



Southern Weights & Measures Association

87nd Edition

SWMA Newsletter

October 2001

Kentucky Meeting

By Winston Sutton

The Kentucky Department of Agriculture, Division of Regulation and Inspection hosted the 56th Annual Conference of the Southern Weights and Measures Association at the Embassy Suites Hotel in Lexington, KY. The meetings had good attendance and were very productive with 66 members and guests present. Some participated in a golf outing Sunday afternoon prior to the meetings of the Standing Committees. There was an excellent outing to the Kentucky Horse Park Tuesday night. Our hosts also ordered up the very best of weather during the meetings and the outings.

During the General Session the Executive Committee reported that a SWMA dues increase had been approved. The dues will be \$35 per year beginning *October 1, 2002*. The business costs of operating the association continue to increase. The new level for dues will help defray these costs. The Nominating Committee reported a full slate of officers for election. This slate was approved by a unanimous vote of the members present. The new officers are Wes Diggs of the Commonwealth of Virginia, President; Winston Sutton of North Carolina, President-elect; N. David Smith, North Carolina, Secretary-Treasurer; Vernon Massey of Tennessee, Sergeant at Arms; and William "Bill" Legeman of Delaware, Chaplain.

The Administration and Public Affairs Committee (A&P) reported that 3 program evaluation checklists have been developed through the Voluntary Program Assessment Work Group. They are the Small Capacity (less than or equal to 100 pounds) Scales Inspection Programs, Retail Motor Fuel Dispenser Inspection Programs, and the Vehicle Scale Inspection Programs. Copies of the checklists can be obtained from the SWMA and NCWM A&P Committees.

The A&P Committee also reported that volunteers are needed to field test future checklists and assist in finalizing them for possible NCWM adoption. Volunteers may contact Sid Colbrook by email atscolbrook@agr.state.il.us or by telephone at 217-785-8301. Sid may be faxed at 217-524-7801.

The Specifications and Tolerances Committee (S&T) had 14 items for the Voting Consent Calendar that were submitted by the other W & M associations. These included a General Code

item concerning Examples of Manufactured/Repaired/ Re-manufactured Devices, Vehicle Scales (Axle-Load/Livestock with more than two sections and marking requirements), Liquid-Measuring Devices, Vehicle Tank Meters and Water & Milk Meters. The S&T also had 15 items from the SWMA. Five were for Voting, 6 were withdrawn, and 4 were placed on the Voting Consent Calendar. All items carried as submitted.

The Laws and Regulations (L&R) had 5 carryover items, 1 for Voting, 3 for Voting Consent, and 1 was withdrawn. There were 8 new L&R proposals, 7 for Voting Consent and 1 was withdrawn.

Lastly, a big thank you is extended to Randy Wise. Randy was asked assume the President's role in the middle of the year. It's difficult enough to fulfill the President's role when you have a year to prepare but it's doubly difficult when you have to step in at the last minute. Thank you Randy! |||

SWMA NEWS FROM THE PAST

By Bob Eaves, Historian

"In 1956, the Hobart Manufacturing Company announced that they had invented, manufactured and were producing a weighing, computing, printing, and label issuing system that was "The Dream that came True", The Hobart Dayton Model 2000 Scale. Mr. K. C. Allen, Director of Scale Operations for Hobart, gave a presentation on this scale at the 11th Annual SWMA Conference held in 1956 at the George Washington Hotel, Jacksonville, Florida."

"Delivering the welcoming address at the 13th Annual SWMA Conference held in 1958 at the Fort Sumter Hotel in Charleston, South Carolina, in his capacity as President of the Citadel, was General Mark Clark of World War II fame."

"In 1961, the Texas Legislature passed a bill requiring fees to be charged on all scales and pumps tested, The fee schedule was: Gasoline, kerosene & diesel fuel pumps \$.50, scales up to 999 lbs. \$1.00, scales 1,000 - 1,499 lbs \$2.50, scales 1,500 - 4,999 lbs \$5.00, scales 5,000 lbs and over \$10.00, and butane & propane measuring devices \$5.00." |||

JURISDICTIONAL NEWS

DELAWARE

Our prayers are with all the victims of the terrible atrocities committed by terrorists in New York, Washington, and West-em Pennsylvania. May the Lord comfort their families and protect the rescue workers as they do their jobs. With God's help, America will triumph in the war against the twisted minds that perpetrate these crimes against all humanity.

The Delaware Department of Agriculture has been busy working on a proposal to establish a device fee program in the State to offset the cost of hiring 4 new additional inspectors. If the legislature approves this program, we will be able to expand some programs, like price verification, and begin new programs, such as agrichemical metering systems.

Gas pump inspections have been winding down, and our inspectors have begun propane and fuel oil delivery inspection. So far, rejections have been very minimal, and we are looking forward to a trouble-free fuel oil season.

The prospects of more budget cuts have our section scrambling to find ways to save money. Already our travel budget has been all but eliminated. We may need to double up inspector's in their vehicles, even carpooling with inspectors from other divisions. Needless to say, trimming an already bare-bones budget presents a considerable challenge and the need to think outside-of -the-box is evident. ¶¶

<i>ENFORCEMENT ACnON</i>			
Business	Violation	Plea	Disposition
Metro #50, Dover	Quantity Representation	No Contest	Fined \$1019.00; \$710.00 sus- pended
Food Lion #585,Seaford	Quantity Rep- resentation	No Contest	Fined \$90.00

FLORIDA

The Bureau of Weights and Measures completed its Annual Report of Activities for the fiscal year ending June 30, 2001. Some of the results are summarized as follows:

- There were 71,069 tests of devices (excluding gas pumps) conducted; 9,626 of the devices had violations that were ordered to be corrected within a specified time, another 1,706 devices were placed out of service immediately due to excessive errors. These numbers include scales of all capacities as well as taximeters, grain moisture meters, and a small number of timing devices.
- There were 912 package lots tested representing 1,788,912 individual packages. Of the 912 lots tested, 47 were rejected

and ordered off-sale for short measure violations and another 10 lots were rejected for labeling violations. The rejected lots represented over \$816,000 worth of product. All package tests are conducted using NIST Handbook 133 procedures.

