

Southern Weights & Measures Association

85nd Edition

SWMA Newsletter

April 2001

Dear SWMA members and friends

Since our meeting in Austin, I hope each of you and your families had a Merry Christmas and a most prosperous New Year. Here in Kentucky, we are already making plans for the 56th Southern Weights and Measures conference this fall. The conference will be held in Lexington, Kentucky and very soon each of you will receive information pertaining to this event. Should you have questions concerning this event, please feel free to contact Doug Rathbun, Randy Wise, or myself at (502) 564-4870.

As I stated when I met with the Board of Directors in Austin, my goal as President is to recruit as many new members as possible. I truly believe that there is strength in numbers and we do need new and active members to enhance our current membership. If each jurisdiction and associate member would focus on membership recruitment, it would be amazing how rapidly our organization could grow. Let's all work hard on bringing in new members and promoting ourselves as the great organization, which we know it to be.

I would like to congratulate N. David Smith on his promotion in the great state of North Carolina. I'm sure they realize the talents, skills and dedication that we have seen for quite some time. Congratulations are also in order for Bill Truby on his recent retirement. Bill has worked hard for many years and been a cornerstone of our association. Good people like Bill are hard to replace. The State of Georgia and the SWMA are very fortunate to have Jerry Flanders to carry on the tradition.

In closing, we are looking forward to everyone attending the conference this year and promise you a great time. During the next few weeks, I will be calling on everyone for guidance and support. I am also looking forward to seeing each of you at the national conference in July. "See you soon"!!!!

Sincerely,

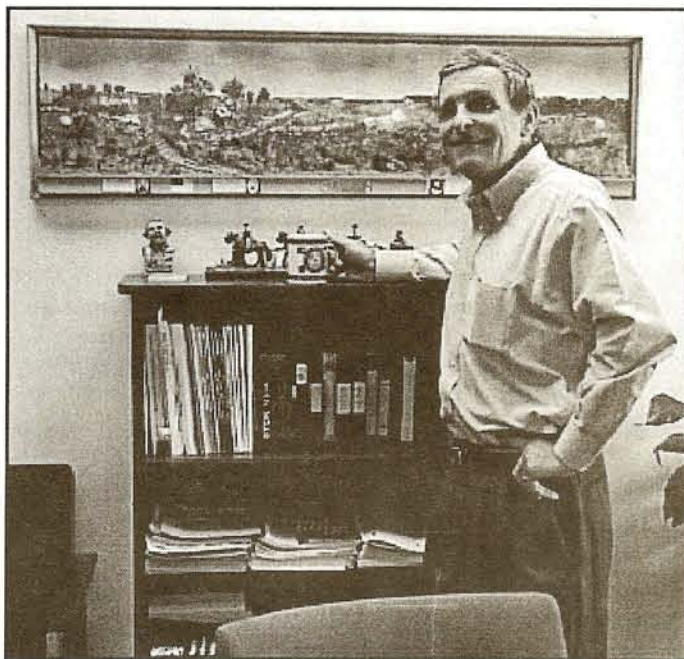
Larry W. Hatfield

President SWMA

Bill Truby Retires

After toiling for 30 years with the Georgia Department of Agriculture, Bill has decided to retire. He has enjoyed a distinguished career in several positions with the department. In December 1972 Bill began work as a warehouse examiner in the State Warehouse Division. He was promoted to assistant director of the division in April 1979. Bill became the Division Director in June 1983. Finally in July 1986 Bill saw the light. He transferred to the Fuel and Measures Division to become the Director of that Division. About a year later in June 1987 Bill was promoted to Assistant Commissioner of the Fuel and Measures Division.

Bill was born in Alabama and along the way moved to Georgia where he graduated from Grady High School in Atlanta in 1961. From there Bill attended West Georgia College in Carrollton, Georgia. For eight years Bill worked in the Atlanta Regional Marketing Department for Gulf Oil Company. Bill served his country by serving active duty in the Marine Reserve. In 1968 Bill and Dottie were married. They have been blessed with two daughters, Anna and Laura. Anna Griffith and



husband Ryan have two sons, Jackson, six years old and Noah, sixteen months. Laura Truby is a teacher in Fulton County, Georgia.

Bill has been active in the Southern Weights and Measures Association and the American Association of Warehouse Control Officials. In fact, he has served as President of both Associations and on the Board of Directors of both associations. Bill was President of the SWMA in 1993-94. Through the years Bill contributed mightily to the SWMA. His wisdom and advice have helped to solve many issues that confronted the SWMA and the National Conference on Weights and Measures.

