

California Department of Food and Agriculture



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

**Annual Report to the Legislatu**



Division of Measurement Standards

**FY 2019/20**

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## STATEMENT OF THE SECRETARY

Pursuant to California Business and Professions Code, Division 5, § 12102, enclosed is the 2019/2020 Fiscal Year Annual Report to the Legislature for California's weights and measures activities.

The California Department of Food and Agriculture's (CDFA) Division of Measurement Standards (DMS) is responsible for the uniform application and enforcement of weights and measures laws. California weights and measures laws support our diverse economy by:

- Ensuring fairness and transparency in commerce by verifying the accuracy and reliability of weighing and measuring devices;
- Protecting businesses and consumers through inspections and investigations that validate quantity statements in bulk and packaged commodities; and
- Establishing and enforcing quality, advertising, and labeling standards for fuels, lubricants, and automotive products, including emerging alternative and zero-emission fuels.

The duties performed by DMS, in coordination with county officials, are essential to California's various food and agricultural industries. In March 2020, CDFA launched a dedicated webpage, [COVID-19 Resources](#), featuring the latest information about the food supply chain, food safety, employment guidelines, and economic resources during the novel Coronavirus, COVID-19, pandemic. A CDFA video series titled, [The Work Continues](#) explains the critical roles of CDFA's essential workers who continue performing their duties during the pandemic.

If you or your staff have additional questions regarding this report, or if additional information is needed, please do not hesitate to call us at (916) 654-0433.

Karen Ross, Secretary



*Karen Ross, Secretary*

## EXECUTIVE SUMMARY

According to the U.S. Department of Commerce, transactions directly involving weights and measures touch upon virtually every aspect of economic life, attributing to approximately half of the U.S. gross domestic product (GDP). While 12 percent of Americans live in California, the state contributed 14.7 percent to the U.S. GDP in 2019. California's GDP grew to \$3.14 trillion that year. The programs administered by the California Department of Food and Agriculture's (CDFA) Division of Measurement Standards (DMS) directly impact nearly \$1.6 trillion of statewide economic activity. Ensuring fair and accurate transactions is critical to a robust and reliable economy. There exists a state and county system of enforcement to effectively oversee the over 1.8 million registered commercial weighing and measuring devices in California. Of the 58 counties in California, six county offices of weights and measures coordinate their oversight efforts. The adjacent counties of Alpine/El Dorado, Inyo/Mono, and Plumas/Sierra are the three pairs of counties that combine oversight. DMS partners closely with the resulting 55 county offices of weights and measures, which under the authority and direction of the CDFA Secretary, carry out weights and measures enforcement activities at the local level.

In many of its programs, DMS' role is to provide oversight, support, coordination, and technical training and advice to county sealers and their staff. DMS' oversight of the state/county system helps ensure uniform application of weights and measures laws and regulations statewide.

Enforcement authority is clearly delineated between DMS and county offices of weights and measures through a memorandum of understanding to prevent overlapping or duplicative efforts. Several programs are administered primarily by county sealers and others directly by DMS. The following report is a compilation of both state and county activities relating to weights and measures activities in the fiscal year (FY) 2019/20.



## COST PER CAPITA

Statewide, DMS and county sealers coordinate their regulatory oversight and commit significant resources to protect the California marketplace. The cost per capita is the statistical ratio of all weights and measures related expenditures to the current population of California as reported by the California Department of Finance.

The state's cost per capita was \$0.22 per person, per year, while county costs amounted to \$1.29 per person, per year for a total statewide per capita cost of \$1.51 per person per year. The enforcement efforts of California weights and measures officials protect those doing business in the state so they can operate confidently in a marketplace that is fair, transparent, competitive, and equitable for all. In turn, California consumers that buy retail goods and services sold by weight, measure, or count are also protected from intentional or unintentional fraud and unfair business practices. The detailed allocation of program hours and expenditures by DMS and each county in their weights and measures enforcement activities are represented in Tables 3-10.