- Inspectors performed price verification inspections at 396 businesses during the year. Fifty three of the businesses failed to meet the 98% accuracy requirement; 27 for excessive overcharges and 26 for excessive undercharges. Of the 21,77 5 individual items that were scanned during the inspections, 249 (1.1%) were overcharge errors while 415 (1.9%) were undercharge errors.
- The Metrology Laboratory tested or calibrated 11,259 mass standards, 857 volumetric standards, 12 linear measures and 16grain samples.
- Inspectors responded to 3,346 requests for inspections and consumer complaints.

The Bureau of Petroleum Inspection was involved in the investigation of price gouging at gasoline stations. Through the concerted effort of our Governor and several state agencies, Florida did not experience the extreme price gouging difficulties suffered in other states after the events of September 11.

Shortly after the crisis, Governor Jeb Bush declared a State of Emergency thus activating state price gouging laws. Commissioner of Agriculture Charles Bronson quickly notified the petroleum industry of the legal ramifications for price gouging. Consequently, prices that had begun to rise shortly after the crisis were already declining by Tuesday evening, and we received no complaints of prices eclipsing \$1.71 per gallon for regular unleaded gasoline. The Petroleum inspectors investigated approximately 600 consumer complaints for price gouging, and the Department has issued about 30 subpoenas to various petroleum companies for additional information. ¶¶

MARYLAND

- Because of the location of this year's NCWM Annual Meeting we were able to send a number of participants to the meeting. Members of our staff who attended the 86th Annual NCWM Conference held July 21-26, 2001, in Washington, DC were: Chief Lou Straub, Chairman of the Conference, member of the Board of Directors, and NTEP Committee Member, Program Manager Will Wotthlie, member of the S & T Committee, and NTETC Measuring Sector member; Program Manager Andrea Buie-Branam, NTETC Weighing Sector member; Field Supervisor Ed Payne, Sergeant-at-Arms; Program Managers Dick Shockley and Bob Eaves and Field Inspector Ethan Halpern. P .S. Lou had no volunteers from the Maryland staff to follow him as Chairman.
- On August 21, 2001, Mr. Robert Halman, Assistant Secretary for the Office of Marketing, Animal Industries & Consumer Services of the Maryland Department of Agriculture (which includes our Weights and Measures Section) met with and

observed a number of our field staff performing field inspection activities. Mr. Halman had an opportunity to observe inspections of vehicle scales, small capacity scales, point of sale systems, price verification, gasoline dispensers and random weight packages. Program Manager Dick Shockley and Chief Lou Straub accompanied Mr. Halman on the day long tour.

- Members of our staff put a lot of time and effort in setting up and manning our Weights & Measures display at the Maryland State Fair which was held in Timonium, MD, August 24- September 3, 2001. The display was open from 10 a.m. - 10 p.m. each day. We had numerous pictures showing our activities and some test equipment on display. We provided thousands of people in attendance with their official certified weight. One of the highlights of the display was a cord of firewood which was given away at the conclusion of the fair. Approximately 2,200 tickets were entered in the drawing for the firewood.

We were successful in obtaining over \$200,000 in General Fund revenue for our field inspection program. The revenue will become available July 1, 2002 (FY03); however, we will have to run a tight ship this year. Since we were unsuccessful in raising Special Fund revenue, by increasing device registration fees, in the last three years the new funds are greatly appreciated. Weights and Measures will survive another year in Maryland.

RECENT CIVIL PENALTIES AND COURT ACTIVITIES

- On July 10, 2001, we received \$250.00 for a civil penalty assessed against Tiger Market, Oxon Hill, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On July 12, 2001, we received \$750.00 for a civil penalty assessed against Lotte Oriental Supermarket, Rockville, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On September 13, 2001, we received \$250.00 for a civil penalty assessed against Food Lion #1162, Frederick MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On September 13, 2001, we received \$150.00 for a civil penalty assessed against Woodburn's Market, Solomons, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment. !!!

NORTH CAROLINA

News Flash! It looks like the General Assembly will finally adopt a budget for 2001-2002. It looks like the final vote on a \$14.4 billion budget will be taken on September 21. The longest session of the General Assembly in the State's history is still not over. After adopting a budget, the members will turn their attention to redistricting.

Since the last quarter the measurement section has been able to fill some vacant positions. The hiring freeze has thawed just a little. We are proceeding cautiously at this time with trying to fill the remaining positions. The current staff of inspectors has done a great job in covering areas of the state affected by the vacancies.

Several food store chains in the state are beginning to use more commercially packed fresh meats and moving away from in-store packaging. We are in the process of setting up a training program to keep our inspectors abreast of these changes. We are also watching with great interest the lawsuit between Kraft Foods and New York's Rockland County Department of Weights and Measures. Kraft's suit is requesting action in federal court to enforce federal laws governing the statement of the net quantity of contents for packaged foods. A decision could directly impact our approach to the inspection of commercially packed commodities. Our area supervisors and training personnel are putting together several training sessions to address this and other issues. We may, however, put this training on hold until a decision is reached in the Kraft case.

The flue cured tobacco season is coming to an end. The transition from auction to contract buying has been much smoother than anticipated. Farmer complaints have been few. We are currently about eighty percent contract buying. Historically tobacco has been sold under the auction system and it's difficult to see an institution fading away. The burley market is just starting. We hope the transition is just as smooth.