The membership of the SWMA wishes Bill and Dottie much happiness in retirement. With two young grandsons, it looks like Bill will be spending his time teaching his fishing tricks to another generation of Trubys. In spite of the many contributions Bill has made to the SWMA, he has left us with one compelling problem. How can a person born in Alabama and raised in Georgia become a life-long South Carolina Gamecock fan? We have always thought that a little strange. Good luck Bill and may God bless you and your family. ☪

Update on Mike Hile

Word has come that Mike is working as an Environmental Scientist with the Planning & Air Quality Analysis Branch of the Air Division at the Arkansas Department of Environmental Quality. Mike works with state, local, and federal agencies on non-attainment issues, including preparation of environmental assessments, air quality trends, and impact statements. His responsibilities include researching and analyzing state and federal laws, regulations, and guidelines; reviewing and commenting on draft federal regulations; and overseeing development of the state regulatory program. Mike misses his many weights and measures friends and encourages them to contact him at hile@adeq.state.ar.us or 501-682-0060. ☪

British Weights & Measures Association

PRESS RELEASE

TONY'S METRIC MENDACITY

On Thursday 8 February 2001 a new law comes into force which bans in the future any mention whatsoever of our popular traditional imperial measures when selling fresh fruit and vegetables, meat, poultry, cheese and fish.

In Tony Blair's current correspondence about compulsory metrication he writes, "*Of course, the weight and unit price may also be indicated in pounds and ounces*". But meanwhile, his civil servants were publishing a new law, Statutory Instrument 2001 No. 55, to put an end for ever to the use of "authorised supplementary, subordinate indicators" in conjunction with metric units in trade. In other words, any use of pounds and ounces, feet and inches will be a crime after 31 December 2009.

So it is not enough to criminalise selling in pounds and ounces, or feet and inches and pints and gallons - it will become a criminal offence even to assist customers by displaying these measures alongside metric. Yet Tony Blair says in his letters

"*The most important consideration in all these changes is the need to ensure that consumers are not misled or confused.*"

The suppression of supplementary indicators, simply the provision of additional information for the consumer's benefit, constitutes a direct attack on our freedom of expression, in clear contravention of Article 10 of the European Convention of Human Rights.

So keen is the European Commission to annihilate our imperial measures, a vital living part of our language and culture, it has instructed our government to enact this Regulation immediately. Just like the 1994 Metrication law being tested in court in Sunderland, this new one was not debated in Parliament, and is just as illegal.

Mr Vivian Linacre, Director of the British Weights & Measures Association says, "We are determined to arouse national opposition to this totalitarian dictat".

For further information CONTACT: Mr Vivian Linacre, BWMA Director, 45 Montgomery Street, Edinburgh EH7 5JX (Tel. & FAX: 0131 556 6080)

www.footrule.org

Press release distributed by David Delaney, BWMA Hon Public Relations Officer, Mortimers Cross Mill, Leominster, HR6 9PE, Tel: 01568 708 820, e-mail dtdeleaney@compuserve.com ☪

SWMA Web Site

The following comment was received recently on the SWMA Web Site:

"When will you people learn? Metric is the work of the devil. Stick with Imperial if you want to go to heaven."

Simon Bailey, Head of Trinity College
6 Hoskin Avenue, Toronto, Ontario
(416) 593-7785 sbailey30@hotmail.com ☪

JURISDICTIONAL NEWS

ALABAMA

It would seem that shake-ups are occurring in almost every state and Alabama is no different. During the past year, Commissioner of Agriculture and Industries Charles Bishop began re-organization of the Department of Agriculture and Industries by changing division make-up. Instead of a large number of separate divisions, the Department now had 3 main divisions: Executive which comprises the Commissioner's staff, legal counsel, public relations, accounting, etc.; Agricultural Compliance which is make up of agricultural related work; and Food Safety and Consumers made up of the various aspects of the department that relate to consumer protection.

In order to better serve the consumers of the State of Alabama, Weights and Measures was divided into Light Weights and Measures which will handle the fuel pumps, small scales under 500 pounds, scanners, etc. Also part of Light Weights and Measures is the Petroleum Products Testing Laboratory. Steadman Hollis will continue as Director of Light Weights and

Measures with Vaughn Johnson as Director of the Petroleum Laboratory. Two additional Light Duty Inspectors are now in place, Timothy Thomason in North Central Alabama and Michael Rhodes in North West Alabama.