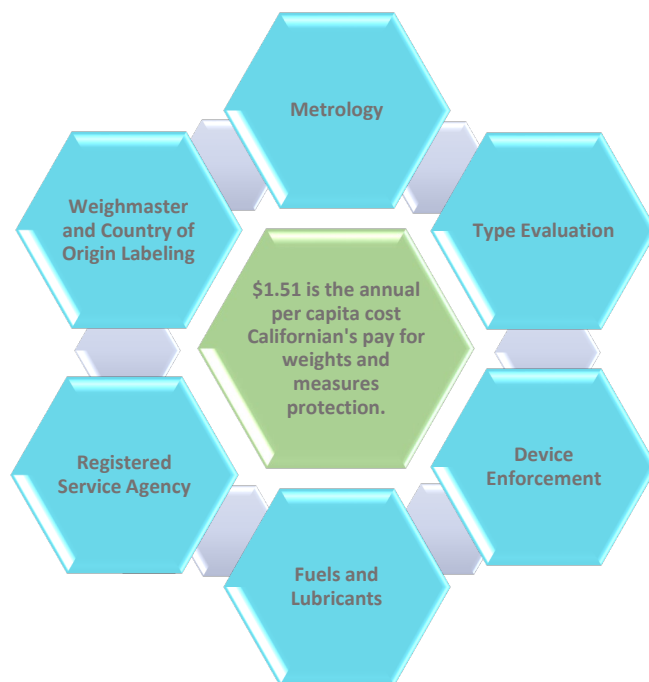


Figure 1: Cost Per Capita for Statewide Weights and Measures Protection



Photo 2: Truck Being Loaded and Weighed in Kern County



Photo 3: State Officials Collecting Hydrogen Fuel Samples



Photo 4: Produce Subject to USDA Country of Origin Labeling Requirements



Figure 2: CDFA 100 Years Logo

## INTRODUCTION

### 2019: A YEAR OF CELEBRATION

In 1919, the California Legislature had the foresight to create the California Department of Food and Agriculture (CDFA). One hundred years later in 2019, CDFA celebrated its 100th anniversary observing the innovations, advancements, challenges, and accomplishments that have marked California's rise to agricultural supremacy in the United States. Today, the Department provides oversight for an industry that produces \$50 billion in revenue with more than 400 commodity crops grown and generates at least \$100 billion in related economic activity. DMS is proud to be one of eight divisions within this progressive agency.



Photo 5: State and Local Officials, circa 1913. Note the mixed use of horse and buggy and gasoline-powered vehicles for transportation

During this year of celebration, DMS reflects on its own history and how it became a division of the Department in 1921. In 1850, two years after the end of the war with Mexico and after the discovery of gold, California became the 31<sup>st</sup> state in the Union. In the first session of the Legislature, an act was passed to establish standard weights and measures in California. This act set the original framework for a state/local partnership. The Secretary of State was made the

ex-officio State sealer of weights and measures and clerks of the county courts became ex-officio county sealers. The Secretary of State was supposed to distribute copies of physical measurement standards (mass, volume, and length) to the county sealers. Businesses were supposed to bring their standards to the county office for comparison with the county's standards, and county sealers were supposed to submit their standards for recertification by the State every ten years. Unfortunately, this system was untenable due to lack of sufficient standards at both the state and county level, and lack of resources for state and local enforcement.



Photo 6: A Horse Drawn Wagon Delivering Gasoline to a Service Station to Refuel an Automobile, circa 1910

In 1910, the act was repealed and there was discussion of a more effective law with sufficient funding.

In 1911, the National Bureau of Standards (NBS), now the National Institute of Standards and Technology (NIST), within the U.S. Department of Commerce performed an investigation in California relating to the condition of weights and measures in its major cities. NBS issued its findings in a report detailing the conditions of weights and measures in Sacramento, San Francisco, San Jose, Los Angeles, Oakland, Stockton, and Fresno. Overall, the economic conditions were chaotic. There were no local ordinances and the absence of any enforceable state law, citizens of these cities were left totally unprotected. In San Francisco and Oakland, only 34% of the scales were accurate; the remaining 66% were in the business' favor. In San Jose, only 27% of the scales were found accurate; in Stockton – 29%; in Sacramento – 25%; and in Fresno – 41%. These percentages of errors indicated widespread fraud and the honest merchant was obliged to withstand this dishonest competition.