Ron Murdock is back at work on a time-limited basis. Ron and his wife, Peggy, have both been dealing with health issues this year. We're glad to have him back.

Richard Fredenburg, our LP-Gas Engineer, recently returned from a Seattle meeting of the Technical Committee on LP-Gases for the National Fire Protection Association. This was the first meeting of the committee since the 2001 edition of the LP-Gas Code (NFPA Standard 58) was published. Even though proposals for the next cycle have not started coming in, there was spirited discussion about some topics that will probably result in changes the next time around. One of these concerned the new requirement this year for a written fire safety analysis for propane bulk plants. As we shared last time, the NC Board of Examiners for Engineers and Surveyors determined that a professional engineer shall perform this analysis. The state propane association is taking exception to that decision and we are working with them to come up with a way to satisfy everyone. We hope that the Board will modify their position when they meet in October to discuss the issue.

In early October Richard will travel to the National Propane Gas Association Technology and Standards Committee meeting in Chicago. There will be much discussion there about proposed changes to the LP-Gas Code. This is an excellent place to work on propane safety issues, as there will be several in attendance who are well experienced in all subjects concerning propane.

We were able to fill our vacant site LP-Gas Inspector position with one of our own. Wayne Joyce gave up his truck and LP prover and picked up the tools and forms he will use to inspect bulk plants and domestic installations. Now we have to fill the LP-Gas Calibrator's position.

It's Fair time again and we're performing propane safety inspections at our Mountain State Fair and the NC State Fair. The Mountain State Fair was held September 7 -16 near Asheville. Our western area inspector, Odell Reavis, inspected over 30 vendors each day to be sure their propane use was safe. When the State Fair in Raleigh comes up October 12-21, Wayne Joyce and Glenn Holland will be checking more than 150 vendors each day.

The North Carolina metrology lab was audited for NVLAP accreditation on June 25 and 26. The subsequent deficiency response was hand delivered to NVLAP on September 1. Preparations are being made for the annual petroleum test measure calibrations in October. Also, the division's State Fair display is being prepared. Our lab is finally back to full strength following the return of Sharon Woodard from maternity leave. Ian Jaleel was added to the Woodard household on July 12. Thanks to everyone for the extra effort required during Sharon's absence.

Bob Albright attended the Basis: Metrology for States seminar at NIST from September 10 - 21. The NIST buildings were evacuated on the second day, September 11, immediately following the terrorist attack on the Pentagon. Cliff Murray joined him on the 17th for the length/volume portion of Basic. During the week of July 23, LF Eason attended the National Conference on Weights and Measures and from September 5 -7 he attended a Weight Cart Working Group meeting at NIST. One of the items reviewed was a proposed revision of the NCWM policy on the use of weight carts. Elsewhere in this newsletter LF has written an article providing additional detail on the proposed revision. He is hoping the SWMA will take a position on the proposed policy at its upcoming meeting. Since his return, LF's mother has been hospitalized. Our prayers go out to his family during this difficult time.

Cheryl attended a meeting of the Grain Moisture Meter/Near Infrared Grain Analyzer Sector in Kansas City, MO August 22-24. She reports the corn crop looks good this year. Ample rainfall and good growing conditions provided for a good harvest. We are in the process of completing this year's corn harvest for our 2002 sample set.

The motor fuels lab has been busy the last few months. We are in the process of filling two vacancies within our field chemist positions. Both vacancies are located in Eastern North Carolina.

The octane and cetane engine panel upgrades at the lab will be completed as this goes to press. Most of the engines were installed in the 1950s and the wiring was beginning to deteriorate. This upgrade has become more critical with the addition of three octane computer controllers over the last two years. We hope to add the fourth controller this year.

The EP A mandated low vapor pressure season is almost over. In North Carolina, all or parts of nine counties are required to use 7.8 Reid Vapor Pressure (RVP) gasoline while 9.0 RVP gasoline is used in the rest of the state. As has been the case in past years, most violations occurred at outlets that had low sales volume. Also, enforcement action was required for locations that have been closed for remodeling and reopened with winter grade gasoline in their storage tanks. Many oil companies and some terminals are taking more active roles in complying with this program by bringing samples to the central lab in Raleigh for preliminary testing. Our control period for 7.8 RVP gasoline runs from June 1 through September 15.

We have seen a trend concerning octane condemnations over the last several months. The problem is not the fuel quality in the tanks but with the blend dispensers. In North Carolina, our procedures call for flushing 0.5 gallons before drawing a 0.2-gal sample for octane determination. At times, only one or two dispensers at a location may fail to meet the posted octane. This is usually due to either a mechanical problem with the blending valves or with the computer software. We have also determined that a clogged filter on the premium side will cause improper blending. There has been a large increase in the number of outlets using this equipment over the past year. We currently have 5 portable octane analyzers that allow our inspectors to check the product at all hoses and to check all grades at a location. Any questionable samples are forwarded to the central lab to be tested on the octane engines.

Lastly, words cannot describe our emotions following the terrorist attacks on September 11. We pray for the victim's families and friends and we pray that God will give our leaders the wisdom to guide this country through these uncertain times. We also owe a debt of gratitude to the many individuals who are part of the search and rescue effort. The events of that day will never be forgotten. ❏

TENNESSEE

The tragic events of September 11, 2001 overshadow all of our day-to-day activities in not only weights and measures but also in our everyday lives. We in Tennessee send our sympathy to those directly and indirectly affected by this tragedy. These individuals are in our thoughts and prayers.

Unfortunately, no one from Tennessee was able to attend the recent National Conference on Weights and Measures. All indications point to a very positive and successful conference. Bob Williams wishes to thank Don Onwiler, Nebraska Weights and Measures, for chairing the Laws and Regulations Committee in Bob's absence. While on the topic of meetings, we have been informed that we will not be able to travel to the Southern

Weights and Measures Association meeting in Lexington, KY. We are confident that Randy Wise has organized a very top-notch meeting and many good things will come from this important meeting.