Heavy Weights and Measures with Larry Turberville, Acting Director, will involve testing of large capacity scales, provers, meters, and the Weights and Measures Laboratory. Mr. Turberville has been a Heavy Weights and Measures Inspector with the State of Alabama for 12 years. Mr. Turberville is a member of the NTEP Technical Committee for the Weighing Sector and the Belt Conveyor Scale Sector and has performed field NTEP tests on scales in a number of different states over the past several years. Terry Snow is Assistant Director and John Campbell will remain Supervisor of the Weights and Measures Laboratory. †

DELAWARE

Delaware began the year with a new administration. Ruth Ann Minner has taken the reins as Delaware's first female Governor. Secretary of Agriculture Jack Tarburton was asked to stay at the helm of our Department. H. Davis Shockley was recruited from our Food Products Compliance section to assist Mr. Tarburton as Deputy Secretary of Agriculture. Our previous Deputy Secretary has joined the staff of newly elected Senator Thomas Carper. We look forward to working with these capable individuals as we move into the third millenium.

During the final week of December 2000, our inspectors discovered a problem with our environmental chamber. They were attempting to verify our small scale kits, but found that they could not control the temperature and humidity in the chamber. The heating and air conditioning techs confirmed our worst fears, estimating repairs hat could run as high as \$20,000. Luckily, the weight kits were not due for calibration until April, so we were able to inspect most of our small scales. Since our budget can't accommodate the repairs to the chamber, we made arrangements to have our small scale weight kits calibrated at Maryland's laboratory.

Inspectors have finished small scale inspections for 2001, except for seasonal scales, and are preparing to begin vehicle scale and gas pump inspections. The considerable number of bad weather days has caused quite an increase in the number of package and price verification inspections in our state this quarter, but that's not necessarily a bad thing. We seem to be picking up more violations in bakery departments for some reason, so we're doing some intensive re-training of store personnel in this area. All the price verification training that we did last year seems to be paying off with an increased level of compliance.

On March 15 and 16, we hosted registration seminars to voluntarily register device servicepersons in Delaware. After a presentation by our staff on NIST Handbook 44 and Delaware Weights and Measures laws and regulations, we were able to test and register 14 meter technicians on Thursday and 13 scale technicians on Friday. The 100% passing rate for participants speaks volumes about the excellent preparation of material by our inspectors. Kudos to our entire team for a job well done.

ENFORCEMENT ACTIONS

Business	Violation	Plea	Disposition
Acme #7813, Wilmington	Quantity Representation	No Contest	Fined \$90.00 †

FLORIDA

On January 24, Governor Jeb Bush appointed Terry L. Rhodes as the new Commissioner of Agriculture to replace former Commissioner Bob Crawford when he accepted a position with the Florida Department of Citrus. Ms. Rhodes has been with the Department since 1988, and has served as Deputy Commissioner-Consumer Services and Assistant Commissioner. As Deputy Commissioner-Consumer Services, Ms. Rhodes was responsible for several divisions including the Division of Standards. She is very familiar with the Weights and Measures and the Petroleum Inspection programs and continues to provide the support needed to assure their success.

The Bureaus of Weights and Measures and Petroleum Inspection now have websites up and running. Both programs' websites can be visited from the Division of Standards site at : <http://doacs.state.fl.us/standards.html>

The Legislature is currently in session, and things do not look good for future funding to replace equipment in service or purchase new types of equipment. However, during the last Legislative session the Weights and Measures program received funding to replace several pieces of aged equipment, as well as funding for portable computers and software to automate field data collection.

We recently were able to purchase three semi-tractors to replace the old tractors on three of the four vehicle scale test units, one heavy duty straight truck to replace a livestock and industrial scale test unit, and three balances in the Metrology Laboratory. Also funded was the purchase of a portable dynamometer type unit to test taximeters around the state. Safety concerns associated with using heavily traveled public roadways for taximeter testing had become critical. The portable unit will allow testing in locations that are much less dangerous than public roadways with the added benefit of being able to test taximeters at airports and convention centers unannounced for detecting possible cases of fraud.

The balances purchased for the lab were Mettler-Toledo models AT-106, AT-1005, and AT-10003. The addition of these balances completes the upgrading of the equipment in the precision lab to allow for further automation and enhanced the capability of the small mass tolerance testing lab.

Senior Metrologist Mike Cook and Metrologists Paul Gentry and Davis Terry will be attending the combined regional MAP training meeting in Gaithersburg.