As a result of the federal study, a new weights and measures law was passed in 1913 that relieved the Secretary of State of the ex-officio sealer duties and created a state superintendent of weights and measures, appointed for a four-year term by the Governor. The law also required that a sealer of weights and measures be appointed in each county by the county board of supervisors to assist the State in enforcing weights and measures requirements. County officials became active in assisting CDFA by inspecting, adjusting, and sealing weighing and measuring devices within their respective jurisdictions, and safeguarded the public against food container deception such as using false bottom fruit baskets and solid glass bottom bottles. Counties also began inspecting the net quantity of foodstuffs and medicine when offered for sale in packages or containers.

In 1921 when the California Department of Agriculture (CDA) was reorganized, the State Department of Weights and Measures became a part of CDA and was known as the Division of Weights and Measures. At that time, it administered



*Photo 7: Condemned Scales and Measures, circa 1916*



*Photo 8: Riverside County Fair, County Weights and Measures Exhibit, circa 1916*



*Photo 9: Bulk Gasoline Fuel Delivery, circa 1917*



Photo 10: Officials Weighing Bread Loaves, circa 1918



Photo 11: Mattress and Upholstered Furniture Inspector's Badge



Photo 12: State Official Collecting Gasoline and Diesel Fuel Samples in Sacramento County

seven programs, including the inspection of containers, milk bottles, mattresses, bread, gas pumps, weighing and measuring devices, and supervision of county inspection work.

### DMS' 2020 RESONSE TO COVID-19

The March 13, 2020 post titled *CDFA works during COVID-19 Pandemic to Facilitate Safe, Healthy Food Supply* of CDFA's Planting Seeds Blog contained a message about the Department's commitment to all Californians during the COVID-19 pandemic:

"Food safety is paramount due to the nutrition provided by California fruits, nuts, vegetables, meat, eggs and dairy products to the health and wellbeing of our citizens," said CDFA Secretary Karen Ross. "We know the importance of keeping supply chains healthy and borders open as currently one in eight individuals is food insecure, with one in five of those being children."

<https://plantingseedsblog.cdffa.ca.gov/wordpress/?p=20908>

As part of this pledge, DMS remained committed to serving the public. CDFA/DMS was identified as an essential service to assure the weighment, measurement and transportation of food and critical supplies in the marketplace. The pandemic had minimal effect on DMS staff in the metrology and fuels laboratories and field staff who continued to collect fuel samples. Field staff in other programs, e.g., Weighmaster Program, were limited to only investigating complaints, as many businesses shut down following the statewide Stay at Home order issued in March 2020.

Throughout this report, take notice of photos of DMS' workers still providing essential statewide weights and measures protection while wearing face coverings and practicing physical distancing whenever practicable.

## ACRONYMS AND ABBREVIATIONS

AC – Alternating Current (electricity)

AMS – Agricultural Marketing Service, administered by USDA

ASTM – American Society for Testing and Materials, International

BIPM – International Bureau of Weights and Measures

BPC – California Business and Professions Code

CDFA – California Department of Food and Agriculture

COOL – Country of Origin Labeling Program, administered by the USDA/AMS

CRV – California Refund Value

CTEP – California Type Evaluation Program

DC – Direct Current (electricity)

DMS – Division of Measurement Standards, within CDFA

EVSE – Electric Vehicle Supply Equipment

FLAPP – Fuels, Lubricants, and Automotive Products Program

FY – Fiscal Year; July 1 through June 30 of the following year

GDP – Gross Domestic Product

NCWM – National Conference on Weights and Measures

NIST – National Institute of Standards and Technology

NOV – Notice of Violation

NTEP – National Type Evaluation Program

OIML – International Organization of Legal Metrology

RSA – Registered Service Agency / Registered Service Agent

SAE – Society of Automotive Engineers, International

USDA – United States Department of Agriculture

## DEFINITIONS

The following definitions are technical and industry trade terms that are defined either in Division 5 of the BPC; NIST Handbook 44, *Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices* that is adopted and incorporated by reference in CCR Title 4, Sections 4000-4002.10.; or by DMS within the scope and purpose of this report.

**Accurate** – A commercial device is “accurate” when its performance or value – that is, its indications, its deliveries, its recorded representations, or its capacity or actual value, etc., as determined by tests made with suitable standards – conforms to the applicable tolerances and other performance requirements. Equipment that fails so to conform is “inaccurate” (NIST Handbook 44).

**Alternating Current (AC)** - An electric current that reverses direction in a circuit at regular intervals (NIST Handbook 44).