Livestock scale inspections are in full swing across Tennessee and tobacco warehouse scale inspections will begin shortly. We have conducted several administrative hearings on civil penalties levied on repeat checkweighing violations, particularly on 50 lb+ feed, seed, and fertilizer commodities. In addition, we continue to levy substantial civil penalties on price verification inspections.

Tennessee was recently chosen to host one on the Administrator Workshops sponsored by *NIST/OWM*. We in Tennessee look forward to attending this event and want to thank *NIST/OWM* for the work they have done in organizing it. It is apparent that some of the brightest minds in weights and measures regulatory activities will be in attendance. The Opryland Hotel in Nashville, which was chosen to host this workshop, is truly a magnificent facility and hopefully the attendees will be able to enjoy some of the local sights and sounds of Nashville. 113

TEXAS

During September 11-12, 2001, a vehicle scale technical training course was held at our facility. The instructor for the course was David Quinn from Weighing Consultants. The purpose of the training was to promote uniformity in vehicle scale inspections in the state.

During June, July and August we purchased new inspection equipment. The equipment includes:

- 65 stainless steels-gallon test measures by Seraphin.
- 43 - 31lb weight kits by Rice Lake.
 - 17 - 1000g decimal weight kits by Rice Lake.
 - 18 package inspection scales by Weigh Tronix.
- Replacing two 100 gallon LPG provers and purchased a new 100 gallon prover mounted on trailer.
- We plan to purchase 4 more Zeltex portable octane analyzers totaling 8 in the state. These are used to screen gasoline samples before they are sent to a testing facility.

We will conduct a "new Inspector" training in November at our facility in Austin. This week-long training will cover device inspections, package inspections and scanner inspections. In depth presentations of Texas' Statutes, Rules and policies will also be discussed. After each new inspector successfully completes the training, a Regulatory Program Development Specialist will travel with each new inspector to evaluate the new inspector. 113

WEST VIRGINIA

Karl Angell, Director, West Virginia Weights and Measures, is preparing to attend the Administrative Workshop for State Directors conducted by the Office of Weights and Measures in Denver, Colorado on September 26th through the 27th. Karl, along with Program Coordinators Steve Casto and Bill Cobb, will also be attending the Southern Weights and Measures Association's Annual Conference in Lexington, Kentucky.

Earlier this month Dennis Harrison, Program Coordinator for the fuels program conducted a retail motor fuel class for the three fuels inspection specialists and selected area inspectors. This is part of his program to insure the inspectors are current on all phases of the fuel regulations. He is presently conducting a statewide survey of gasoline quality.

Bill Cobb, Coordinator for the Commodities Program, conducted a three day class in the gravimetric testing of liquids, with an emphasis on milk, in Clarksburg, West Virginia during the week of September 10th. The class served to train several new inspectors and a refresher course for older inspectors. Tentative plans for a comprehensive milk survey, to be conducted in the near future, are being formulated. The survey will include milk sold to schools, state funded institutions and at retail locations across the state.

In February of this year West Virginia inspectors while testing standard packages at a large discount chain found packages of potting soil short weight, two different size packages were tested and both found to contain 100% MA V s. The product was ordered off sale, a citation was issued to the business location, as seller of the product. Copies of the inspection reports and notifications of the violations sent to the manufacturer of the product, and the state weights and measures jurisdiction where the manufacturer is located. We requested the jurisdiction conduct appropriate inspections and notify us of the results of that inspection.

Tests of the product were conducted at two other West Virginia locations with the same result, citations were issued, and again copies of the reports and requests for assistance were sent to the manufacturer and the state jurisdiction. Notification was made to the chains corporate offices, who commenced action to remove the product from sale at their stores. A single phone call was received from the manufacturer who stated they would pay the fines.

Notifications were sent to surrounding state jurisdictions of the violations, of the five states notified, one acknowledged and took action. Notifications were also sent to three other states, their test results mirrored our results. Although product was found still being offered for sale at one West Virginia location after we were assured it was all removed from sale, appropriate action was taken against the seller.

West Virginia's policy regarding violations of product packaged within our state, is to investigate the alleged violation as soon as possible and notify the complainant of the results. Complaints from other jurisdictions are given priority status. Despite three written notifications, several e-mail messages and phone calls we have had no communication or response from

the state jurisdiction regarding any actions they have taken in regards to the violations.

When product has been tested, found short measure and removed from sale in one jurisdiction, there is no equitable justification for adjoining jurisdiction's who have been notified of the violations allowing it's remaining on sale to consumers they are charged with protecting without conducting appropriate investigations.

It appears that, for whatever reasons, a lack of cooperation resulting in an absence of equitable enforcement and protection, exists between jurisdictions. The different regional conferences, and ultimately the national conference, should make a serious attempt to establish a policy and method for notification of violations and equitable enforcement between state jurisdictions. tJ.

CURRENT PAID MEMBERS OF SWMA

The list below are the current paid members that have joined for the new year. There are 80 paid members for the new year 2001-02. We are holding paperwork on two states - Oklahoma and Maryland - awaiting checks. Also, this does not include anyone that paid at the SWMA Conference.