Congratulations and Best Wishes to Georgia boy Bill Truby on his retirement. Bill has been a real friend and contributor to the SWMA and we hope he will stay in touch and continue to attend meetings now that he will be getting the Senior Citizen/Retiree discount. We also hope he will visit us in Tallahassee as often as he can. (But not too often, Bill. We still have work we have to do). †

GEORGIA

Following her December 31, 2000 retirement, former State Metrologist Brenda Whitener, has been actively enjoying world travel and a life of leisure; however, fortunately for us, she has also found time to spend two or three days a week to assist in testing and training personnel at our Weights and Measures Laboratory.

Congratulations to Sam Burtz (North Georgia Field Supervisor) on his March 31st retirement, and to heavy scale inspector, Chuck Royal who has been promoted to assume that vacated position.

Assistant State Metrologist Rich Lewis attended the recent Regional Measurement Assurance Program in Gaithersburg, Maryland.

We have acquired two new "slip-in" units, which will be utilized to conduct high speed testing of retail petroleum dispenser calibration accuracy.

Sr. Fuel Inspector, Hugh Cornwell of LaGrange retired March 31 following 28 years of dedicated service with the Department.

Under Departmental reorganization, Fuel & Measures will merge within the Consumer Protection Division, which is supervised by Assistant Commissioner Cameron Smoak. Jerry Flanders will continue oversight of the Fuel and Measures operations.

State Fuel Chemist, Curt Williams has negotiated a \$50,000 contractual award from the Georgia Environmental Protection Agency to verify unleaded gasoline compliance with The Georgia Air Quality Act in Metro Atlanta during the summer months. ☞

KENTUCKY

We have just completed our tobacco season for 2000 – 2001. There were quite a few changes this year. The number of traditional auction warehouse that licensed decreased by 40 or almost 25%. This was do to the reduction of quota that controls the number of pounds produced and the start of contract buying directly from the farmer. Two of the tobacco companies opened eight receiving stations across the state. The farmers, who had contracted their crops, called and made an appointment to bring in their tobacco. The tobacco was tested for moisture, weighed, graded, and the farmer was paid for it at that time. With the traditional auction system, tobacco would be sold any time from the date of delivery to a couple of weeks after delivery. The farmers also paid a commission fee to the warehouse, which they did not have to pay for contract tobacco. The farmers seemed to like the new system. We did not receive any complaints from farmers on the weights that they received at the buying stations. We are expecting a continuation of the decrease in the number of auction warehouses and an increase in the number of contract buying stations next year. There were discussions about developing regulations covering contract buying, but nothing was done during the past General Assembly.

The pen top computers with WinWam are now in the field. The inspectors that are using the pen tops have really caught on to entering inspections. We still have a few bugs to work out in emailing the inspections to the office and reading them into the office system. We are planning on doing a presentation at the Southern this fall on using computers in the field.

The media has shown an interest in our inspection programs over the past few months. During the February sweeps weeks, we had coverage on Louisville TV station on price verification and a Lexington station on retail motor fuel dispenser inspection. The Paducah and Owensboro papers ran features on the new service station test unit and RMFD inspection. A Lexington TV station is doing a feature on fuel quality at the end of March.

We are working on the plans for the Southern this fall in Lexington. If you have any suggestions or ideas about speakers or programs that you would like to see on the agenda, please forward them to Larry Hatfield so that we can try and get them worked into the program. Early fall will be a beautiful time in the Bluegrass and we are looking forward to having each and every one of you in Kentucky. If you need information about the area, attractions, and things to do, please let us know. We will do our best to get the information to you. ☞

LOUISIANA

Louisiana Weights and Measures is pleased to announce the promotion of Motor Fuels Manager Richert Williams to the position of Assistant Director over the Metrology Laboratory replacing Pat Chaney. Pat transferred to the Department of Transportation and Development to the Engineering Division. Richert has been with this Department for 3 years, and has 28 years prior experience managing the Motor Fuel Division with DOTD. Also, Danny McCartney has filled Richert's vacancy as Program Manager of the Motor Fuel Division. We know they will both do an outstanding job in their new positions.

All Weights and Measures Inspectors, Supervisors and Managers recently received a 7 % increase in pay, thanks to Commissioner Odom. Moral has never been better!