**Alternative Fuel(s)** – Are the following motor vehicle fuels: Biodiesel; Biodiesel Blend; Renewable Diesel; Dimethyl Ether; Electricity; Ethanol; Ethanol Fuel Blend; Hydrogen; Methanol Fuel Blend; Natural Gas; Propane; and other alternative fuels as determined by the CDFA Secretary (BPC Section 13400).

**Charging Station** – See Electric Vehicle Supply Equipment (EVSE).

**Commercial Equipment / Commercial Device / Device** – Weights, measures, and weighing and measuring devices, instruments, elements, and systems or portion thereof, used or employed in establishing the measurement or in computing any basic charge or payment for services rendered on the basis of weight or measure. As used in this definition, measurement includes the determination of size, quantity, value, extent, area, composition (limited to meat and poultry), constituent value (for grain), or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award (NIST Handbook 44 and BPC Section 12531).

**Correct** – A commercial device is “correct” when, in addition to being accurate, it meets all applicable specification requirements. Equipment that fails to meet any of the requirements for correct equipment is “incorrect” (NIST Handbook 44).

**Direct Current (DC)** - An electric current that flows in one direction (NIST Handbook 44).

**Electric Vehicle Fueling Systems (EVFS)** – The title of NIST Handbook 44, Section 3.40. Also see Electric Vehicle Supply Equipment (EVSE).

**Electric Vehicle Supply Equipment (EVSE)** - A device or system designed and used specifically to transfer electrical energy to an electric vehicle, either as charge transferred via physical or wireless connection, by loading a fully charged battery, or by other means (NIST Handbook 44).

**Enforce / Enforcement / Enforcement Action** – Actions of a sealer, allowed by statute or regulation, that may be punitive, non-punitive, or administrative against a regulated party that is observed to be out of compliance with statute or regulation. Some examples of enforcement action include issuing the regulated party a(n): Notice of Violation; Administrative Civil Penalty, Citation, Civil/Criminal Complaint, or revocation of a registration or license (defined by DMS within the scope and purpose of this report).

**Metrological Traceability** – Property of a measurement result whereby the result can be related to a reference through a documented unbroken chain of calibrations, each contributing to the measurement uncertainty (OIML V 2-200, International Vocabulary of Metrology).

**Sealer** – When used without qualification, includes the State Sealer, county sealers and their deputies and inspectors (BPC Section 12008). Also known as “officials.”

**Service Agency** – A person, as defined in BPC Section 12011, that for hire, award, commission, or any other payment or any kind, repairs a commercial device (BPC Section 12531).

**Service Agent** – A person employed by a service agency to repair a commercial device (BPC Section 12531).

**Skimmer** – A mechanical or electronic device installed on or in a commercial device or its point-of-sale component, that is not part of the manufacturer's design specification, used to illegally capture consumer data from a payment card; installed at ATMs, fuel dispensers, and other commercial devices equipped with a point-of-sale component (defined by DMS within the scope and purpose of this report).

**Specification** – A requirement usually dealing with the design, construction, or marking of a weighing or measuring device. Specifications are directed primarily to the manufacturers of devices (NIST Handbook 44).

**Submeter** – A system furnished, owned, installed, and maintained by the customer who is served through a utility owned master meter (NIST Handbook 44).

**Tolerance** – A value fixing the limit of allowable error or departure from true performance or value (NIST Handbook 44).



**DMS PROGRAMS AND FY 2019/20  
ANNUAL COUNTS**



Photo 13: Class F Standard Weight Kit for Testing Commercial Scales



Photo 14: Variety of Standard Weights Ranging from 1 gram to 5 kilograms



Photo 15: 500-pound Standard Weights Being Offloaded by a Crane Truck to be Certified at DMS

## METROLOGY

Metrology is the science of measurement. CDFA is required to maintain the state's official standards of measurement: mass, volume, distance, time, temperature, and electrical energy. These standards are maintained in the accredited DMS Metrology Laboratory and are metrologically traceable to national standards safeguarded at the National Institute of Standards and Technology (NIST), an agency within the United States Department of Commerce.

Moreover, NIST standards are metrologically traceable to international standards agreed upon by the International Bureau of Weights and Measures (BIPM, Bureau International des Poids et Mesures) in France, thus making California's standards uniform with the rest of the United States and other international standards of measurement worldwide. Since many commodities and goods produced here are destined for international markets, the work of the DMS Metrology Laboratory supports California's competitive export economy.

