



# Southern Weights & Measures Association

158th Edition

SWMA Newsletter

October 2019

## JURISDICTIONAL NEWS

### MISSISSIPPI

#### Petroleum Division

The petroleum division has recently filled 3 vacant positions concentrated in the south and central areas of the state.



Area 2 has been filled by **Jared Ivy** who works the east central area of the state with a concentration in the Meridian (Lauderdale County) area. **Jared** has completed the in-house inspector training and is looking forward to becoming certified in the area of Retail Motor Fuel Dispensing Systems in the next fiscal year.

**Larry Harvey's** Area 5, encompasses the southwest corner of the state which is mostly rural but includes McComb, Natchez and Brookhaven. **Larry** has completed the in-house inspector training and is expected to become certified in the area of Retail Motor Fuel Dispensing Systems in the next fiscal year.



**Dewayne Cochran** the division's most recent hire, will cover Area 12, and covers Hinds, Warren and Claiborne counties and includes the Metro-Jackson area. **Dewayne** is currently in training and expected to be working independently by mid-October.

The Division is thankful for the opportunity to fill these positions and look forward to working with a full petroleum inspection team. Supervisor **Clay Hammons** has done an outstanding job with the training process and developing operating procedures using the same format as the NIST Handbooks.

Recently, the Petroleum Division has been working with statewide fuel terminals to gain a better understanding of the supply chain, namely the pipeline system(s) running through the state. All gasoline and diesel fuel products sold in the state are required to meet ASTM specifications and are regulated under the petroleum products inspection law. Historically, fuel product(s) moving through the pipeline for delivery at Mississippi terminals have not been tested by the department; however, recent diesel flashpoint issues have resulted in the departments re-evaluation of sampling all parties within the supply chain.

### **Consumer Protection Division**

Over the past few years, the Mississippi Department of Agriculture and Commerce has tracked an increased number of retail stores failing UPC inspections (price verification sample testing). In Mississippi, UPC inspections are completed by the Consumer Protection Division as well as the Weights and Measures Division. Inspectors check UPC pricing at the point of sale for accuracy in an effort to make sure the consumer is not being overcharged or undersold when purchasing a product.

The increase in retail store UPC failures can be attributed to a number of reasons, including an increase in the frequency of sales promoted by retail stores, frequent product rotation, and overstocking of products. Additionally, retail stores that historically have a high employee turnover rate or low employee count are more likely to fail a UPC inspection.

When a retail store has a failed UPC inspection, the Inspector must provide a detailed report to retail store management and return to the retail store after an established period of time until the UPC issue is resolved. A large number of stores fail to correct the errors found in a timely manner, resulting in multiple follow-up inspection made by the Inspector to the same retail store. On numerous occasions, Inspectors were visiting the same store more than five times, resulting in multiple inspection failures and potential fines.

A review of the resolution process taken by these retail stores identified a key issue in resolving UPC inspection failures. District Managers and their corporate offices were not aware of the UPC violations and the potential ramifications of repetitive failed inspections.

Prior to April 1, 2019, the Mississippi Department of Agriculture and Commerce would attempt to take steps with retail store management and employees to identify UPC pricing issues and encourage proper steps to address UPC inspection failures. However, in many cases, a lack of effort was given by these employees to resolve UPC failures, leading to a monetary risk to both the consumers and the store itself.

The Department implemented a new follow-up procedure effective April 1, 2019 to address this issue. Upon the first UPC failure at a retail store, the Inspector obtained the contact information for the District Manager of the retail store in question. The store's District Manager is contacted directly by the Inspector's Supervisor, and the failed UPC inspection was discussed in detail. The District Manager is then asked to provide a documented "plan of action" to the Supervisor, and a follow-up inspection is scheduled. In many cases, the District Manager is asked to be present during the follow-up inspection.

The results of the new process were immediately evident. The Department quickly learned that District Managers were often unaware of the failed UPC inspections in their stores, especially in those stores with a high employee turnover rate or low employee count. Decisive action was implemented quickly, and the majority of UPC

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errors were corrected before the first follow-up following a failed inspection. Since the process implementation in April, there has been a marked decrease in the number of follow-up visits required for UPC inspection failures.

### Weights and Measures Division

**Brent Bowman**, our Weights and Measures Director, has taken delivery of the new 5000 pound Kanawha Scales test cart. Outstanding work by Mississippi State Metrologist **Mel Isigi** and **William Bell** in getting the test cart certified. The new test cart is now ready for use during inspections.

The Weights & Measures Division has completed all Fiscal Year 2020 license renewals; and includes all Livestock, Weighmaster, Scale Company and Scale repairperson licenses. All licenses expire June 30th of each year. 🇺🇸



## NORTH CAROLINA

Our new facility, the Agricultural Science Center is progressing well. We had a “topping out” ceremony in July, a construction tradition where the last piece of steel I-beam goes into place. The building will not be ours until December 2020, but we are already organizing the move of 5 laboratories and still working through administrative polices and procedures that we don’t have now but will be necessary in a shared facility.

### LP-Gas Section

We have a new field supervisor for our program, **Jeffery Walker**. Mr. Walker has over 25 years of industry experience with Ferrellgas and Suburban Propane. He started with us on September 16, 2019.

**John Meadows** started in July as an inspector in the southeast part of the state. **John** retired as the Fire Prevention Chief at Camp Lejeune to join us.

**Wesley Brown** left the program in August, he had been with us just over a year, based out of Greensboro. We will work to fill this position in the next couple of months.

Our LP-Gas Engineer, **Richard Fredenburg**, participated in two meetings of NFPA technical committees. One was on August 19 for NFPA 59, Utility LP-Gas Plant Code, by conference call. The other was on September 17 & 18 for NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages, in Pittsburgh, PA.

Richard also participated in the NPGA TS&S Committee meeting on September 8-10 in Baltimore, MD.

### Richard Fredenburg

### **Standards Laboratory**

During the past quarter several employees took advantage of attending conferences and training events. In the month of June, the Combined Regional Measurement Assurance Program took place in Lake Mary, Florida. Metrologists **Ashley Lessard** and **Van Hyder** took advantage of some tutorials offered before the conference got started. Lab Manager, **Sharon Woodard** also attended the CRMAP training sessions. Next quarter other metrologists will have required training.

The NCD&CS Standards Laboratory received the Fourth Year Gold Star Award for having outstanding safety and health efforts in the workplace. The recognition comes from the North Carolina Department of Labor Safety Awards Program. Special thanks to all the staff members for a job well done and keeping safety a top priority.

The Grain Moisture Section just completed corn harvest and peanut scale inspections this year. We are now beginning our soybean collection season. We are hoping for better weather and successful sample collection.

**Sharon Woodard**

### **Measurement Section**

Greetings from the Tarheel state, North Carolina.

Well fall is coming, my favorite time of the year. Cool evenings, football, and grilling. Inspections are going smoothly and steadily filling positions throughout our staff. It seems we are in a lull of operations so not much to report. We have two positions that are in the HR process of hiring and soon to be advertising one more. Getting close to that all elusive fully staffed. We did have one promotion. **Chad Dillon** stepped into our vacant weights and measures position and is going through his training now.

Our western supervisor is doing a great job handling our both at the western fair, and our state fair in Raleigh will be coming up in October.

Have fun this fall, God bless,

**Chad Parker**

### **Motor Fuels Section**

We have 2 new employees in the program. **Jasmine Rivers** is our new octane analyst and **Dajana Gaube-Ogle** is a Chemistry Technician I in our general lab. †

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