Metrologist Supervisor Carl Decker recently attended the Combined Regional Metrology meeting in Gaithersburg, Md. located at NIST. Over 85 metrologist from State Labs and various Industry groups were represented at this meeting. Some topics discussed were mass calibration, humidity and statistics. Carl felt the meeting was very informative. ☞

MARYLAND

- Our annual weights & measures training class was held for our staff March 13-14,2001. The instructor for the first day was Otto Warnlof who presented a class on NIST Handbook 44. Otto's HB 44 class included a review of the introduction, general code and the scales code. Otto's class was well received by our field inspection staff. We thank him for assisting in our training effort. Instructors for the various sessions on the second day were Chief Louis Straub, and

Program Managers Dick Shockley, Will Wotthlie and Bob Eaves.

- The 14th Annual Maryland Department of Agriculture Open House was held on Saturday, March 17, 2001. Our labs were on display, and we gave demonstrations on the inspection of packaged commodities. We also had on display a cord of firewood, a LPG prover, a VTM prover, a 3-5 gallon prover LMD test unit, and a large capacity scale test unit. We provided a scale for those in attendance to obtain their correct weight. Representing our section during the open house were Chief Louis Straub, Program Managers Dick Shockley, Will Wotthlie and Bob Eaves, Field Supervisors Don Mason, Ed Payne and Ken Ramsburg, Inspectors Ethan Halpern, Mike Frailer, Leila Smith and Aaron Webb, and laboratory staff members Jim Price, and Zenon Waclawiw.
- We began our annual inspection of grain moisture meters on March 15, 2001. We have approximately 140 meters in commercial service in our state.
- Steve Barry, our metrologist, represented our staff at the 2001 Regional Measurement Assurance Program (RMAP) training held at NIST, Gaithersburg, MD during March 19-23, 2001.

Recent Civil Penalties and Court Activities

- On December 27, 2000, we received \$1,000.00 for a civil penalty assessed against Pre-Mix Industries, Clinton, MD. The civil penalty was assessed due to short-weight violations found during a routine package inspection of large packages of concrete mix, blacktop patch, sand, and similar commodities performed at the plant.
- On January 22, 2001 we received \$150.00 for a civil penalty assessed against Food Lion #1158, Cambridge MD. The civil penalty was assessed due to short-weight violations found during test purchases performed at the establishment.
- On January 22, 2001, we received \$300.00 for a civil penalty assessed against Food Lion #1535, Upper Marlboro, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On January 25, 2001, we received \$500.00 for a civil penalty assessed against Giant Food #175, Rockville, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On February 14, 2001, the trial of firewood seller Mr. Allen Burrier was held in Frederick County District court, Frederick, MD. Mr. Burrier was charged with delivering less firewood than the amount represented and with failure to issue a deliver ticket. Mr. Burrier was found guilty and was assessed a fine of \$300.00 plus \$45.00 court cost, and was

ordered to deliver 1.15 cords (the amount of the shortage) of seasoned oak firewood to the firewood buyer. Charges against Mr. Burrier were filed by Inspector Bill Troup.

- On February 22, 2001, we received \$250.00 for a civil penalty assessed against Super Fresh #974, Leonardtown, MD. The civil penalty was assessed due to short-weight violations found during test purchases performed at the establishment. †

MISSISSIPPI

Consumer Protection Division

We are in the process of training field inspectors in the use of the WinWam Weights and Measures Software Program. Our division will be using this program to test scales, check weighing of products and price verification. Retail Food, meat compliance, eggs and other labeling inspections have been incorporated into the program. In addition the NIST Handbooks and state laws and regulations are included with search capabilities. We believe, that with the implementation of this program, we will have more accurate inspection information as well as being more efficient in conducting inspections.

How is the Southern going to function without Bill Truby? Who can take his place? We wish Bill the best & hope he has an enjoyable and prosperous retirement. †

NORTH CAROLINA

A big budget problem has been brewing in North Carolina for several months. Less money is coming in than was anticipated and more is going out than was planned. That, my friends, is a bad combination and the estimated shortfall for the current budget year is \$800 million. To help fill the void, the Governor has frozen vacant positions and reduced spending across the board. Currently the Standards Division has 12 vacancies out of 97 authorized positions. The situation for next year does not look any better. From news reports, this problem is not unique to North Carolina. It looks like all of us will be making difficult management decisions in the coming months. In the next newsletter we will report on the budget adjustments we had to make for the 2001-03 budget.