Category	Organization Name	Last Name	First Name	City	State
Active	Arkansas State Bureau of Standards	Chesser	Tim	Little Rock	AR
Active	Arkansas State Bureau of Standards	Frazier	Roger	Little Rock	AR
Active	Arkansas State Bureau of Standards	Scott	James C.	Little Rock	AR
Active	Arkansas State Bureau of Standards	Sullivant	BillyW.	Little Rock	AR
Active	Delaware Dept. of Agriculture	Connors	Steve	Dover	DE
Active	Delaware Dept. of Agriculture	Cordrey	Mark	Dover	DE
Active	Delaware Dept. of Agriculture	Deserto	Anthony	Dover	DE
Active	Delaware Dept. of Agriculture	Gratkowski	Leon	Dover	DE
Active	Delaware Dept. of Agriculture	Hadley	Charles (Chuck)	Dover	DE
Active	Delaware Dept. of Agriculture	Lagemann	William	Dover	DE
Active	Delaware Dept. of Agriculture	Nickerson	Stephen	Dover	DE
Active	LA Dept. of Agriculture and Forestry	Harrell	Ronald R.	Baton Rouge	LA
Active	LA Dept. of Agriculture and Forestry	Lambert	Archie	Baton Rouge	LA
Active	MS Dept. of Agriculture & Commerce	Tillson	John M.	Jackson	MS
Active	MS Dept. of Agriculture and Commerce	Louys	RobertX.	Jackson	MS
Active	MS Dept. of Agriculture and Commerce	McLemore	Julie	Jackson	MS
Active	NC Dept. of Agric. & Consumer Services	Smith	David	Raleigh	NC
Active	NC Dept. of Agric. & Consumer Services	Eason	L.F.	Raleigh	NC
Active	NC Dept. of Agric. & Consumer Services	Murdock	Ronald D.	Raleigh	NC
Active	NC Dept. of Agric. & Consumer Services	Sutton	E. Winston	Raleigh	NC
Active	Nestle USA	Galletta	Mark A.	Glendale	CA
Active	Shelby Co. Weights & Measures	Massey	Vernon Lee	Memphis	TN
Active	South Carolina Dept. of Agric.	Causey	Allen	Columbia	SC
Active	South Carolina Dept. of Agric.	Conder	Louie W.	Columbia	SC
Active	South Carolina Dept. of Agric.	Fulmer	Carol P.	Columbia	SC
Active	South Carolina Dept. of Agric.	Pugh	John V.	Columbia	SC
Active	Tennessee Dept. of Agriculture	Jennings	Randy F.	Nashville	TN
Active	Tennessee Dept. of Agriculture	Williams	Robert G. (Bob)	Nashville	TN

Active	VI Dept. of Lic & Con Affs	Illidge	Maurice	Christansted St	VI
Active	Virginia Dept. of Agriculture	Bass	James	Richmond	VA
Active	Virginia Dept of Agriculture	Bates	John	Richmond	VA
Active	Virginia Dept of Agriculture	Diggs	G. Weston	Richmond	VA
Active	Virginia Dept of Agriculture	Minthorne	Bruce	Richmond	VA
Active	Virginia Dept of Agriculture	Musser	Ran	Richmond	VA
Honorary		Bell	Irving	Lexington	KY
Honorary		Harper	W. B. "Red"	Vincent	AL
Honorary		Pittman	Cathryn	Nashville	TN
Industry	American Petroleum Institute	Searles	Prentiss	Washington	DC
Industry	Anniston Pump Shop, Inc.	Turner	Peter	Anniston	AL
Industry	APA-The Engineered Wood Association	Baker	William A. (Bill)	Tacoma	WA
Industry	Belue Associates	Belue	F. Michael	Murfreesboro	TN
Industry	Cardinal Scale Mfg. Co.	Langford	Stephen	Webb City	MO
Industry	Charlotte Scale Company, Inc.	Oehler	Martin	Charlotte	NC
Industry	Coca-Cola USA	Smyly	Dan	Atlanta	GA
Industry	Dairy Fresh Corporation	Mabry	Ed	Cowarts	AL
Industry	Davis Airtech, Inc.	Celani	John T.	Conyers	GA
Industry	Florida National Resources, Inc.	Giallourakis	Michael A.	Tarpon Springs	FL
Industry	Food Lion, LLC	Ball	James	Salisbury	NC
Industry	Food Marketing Institute	Tansing	Elizabeth	Washington	DC
Industry	Gasboy International, Inc.	Gehman	Michael C.	Lansdale	PA
Industry	GoodMark Foods, Inc.	Isley	C. Howard	Raleigh	NC
Industry	Greenville Scale Company	Corn	Johnny B.	Taylors	SC
Industry	Hoffer Flow Controls, Inc.	Kelly	Jeffrey A.	Elizabeth City	NC
Industry	IBM Retail Store Solutions	Scott	Steve	Raleigh	NC
Industry	International Dairy Foods Association	Frye	Cary P.	Washington	DC
Industry	Lance, Inc.	Carles	Robert S.	Charlotte	NC
Industry	Marconi Commerce Systems, Inc.	Johnson	Gordon W.	Greensboro	NC
Industry	McKesson Automation systems	Jankowski	Stan	Imperial	PA
Industry	Mettler-Toledo, Inc.	Flocken	Darrell	Worthington	OH
Industry	Mulch Manufacturing, Inc.	Burkart	Michael A.	Reynoldsburg	OH
Industry	Nover-Engelstein & Assoc. Inc. IWinWam Software	Nover	Neal J.	Mt Laurel	NJ
Industry	O. Berk International, Inc.	Thibaud	Hugues	Union	NJ
Industry	Precision Scale Systems, Inc.	Lewis	Donald J.	Bailey	NC
Industry	RDM Industrial Electronics, Inc.	Long	Rick	Nebo	NC
Industry	RDM Industrial Electronics, Inc.	Long	Doug	Nebo	NC
Industry	Rice Lake Weighing Systems	Lynch	James M.	Salem	VA
Industry	Safeway, Inc.	Wilson	Carole L.	Lanham	MD
Industry	Scale Mfg. Association	Tonini	Daryl E.	Naples	FL
Industry	Systems Associates, Inc.	Beitzel	Steve J.	Libertyville	IL

