

INDIANA STATE DEPARTMENT OF HEALTH
Division of Weights & Measures
Motor Fuel Inspection Program
104 Years of Equity in the Marketplace

2014-2015 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 in March 1911.

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 weigh various prepackaged commodities, review commodity labels for compliance, motor fuel quality testing and metrology calibrations. They also investigate consumer complaints about shortages or unfair practices and educate the buyer and seller generally as to their rights provided by the Indiana Weights and Measures Laws.

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. At this time State Weights & Measures is working with 6 new local jurisdiction Inspectors. One State Inspector & one Metrologist retired in 2015, 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 is in the process of testing 23 Compressed Natural Gas retail filling stations.

Device Inspections: Of all commercially- used weighing and measuring devices within the State are performed by (88) State and Local Weights and Measures Inspectors. A total of 131,336 devices were inspected in 2014-2015 of that 16,495 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 rating, volatility and water content of petroleum products as well as to determine the presence of oxygenates such as ethanol. A total of 41 gasoline samples were inspected this year due to complaints, and a total of (6) stop sale orders for water or wrong octane labeling on the pump. When a stop-sale order is issued, the service station owner can either stop dispensing the mislabeled gasoline or relabeled the gasoline dispenser to reflect the true octane rating. If the owner refuses to do either, the inspector will padlock rejected gasoline dispensers that are in violation of Indiana State law.

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 99,282 package inspections were performed and 6,100 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 or 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 is performed once a year.

The laboratory has established NIST Certification and NVLAP Accreditation for this year. This demonstrates technical competence for a defined scope and operation of laboratory quality management system for accredited in accordance with the recognized International Standard ISO/IEC 17025:2005. This enabled metrology to grow in professional stature and to offer improved services in responding to Indiana industries calibration needs as well as the support of retail trade and equity in the marketplace.

Weighmaster Certification: Any business operating in the State of Indiana that owns, leases, rents or operates a large capacity scale (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.

The application for Weighmaster certificate is on the Weights & Measures web page.

<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 employees names operating the scale.

Indiana code: 24-6-3-13

Bedding Sterilization Program: All businesses retail, wholesale or leasing establishments dealing with used 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.

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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,

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