On a more positive note, we were able to make a few purchases before the freeze was implemented. The Measurement Section was able to change over two multi-product dispenser testing units to new cabs and a completely new unit is under fabrication. The new unit will replace one of the original prototype units. The section has seven multi-product dispenser testing units and we hope to keep the surplus one to use at stations along interstate highways not currently worked by a multi-product unit. We were also able to purchase a trailer-mounted 100-gallon prover for testing vehicle tank meters. This is a new approach for the section. Previously the provers have been mounted in the back of pick-ups. We still have three pick-up mounted units.

On March 19 representatives from the Brazilian National Petroleum Agency visited the division to learn more about our fuel

quality and measurement programs. Dr. Antonio Bonomi, Manager of Products Quality, and Cristina Nascimento, Products Quality Management, toured the Motor Fuels Laboratory and spent the entire day working with field inspectors. Brazil is facing many of the same issues confronting the states. Fuel quality is a major concern because of its impact on environmental quality and vehicle performance. Also, the loss of tax revenue is great due to the blending of nontaxed products into gasoline. From Raleigh Dr. Bonomi and Ms. Nascimento were scheduled to attend a fuels conference in New Orleans and then visit with Randy Jennings in Tennessee. Fortunately for us, they spoke English because none of us speak Portuguese.

The Measurement Section has begun its annual pilgrimage to fertilizer and pine bark plants to test bagged products for net contents compliance. With the high cost of fertilizer, we expect many questions about fertilizer cost and quality.

The LP Gas Section has received more calls than usual this season concerning what is or is not shown on delivery tickets for residential propane deliveries. It is not a large increase in calls compared to the number of deliveries, but it is higher than it has been in past heating seasons. This is probably a result of much higher propane prices and people paying more attention to their delivery tickets. The major concerns were not having a price per gallon shown and having a different cost per gallon on the invoice than was on the delivery ticket. We are still gathering information and do not have any conclusions to report yet.

We continue to receive calls from consumers about the cost of getting propane grill cylinders filled. North Carolina allows a flat fee to be charged for filling a grill cylinder if the price is clearly posted at the point of sale and at the point of fill. We are getting reports that companies are charging a flat fee without having a sign posted. Inspectors will be watching for this more carefully.

Concerning propane safety, we are seeing distinct improvements in the reliability of an important piece of hardware. In 1996 there was a release of about 45,000 gallons of propane because of an improperly assembled transfer hose and because of the failure of a back flow check valve. The next year we started including the proper function of these valves in our bulk plant inspections. We found about an 8% failure rate the first year. The second year was about 3%; the third year was a little over 1%; and last year we had about 0.7%. So far this year we have had only one partial failure in 328 inspections, or 0.3%. We are grateful for this turn around. There are another 1000 inspections on bulk plants to do this year and we hope the trend continues.

We lost one of our LP-Gas Inspectors recently. Frank Branch, the site inspector for the northeastern section of the state succumbed to cancer in February. We miss him already.

The Motor Fuels Lab is in the process of upgrading their diesel and gasoline storage tanks. There will be two new 275-gallon double walled above ground tanks in operation soon. The tanks are currently onsite but some modification is needed on the stairs and catwalk for safety. The completed project will include new rotary pumps, sight gauges and emergency vents. The lab generates 5-10 gallons of diesel and 25-30 gallons of

gasoline per day from leftover samples. This fuel is used in Standards Division vehicles.

Over 146,000 tests were run on 44,262 official samples collected by the Motor Fuels Section. The noncompliance rate is typically between 1-1.5% for all products. This year the diesel reached 1.8% largely due to the increased number of stations advertising "Premium Diesel Fuel" that failed to meet cetane specifications. In most cases, the stations had premium diesel at one point and later switched back to diesel fuel with a minimum of 40 cetane, however the labels on the dispensers were not changed. The noncompliance rate reached 3.4% for motor oil this year. We added a cold crank simulator last March and found a number of oils advertised as 5W30 were testing as 10W30. This usually was the result of improper delivery procedures such as not flushing lines between grades. We also found some brands of bottled motor oil that failed to meet the winter grade specification. Some of these were single viscosity oils labeled as multi-viscosity while others appeared to be a mixture of grades.

Our new commissioner, Meg Scott Phipps, visited the Motor Fuels and Standards Laboratories during the week of March 12. Commissioner Phipps showed much interest in the work being performed at the laboratories and she asked many questions that demonstrated her commitment to continuing the support we enjoyed under the previous commissioner. Her visit helped in other ways. Many at the Standards Laboratory were shocked to see that LF's desk has a top. We are learning that Commissioner Phipps loves to communicate via e-mail. Questions and suggestions arrive often and in bunches.