Industry	Systems Associates, Inc.	Brumbaugh	Robert T.	Libertyville	IL
Industry	TECAMERICA	Prince	Chuck	Atlanta	GA
Industry	The Kroger Company	Prince	Gale	Cincinnati	OH
Industry	Tokheim Corp.	Tucker	Richard L.	Ft. Wayne	IN
Industry	USDAGIPSA	Ainsworth	L. Cary	Atlanta	GA
Industry	Wal-Mart Stores, Inc.	McAdam	Bob	Bentonville	AR
Industry	Weigh Systems South	Parker	Neal	Waldron	AR
Industry	Wiley, Rein & FieldingLLP	McDonald	Bruce L.	Washington	DC
Industry	Winn-Dixie Stores, Inc.	Johnson	Robert L. (Bob)	Jacksonville	FL
Retired		Robinson	Donald H.	Mt. Hermon	KY
Retired		Truby	Bill	Fayetteville	GA

**NIST WEIGHT CART
WORKING GROUP MEETING
SEPTEMBER 5 - 7, 2001
at NIST**

The NIST working group on weight carts met September 5 - 7, 2001 at NIST. Bruce Adams (Minnesota), Sid Colbrook (Illinois), John Dewald (Tiffin Loader Crane), L.F. Eason (North Carolina), Dave Ehrnschwender (Fairbanks Scales), Georgia Harris (NIST OWM), Emil Hazarian (Los Angeles County), and Val Miller (NIST OWM) participated in the meeting. Ron Balaze (Michigan), John Holt (Kanawha Scale), and Tom Schafer (Idaho) could not attend, but provided comments for the meeting and will continue to participate. This group represented a broad spectrum of experience and knowledge including W & M directors, metrologists, former large scale inspectors, scale companies, weight cart manufacturers, and NISTOWM.

The group reviewed the second draft of NIST Handbook 105-8, "Specifications and Tolerances for Weight Carts Used in Testing Large Scales" (updated by Val Miller, NIST, taking into consideration the comments from the first draft). Comments and suggestions from review of the first draft (written by Ron Balaze, Michigan and Georgia Harris, NIST and circulated December 1998) were discussed. This revision will be completed and placed on the NIST OWM web site with a comment form by the end of the year. The working group was in unanimous agreement on all recommendations and feel that this third draft will be a very acceptable document. Additionally, NIST will cover the draft during the Regional Measurement Assurance Program (RMAP) meetings throughout the coming year. All comments will be collected and the final document published in the December 2002-Jan 2003 time frame.

In preparation for the publication, the working group feels that NCWM Publication 3, "NCWM Policy, Interpretations, and Guidelines" needs to be changed to allow weight carts. The current wording of NCWM Publication 3, Section 3.2.15 states:

"Field standard test weights (weight carts) are being used to test vehicle scales. These weight carts are powered by liquid fuel, which is consumed during the conduct of the test. It is impossible to maintain these devices within the tolerance limits (110,000) as required by Handbook 105-8 within 113 of the smallest tolerance applicable as required by Handbook 44 and are therefore inappropriate as Standard Weights."

This policy was proposed by the NCWM S&T Committee and approved in 1980. Obviously it needs to be changed if weight carts are to be accepted as field standards. The working group proposed the following wording:

"Field standard test weights (weight carts) are being used to test vehicle scales. Some carts are electrically powered, and many of these weight carts are powered by liquid fuel that is consumed during the conduct of the test. NIST Handbook 105-8, "Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures 8: Specifications and Tolerances for Field Standard Weight Carts" provides design criteria for greater cart stability. Following recommended methods for calibration and use will also enhance their use as field standards. In 1980, the adopted NCWM policy stated that these carts were inappropriate as standard weights. The proliferation of weight cart use has provided data on which to demonstrate that the benefits of weight cart use outweigh the disadvantages associated with their potential instability for use in scale testing."

This was presented to the Central Weights and Measures Association by Bruce Adams (Minnesota), was accepted, and will be sent to the NCWM Board of Directors for consideration. I recommend that the Southern Weights and Measures Association also support this change to NCWM Publication 3.

During this discussion, it was pointed out that Publication 3 has not been updated since 1989 and many of the policies are out of date, especially with the incorporation of the Conference. The working group feels that a NCWM task force or working group should be formed to review and revise this document. This issue was discussed during the Central Weights and Meas-

ures meeting. There it was suggested that if the necessary NCWM resources are not available, a limited Publication 3 review and update could be a S&T item and be handled in that manner. I suggest that the Southern recommend some form of overall Publication 3 review to the NCWM Board of Directors.

During the meeting, an Examination Procedure Outline (EPO) for using weight carts (coordinated by Sid Colbrook and drafted by Tad Tucker and Steve McGuire, Illinois) was reviewed. The working group decided that it would be better to wait until a standard format for EPO's is developed as part of the EPO revision process that has already been started by Diane Lee (NIST OWM). A Standard Operating Procedures (SOP 33), drafted by Georgia Harris, NIST, was also reviewed for testing weight carts. This will also be discussed at the RMAP meetings throughout the coming year.

I would like to thank the NIST Office of Weights and Measures for sponsoring this working group and the other members of the group for working together so well and accomplishing so much in a short time. This could not have happened without the support of many metrologists and Weights and Measures Programs throughout the Country. Many hours were required to collect data, take extra measurements, and review documents. Weight carts are complex devices with many possibilities for error. However, their efficiency for scale testing cannot be denied. With proper design, calibration, maintenance, and use, they can be acceptable field standards.