The chief purpose of the DMS Metrology Laboratory is to certify physical standards of weights and measures used statewide by county sealers to test commercial weighing and measuring devices within their respective jurisdictions. DMS' Metrology Laboratory also certifies standards for private businesses that install, repair, and service weighing and measuring devices used in wholesale production facilities, distribution centers, and retail establishments.

Use of inaccurate standards by an official can result in a device erroneously being approved or rejected, thus causing financial harm to either buyer or seller. This may result in overturned enforcement actions or court cases, and financial liability for the county sealer's office.

DMS' Metrology Laboratory tests and certifies approximately 4,000 standards each year. FY 2019/20 is no exception; it tested 3,263 county standards and 534 industry standards totaling 3,797 certifications issued despite COVID-19 restrictions. Since most goods and services are sold by weight, measure, or count, certified state and county standards form the legal basis for most commercial transactions in California.



*Photo 16: 5-gallon Standard Measures to Test the Delivery of Liquid Fuel (Prover)*

## **TYPE EVALUATION**

Before any new type or design of weighing, measuring, or counting device can be sold or used for commercial purposes in California, it must be evaluated and approved by DMS. Type evaluation certifies that a new commercial weighing or measuring device will comply with all applicable specifications and tolerances, is suitable for its intended use, is accurate and correct, and prevents the facilitation of fraud. It is unlawful for any unapproved device to be placed into commercial use.

After completion of a successful type evaluation, the manufacturer may sell the specific model of the device for commercial use anywhere in California. In FY 2019/20, DMS performed type evaluations on 53 new devices. Every year, manufacturers from all over the world submit devices to DMS for type evaluation. Figure 2, on the following page, shows a map of device manufacturers across the U.S. and the world that applied for type evaluation in FY 2019/20.

## **TYPE EVALUATION - CTEP**

DMS' California Type Evaluation Program (CTEP) evaluates a device according to California's regulations which, in some cases, differ from other states' requirements. Once a device is CTEP approved, it receives a Certificate of Approval. In FY 2019/20, the CTEP laboratory received 19 applications requesting type evaluation. Most applicants are U.S. based, but this year companies from Denmark, Japan, and Ukraine applied for California type evaluations as well.

### TYPE EVALUATION - NTEP

In addition to evaluating new devices destined for the California marketplace, DMS' CTEP laboratory is also a participating National Type Evaluation Program (NTEP) laboratory. NTEP is administered by the National Conference on Weights and Measures. As an NTEP approved laboratory, DMS is authorized to evaluate weighing and measuring devices intended for the national marketplace. Certificates of Conformance issued under NTEP are accepted in all states and U.S. territories. In FY 2019/20, NTEP assigned DMS 34 type evaluations. Of those, two were from device manufacturers located in Switzerland and Ireland.

