

Device Inspections: All commercially-used weighing and measuring devices within the State are performed by (80) State and Local Weights and Measures Inspectors. A total of 119,663 inspection tests were performed in 2017-2018 of that 11,238 inspection tests were rejected. The statutory authority for all inspection activities are found in the Indiana Weights and Measures law under **IC 24-6-3-2**.

Motor Fuel Inspection Program: Quality sampling is the method by which the program annually collects samples of petroleum products for quality analysis by State or private laboratory. Sampling is conducted to determine octane, ethanol, volatility and water content of petroleum products as well as to determine the presence of oxygenates. A total of 853 gasoline samples were inspected this year. Once violation orders are issued, the service station owner will stop dispensing the mislabeled or contaminated fuel until issues have been corrected and Weights & Measures Officials have retested and released the station for normal operation. If the station owner refuses to correct violations within a specific amount of time, a stop sale order will be issued and the inspector then has the option to padlock the rejected gasoline dispensers that are in violation of Indiana State law. Two stop sale orders were issued for non-compliance due to a contaminated fuel or incorrect octane labeling on the dispenser.

Prepackaged Goods Inspections: Are conducted at regular unannounced intervals by the Division. Prepackaged commodities such as store-packaged meats, delicatessen items, specialty coffee, bulk foods, milk, candies and motor oil are inspected to ensure the accuracy of the labeled net quantity statement. Consumer only pays for the net weight of the product, not the packaging material. A total of 90,383 package inspections were performed and 10,803 were short net weight. Therefore, the retail store will re-weigh all short net weight products before they can offer the product for sale with the correct net weight.

The Metrology Laboratory: Maintains custody and safekeeping of the Indiana primary standards of mass, volume, length, time and temperature. These are standards to which all other standards and testing equipment are compared to the NIST Standards. The Indiana laboratory is recognized by the United States Department of Commerce National Institute of Standards and Technology (NIST) for Certificate of Metrological Traceability for the State of Indiana.

The Laboratory provides measurement services for enforcement of weights and measures regulations in the legal metrology by testing and calibrating all working standards used by the State and Local weights and measures inspectors. It also provides services for Indiana businesses, industries, and government agencies in metrology standards by testing and calibrating working standards used in trade, commerce and manufacturing. The calibration of the standards and testing equipment used by State and Local weights and measures inspectors are tested every **two** years. The calibration of a service company standards and testing equipment shall be performed **once** a year.

The Laboratory has established NIST Recognition for 2019. This demonstrates technical competence for a defined scope and operation of laboratory quality management. 420 certification tests were performed on Indiana State Police Portable scales. 3,854 test weights were certified of which 117 were rejected. 173 liquid devices were certified for this period.

Weighmaster Certification: Any business operating in the State of Indiana that owns, leases, rents or operates a large capacity scale for retail or wholesale use or charges a fee for the use of the device (vehicle scale, rail scale, etc.) must have a designated Weighmaster responsible for the operation of that scale or scales. The general manager of the business at that specific site will be the official Weighmaster for that location; this person will be responsible for the proper training and appointment of employees that operate said scale. 126 Weighmaster Certificates were issued for this period.

The application for a Weighmaster certificate is on the Weights & Measures web page at: <http://www.in.gov/isdh/23288.htm> Each location will require a Weighmaster. Please send the application for Weighmaster along with a list of the employee's names operating the scale. Indiana code: 24-6-3-13

Bedding Sterilization Program: All businesses retail, wholesale or leasing establishments dealing with bedding to be rented, sold or leased by the general public must have a bedding sterilization program implemented and registered with Indiana State Department of Health Weights & Measures Division, each business must have and display a sterilization permit visible to the public. The application for Sterilization permit is on the Weights & Measures web page at <http://www.in.gov/isdh/23288.htm> 144 sterilization permits were issued during this period.

The 2014 NIST Handbook 44, 130, & 133 and Motor Fuel Rules were also updated ASTM 2013 Edition. All of these Rules were approved by the Governor and the Office of the Attorney General. The effective date for the Rules is August 7, 2014.

Sincerely,

Michael Miller, Director
Division of Weights and Measures
2525 North Shadeland Ave. Suite D3
Indianapolis, IN 46219
Mmiller2@isdh.in.gov
317-356-7078 Opt. 3