L.F. Eason
NC Department of Agriculture & Consumer Services
Standards Division

Southern Weights and Measures Association Proposal to Standing Committee

Committee: SWMA Executive (to take to NCWM BOD) Date: September 20,2001
Proposal From: The NIST Working Group on Weight Carts
Priority Level: (High) 1 2 3 4 5 (Low)
Contact Person:
L.F. Eason
Organization: NC Dept of Agriculture & Consumer Services
Phone: (919) 733-4411
E-Mail: LF.Eason@ncmail.net
Fax: (919) 733-8804

Proposal: The NIST Working Group on Weight Carts proposes changing the wording of NCWM Publication 3, Section 3.2.15 to:

"Field standard test weights (weight carts) are being used to test vehicle scales. Some carts are electrically powered, and many of these weight carts are powered by liquid fuel that is consumed during the conduct of the test. NIST Handbook 105-8, "Specifications and Tolerances for Reference Standards and Field Standard

Weights and Measures 8: Specifications and Tolerances for Field Standard Weight Carts" provides design criteria for greater cart stability. Following recommended methods for calibration and use will also enhance their use as field standards. In 1980, the adopted NCWM policy stated that these carts were inappropriate as standard weights. The proliferation of weight cart use has provided data on which to demonstrate that the benefits of weight cart use outweigh the disadvantages associated with their potential instability for use in scale testing."

Justification:

1. Weight carts are currently being used by both public and private agencies to test large scales. This change will recognize this fact and officially allow them to be used for commercial scale testing.
2. There is no NIST handbook for weight carts at this time. However, this is being developed and will be published soon. The design and tolerance criteria in this handbook (105-7) will assure that weight carts can be acceptable field standards.
3. Weight carts limit the amount mass standards have to be moved and handled. This improves the safety of large capacity scale testing and lessens the wear on the mass standard weights.
4. Regulatory actions could be brought into question if an inspection agency has used a weight cart to reject a scale when weight carts are not allowed by NCWM policy. This discrepancy needs to be corrected before it becomes a legal issue.

Reasons For:

With proper design, calibration, maintenance, and use procedures, these weight carts increase the efficiency of testing large scales very significantly. In many ways, they allow the scale test to more closely approximate the way the scale is used. The NIST Working Group on Weight Carts is developing specifications and procedures in each of these areas (Handbook 105-8, calibration SOP, and user EPO).

Reasons Against:

Unlike most standards used for device testing, weight carts have many mechanical parts and fluids that can contribute to error. Scale test accuracy is much more dependent on the inspector's attention to detail and maintenance of the cart. This is especially true for liquid fueled carts where fuel levels change through out the test. Design specifications and testing procedures are very critical. These factors must be considered before weight carts can be considered to be acceptable standards.

Additional Considerations:

Weight carts are being used and can be very valuable tools for large scale testing if properly maintained and used. Everybody is being asked to do more with less and weight carts provide a very efficient way to test large capacity scales.

Attachments: YES **NO**

William A. Cobb - West Virginia

The following is submitted as an article or an opinion for publication in the Newsletter. It is my own personal views and not those of the West Virginia Weights and Measures Section.

On Tuesday morning, September 11, 2001, the terror that has permeated much of the world finally and tragically struck within the boundaries of the United States. Within a hour four well planned and coordinated acts of terrorism had killed thousands of peaceful and unsuspecting American citizens as they prepared for another uneventful workday. These people were not the "movers and shakers" of world politics or commerce, they were people just like you and me, secretaries, clerks, receptionists, office managers, telephone operators, mail clerks, building custodians. They were people who were trying to make a living, pay their taxes, get along with their neighbors, pay off their credit cards, mortgages or car, people just trying to get by, and they were killed in sudden acts of terrorism that will live in the hearts and minds of their families, friends and the American people.

The horrific, mind numbing, images of the airliners crashing into the World Trade Center Towers in balls of flames, the force of the explosions exploding through the buildings, and debris falling toward the ground. The sight of people trapped on the upper floors of the blazing buildings waving and praying for rescue from the rising flames, and the feelings of utter, complete helplessness as they made a choice between burning to death in the flames and jumping a thousand feet to the concrete, then watching their bodies tumble towards the earth. Watching as the two towers, which were the jewels of the Manhattan skyline, suddenly collapse in upon themselves into piles of twisted, flaming wreckage. The thought of the thousands of mangled bodies, those mercifully dead and those slowly dying, hidden by the blazing debris. These sights were imprinted upon the minds and psyches of the American people.

Anger flamed across the united nation at the sight of celebrations and dancing in the streets of Palestine and other Islamic countries, and with it a human desire to strike back at the degenerates who could perpetrate, support, or take joy in such heinous acts. But the cowards would not take credit for the success of their acts, preferring to offer denials and condemnations instead, and to hide in the darkest shadows reveling in their own vile cleverness and the self perceived righteousness of their acts. We must find these soulless slaughterers of innocent people, isolate them from humanity, and make absolutely certain they, their followers, or their supporters, are never able to do this again.

What these scum have failed to understand is that the United States is not a trade center, or a military complex, or even a physical entity, it exists within the heart and soul of every citizen, whether natural born or naturalized. It exists, not as one national truth, but in as many different individual, personal truths and beliefs as there are citizens of the United States. Our enemies may kill our citizens, and destroy our buildings, but they will never be able to destroy the United States as long as

one spark of this undefinable essence exists in the heart and soul of it's citizens.

The United States and it's citizens will survive, as they always have, and become stronger not because of the events of September 11, 2001, but in spite of them.

God Bless Our Nation. rp

A Look Back in History

A personal comment

By

Bill Brasher

Technology has completely changed the way we acquire and disseminate information today. In 1941, during and after the bombing of Pearl Harbor, news was delayed several hours or perhaps days. News was revealed by radio, by telegraph and through the newspaper. Now television cameras show us the news within minutes, whether it is a high-speed car chase or a stand off at a drug dealer's house. Television stations immediately cut to the WTC within minutes of the first plane crashing into the tower. Many wondered how this accident could happen? We then watched with horror on live TV as a plane crashed into the second tower. These vivid images instantly changed what we were thinking, this was not an accident, and it was a deliberate terrorist attack.