LF hopes each state in the Southern completed the NCWM 2001 Laboratory Workload Survey. Last year the Southern region was missing a response from one active laboratory. When this article was being written, LF and Cliff Murray, Laboratory Quality Manager, were at the Combined Regional Metrology meeting. The original plan was to include others from the Standards Laboratory in the meeting but the budget woes forced a cutback to two people. Following the combined meeting, Cliff will attend the NIST Thermometry Seminar. We had hoped to have two people at the seminar but the budget issue forced yet another change.

The jib crane with air hoist is being used for all weights from 20 kg to 50 kg and is working well. It is a little slower than the manual method, but the safety improvements justify the slower speed. We expect this method of handling weights will result in fewer strained backs and pinched fingers. The budget woes have hit us in other ways. Funds had been budgeted to repair some minor roof leaks that seem to occur during high winds and driving rains. Included in the project was the installation of snow guards to cut down on the ice avalanches that continue to wipe out the shrubs and unsuspecting pedestrians on the sidewalk. That project has been put on hold.

The Bradford Pears on the South end of the laboratory were exceptionally beautiful this year. Deer continue to graze in the backyard and a groundhog has taken up residence on the property. Several foxes have been sighted and we assume that is why we no longer see any rabbits.

Lastly, David Smith reports that nearly all his waking time is devoted to Foot and Mouth Disease issues. Because of the importance of the state's livestock industry to the economy, the legislature is especially concerned that we are doing everything possible to prevent the entry of the disease and that we have a solid plan in place to immediately deal with an outbreak. David and the State Veterinarian make daily trips to the legislature to provide updates. ¶

SOUTH CAROLINA

Due to a decrease in projected tax revenues for next fiscal year, state agencies in South Carolina are facing major budget reductions. The State budget for next fiscal year, which begins July first, has not been finalized by our Legislature. However, the Department of Agriculture is facing a projected budget cut of 10 to 15 percent. Hopefully, this reduction can be accomplished without laying-off current personnel. Unfilled positions will most surely be lost and operating expenses will be severely reduced. Our weights and measures program is entirely funded by general tax revenues, and programs such as weights and measures cannot compete with things like education for tax dollars. This is what drives states to look for other sources of revenue, such as registration fees for commercial weighing and measuring devices, to fund programs like weights and measures.

Last year we reported that a bill had been introduced in our Legislature that would amend our Weights and Measures Law to require the inspection of price scanner systems. As proposed this legislation would have required the Department to inspect, at least once per year, the scanner systems in all retail establishments with three or more scanners. The bill never got out of committee last year, and has been reintroduced this year. As you can imagine, this would greatly increase the Department's workload when you consider all the different types of retail firms that now use price scanner systems. So far this year, the bill is still in committee where no action has been taken at this time.

John Pugh and Robert McGee attended the Combined Regional Measurement Assurance Program Meeting held in Gaithersburg, Maryland on March 19-23, 2001. Attendance at training sessions and conferences provides valuable information to keep personnel and programs up to date. However, depending on the outcome of next year's budget, our out-of-state travel may be severely limited. Training is one thing that usually suffers when operating funds are reduced.

John Barnes, who was responsible for our Cotton and Grain Warehouse Program and our Licensing of Dealers and Handlers of Agricultural Products Program and assisted in managing our Weights and Measures Program, retired effective February 28, 2001. His many years of experience and knowledge will be missed. Louie Conder has been promoted into that position. ¶

TENNESSEE

Spring 2001 finds a number of various weights and measures activities proceeding in Tennessee. Livestock scale inspections have been underway for several weeks with only minimal problems noted. Checkweighing of bagged agricultural commodities, i.e. feed, fertilizer, seed, etc. shows much improvement from last year. Price verification violations have been noted primarily at establishments that we do not regularly visit. Our policy calls for the first inspection that results in noncompliance at an establishment to result in an Official Warning Notification. Civil penalties are then issued if the followup inspection or additional inspections result in the establishment being found out of compliance. Apparently, some establishments feel that we will not be returning for followup inspections and are somewhat shocked when a sizeable penalty is issued following additional inspections found out of compliance.

Our State Metrologist, Thomas Smith, is currently at NIST attending a National Measurement Assurance Seminar. Charles Coleman, Weights and Measures Supervisor, is scheduled to attend the Audit Trail seminar in April at NIST. Bob Williams is also traveling to NIST in April to attend the eCommerce Workshop. All of these training sessions will be very beneficial to all attendees.