The attack on Pearl Harbor was directed toward the military with military goals in mind. The attack on the WTC was directed toward civilians with the ultimate goal to destroy free will, freedom of activities and religious beliefs.

After the successful attack on Pearl Harbor many of Admiral Yamamoto's officers were congratulating him when he said "I fear all we have done is to awaken a sleeping giant and fill him with a terrible resolve." After the attack on the WTC, Bin Laden and his followers danced in the streets shouting death to all infidels. We now realize that we have witnessed the unadulterated face of pure evil that is vowing to defeat everyone in the world that is not of the same belief.

The attack on the WTC did awaken a sleeping giant; all the petty differences are gone. We are one country united behind President Bush, the Congress and our military. Since 11 September we have been filled with one resolve, to bring all terrorists and the people who would harbor them or give them aid to justice.

The terrorist feed on fear, they want people to be so afraid that they are willing to give up some of their freedom and activities for security against what may come. We, as individuals, feel that there is nothing that we can do in the big picture and must trust the government and the military to protect us; however, there are a few things that we can do:

- Continue to pray for all those who have lost their lives and their families.
- Continue to pray for our government and military as they go about fighting the war against terrorism.

- Continue to pray for our families and loved ones.
- Continue to live our lives, as much as we can, like we did prior to the tragic attacks on 11 September.
- Be more aware of events and activities that surround us each day and act when we see something out of place.
- Be more aware of our fellow man in our daily activities and act against anything that may come against them.

As has been stated, "We will not be intimidated, we will not negotiate and we will never forget."

For those who do not agree with the direction that the United States has chosen and think that we should negotiate or offer signs of peace, you have that right. After all, your rights have been paid for by tens of thousands of people fighting for the freedoms you have today.

God Bless the USA
Land of the Free
Home of the Brave. 卍

CALENDAR OF EVENTS

2001

September 28-29

Measuring Sector Meeting
Embassy Suites
Lexington, Ky

October 9-12

Ohio Weights and Measures Association (OHWM)
Fall Technical Conference
Contact: Jim Truex (614)728-6290

October 14-16

NCWM Weighing Sector Meeting
Holiday Inn Turf, Albany, NY
Technical Contact: Steve Cook, NIST, (301) 975-4003
Meeting Contact: Grace Jan, NCWM, (240) 632-9454

October 22-26

Advanced Mass Seminar
NIST, Gaithersburg, MD
Contact: Georgia Harris (301) 975-4014

October 15

Deadline for Agenda items for consideration at the 87th NCWM Interim Meeting.

Please submit items to Committee Chairmem or Technical Advisors.

October 29 - Nov. 2

Advanced Mass Seminar
NIST, Gaithersburg, MD
Contact: Georgia Harris, (301) 975-4014

November 7-10

SMA Fall Meeting
La Mansion del Rio Hotel
San Antonio, TX
Contact: SMA (914) 514-3441

2002

January 27-30

NCWM Interim Meeting
Hyatt Hotel, Bethesda, MD
Contact: NCWM Headquarters, (240) 632-9454

February 18 - March 1

Basic Mass, Length, and Volume for States
NIST, Gaithersburg, MD
Contact: Georgia Harris, (301) 975-4014

April 1-4

PA Assoc. of Weights and Measures Annual Conference
Eden Resort Inn, Lancaster, P A
Contact: Jerry Buckley (570) 275-4747

April 11-12

Basic Mass, Length, and Volume for States
NIST, Gaithersburg, MD
Contact: Georgia Harris, (301) 975-4014

April 24-27

SMA Annual Meeting
La Playa Beach Resort, Naples, FL
Contact: SMA, (941) 514-3441

April 28 - May 2

CWMA Annual Conference
Northfield Inn Suites & Conference Center
Springfield, IL
Contact: Sid Colbrook, (217) 785-830 I

May 13-16

NEWMA Annual Meeting
Holiday Inn, Cromwell, CT
Contact: Ray Kalentkowski, (860) 713-6164

May 29- June 1

ISWM Expo 2002
Opryland Florida Hotel, Orlando, FL
Contact: ISWM, staff@iswm.org

July 14-18

NCWM Annual Meeting

Omni Netherland Hotel, Cincinnati, OH

Contact: NCWM Headquarters, (301) 975-4014

August 21-23

Grain Moisture Sector Meeting

Kansas City, MO

October 13-16

SWMA Annual Meeting

Richmond Omni Hotel

Contact: G. Wes Diggs, VA, (804) 786-2476

November 6-9

SMA Fall Meeting

Miramonte Resort, Indian Wells, CA

Contact: SMA, (941) 514-3441

2003

January 25-28

NCWM Interim Meeting

Hyatt Hotel, Bethesda, MD

Contact: NCWM Headquarters, (240) 632-9454

July 13-17

NCWM Annual Meeting

Reno, NV John Ascuaga's Nugget

Contact: NCWM Headquarters, (301) 975-4014

Contact SWMA

The SWMA Newsletter is published quarterly.

Annual dues are \$25.

Membership inquiries should be directed to:

N. David Smith

SWMA Secretary-Treasurer

NC Department of Agriculture & Consumer Services

P.O. Box 27647, Raleigh, NC 27611 Phone: 919-733-5111

E-Mail: David.Smith@ncmail.net www.swma.org

News may be submitted to:

SWMA, Bill Brasher - Newsletter Editor

1904 Mission Road, Birmingham, AL 35216.

E-mail: wdbasher@mindspring.com

SWMA Newsletter

1904 Mission Road

Birmingham, AL 35216