We expect delivery of a replacement large scale testing unit from Kanawha Scales and Systems, Poca, West Virginia. This unit will replace an existing truck that has been on the road for too many years.

Randy Jennings has been instrumental in our Data Imaging Project. This system basically photographs the various inspection reports and related data and stores it in a computerized system. We are then able to dispose of the hard copy report and access the inspection report if needed on our computers. We have been able to discard a number of file cabinets currently used to store inspection reports. In addition, it is very convenient to access the inspection information when needed. Good Job Randy!

All weights and measures positions are currently being reviewed and audited by our Department of Personnel. This involves one-on-one interviews with a Personnel Analyst along with actually observing employees in their day-to-day activities. Hopefully, this will result in a significant reclassification of these positions. ¶

WEST VIRGINIA

West Virginia Weights and Measures is preparing for its annual meeting which will be held at its office complex in St. Albans March 26 - 30. Inspectors will be given training in numerous facets of the Weights & Measures program.

James Lewis, the newly appointed Commissioner of Labor, spent a day at the Weights and Measures Offices shortly after being appointed by the new governor, Bob Wise. During the day he was briefed by Karl Angell, the Director of Weights and Measures, on the established program, its operation and future plans. Coordinators for the Scales, Fuels, and Commodities Programs presented overviews of their various programs. He

was given a tour of the Measurement Laboratory by Dan Mace, the State Metrologist. Commissioner Lewis then spent the afternoon witnessing field tests conducted at a local grocery store, service station, and heavy scale sites.

Dan Mace, State Metrologist, and Tony O'Brien, laboratory assistant, attended the Combined Regional Measurement Assurance Program Meeting in Gaithersburg, Maryland during the week of March 19.

Congratulations to senior inspector, James Crowley, who is retiring after 35 years service as a weights and measures inspector. After graduating from Elkins High School and serving in the United States Army, Jim was appointed a weights and measures inspector for Randolph County in August 1965. In the late 1960s the position was changed from an appointive position to one under the Civil Service Commission and he stayed on as an inspector.

Jim, who is retiring as an Inspector III has, during his career served in many positions. He has been a Statewide Supervisor, and an Area Supervisor, and is now performing as an Area Inspector for Randolph, Barbour, and Tucker counties. He has served as the primary trainer for the Propane Testing Program, the Fuel Quality Program, and large volume prover testing, among countless other successful assignments.

Jim and his wife Wilma have been married for 37 years, and have a son Eddie. Eddie is a Certified Public Accountant (CPA) and lives in Florida. He and Wilma are active members of the First Methodist Church of Elkins where Jim has held several positions. Jim is a Captain, and served two times as President, with the Elkins Volunteer Fire Department, where he has 35 years service. He has served 20 years officiating high school football, been a member of the International Order of Odd Fellows (IOOF) for 24 years, and been a member of the Elks, and the Kiwanas. He is currently active in the Elkins Fraternal Order of Police Chapter.

Jim stated his plans for the future as "being unemployed, hunting and fishing." Replacing Jim will be like replacing the foundation of a house, you could do it but it will never be the same. His council over the years has always served to keep us on the right track and will be missed but never forgotten. We only hope that his retirement will be as long and fruitful as his service with Weights and Measures. ☞

SWMA NEWS FROM THE PAST - Bob Eaves, Historian
(This will become a new feature of the Southern Weights & Measures Assn. Newsletter and will appear in each issue)

- The 1st Annual Southern Weights & Measures Association Conference was held during May 1-3, 1946, at the Seminole Hotel in Jacksonville, Florida. Mr. W. P. Reed, Supervisor of Georgia Weights & Measures was elected president. Approximately 200 prospective members and guests attended the conference.
- In 1947, John C. Mays, Inspector for the city of Miami, Florida reported that his duties included weekly inspections of the meters of all Miami Taxicabs over a measured mile course, and he checks the cab's clocks that record waiting time for which the riders pay at the rate of \$2.00 per hour.
- According to Tom Harris, Virginia Weights & Measures, a recent survey conducted in 1960 disclosed that 65% of milk in paper cartons was found short-measure.
- In 1964, Richard L. Thompson became assistant superintendent of Maryland Weights & Measures, replacing Tom Stabler, who joined the National Bureau of Standards.
- George Johnson, Kentucky Weights & Measures, stated that during March 1966, 45% of all retail packaged items were found short-weight and ordered off- sale. ☞

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