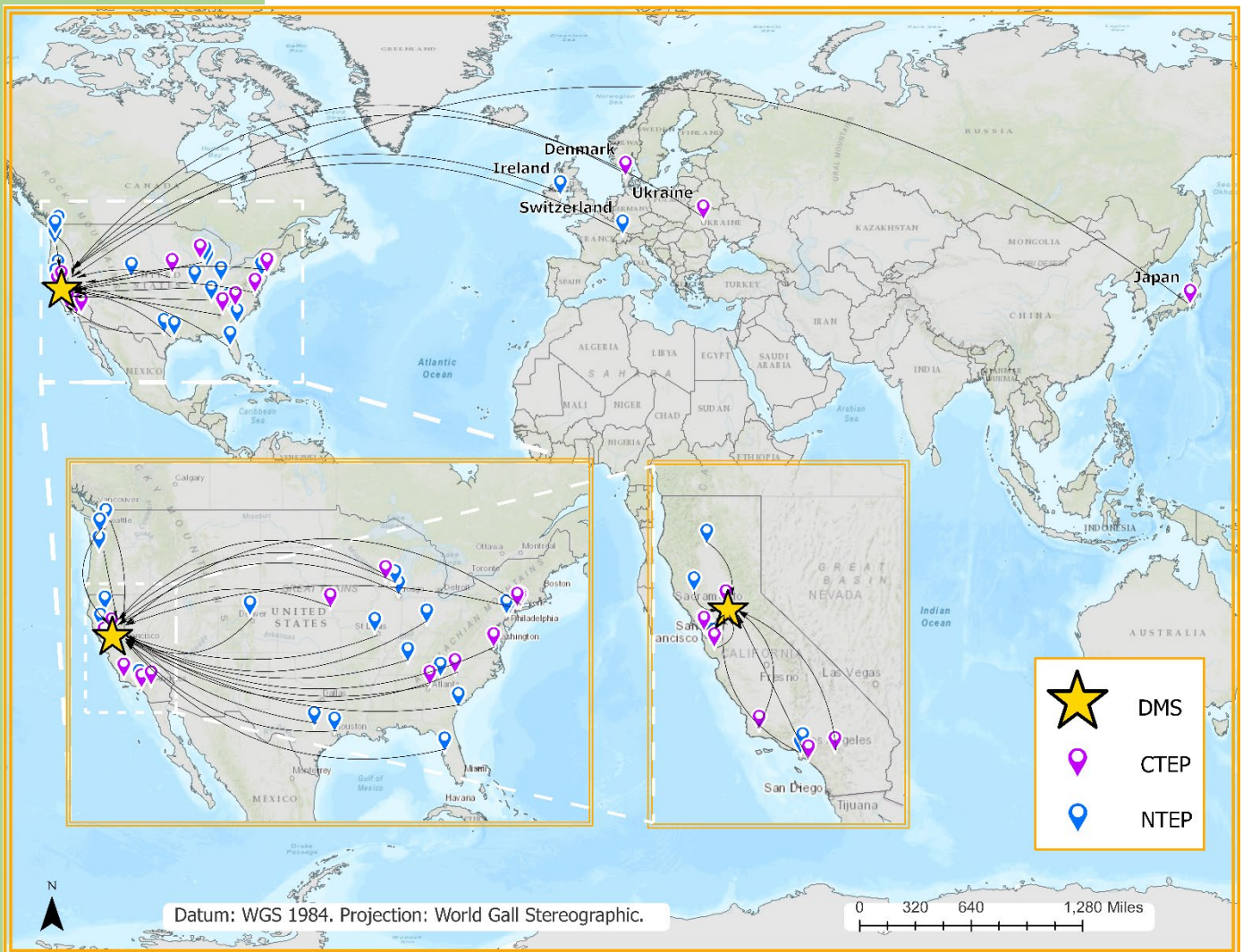


Figure 3: FY 2019/20 World Map of CTEP and NTEP Type Evaluations

## DEVICES

Since the determination of weight or measure directly impacts the cost of most goods and services bought and sold, one of the most fundamental obligations of state government to its citizens is the effective oversight of commercial weighing and measuring devices. Examples of common devices include supermarket scales, fuel dispensers, vehicle and livestock scales, taximeters, and propane meters, to name a few. Devices recently introduced into the marketplace include hydrogen fuel dispensers, electric vehicle supply equipment (EVSE, a.k.a., electric vehicle charging stations), and mobile applications used for personal transportation, e.g., Uber and Lyft. Table 1 lists some of the commonly used commercial devices in the state. See Tables 5 and 6 for complete counts of measuring and weighing devices by county.



Photo 17: Cross-Section Cutaway of a Commercial Water Submeter Used for Training Purposes

**Table 1: FY 2019/20 Common Commercial Devices: Counts and Compliance Rates**

Measuring Devices	Number of Devices (Statewide)	Compliance Rate (%)
Electric Submeter	11,155	89
LPG	2,185	83
Odometer	2,235	100
Retail Motor Fuel (Gas Pump)	171,174	93
Retail Water	7,814	91
Taximeter	3,266	95
Vapor Submeter	9,224	76
Water Submeter	20,960	89

Weighing Devices	Number of Devices (Statewide)	Compliance Rate (%)
Computing and Counter (combined)	54,803	95
Dormant Platform	12,248	91
Livestock	1,004	89
Prescription / Jewelry	2,229	95
Vehicle	3,454	85



Photo 18: State Official Conducting Retail Scale Training in Tuolumne County

In FY 2019/20, over 1.8 million commercial weighing and measuring devices were in use, up from 1.6 million in FY 2018/19. These are all registered by California's county offices of weights and measures. This number is expected to continue growing in the coming years as new EVSE and other alternative fuel dispensers are added to the transportation fueling infrastructure.

New commercial devices are tested upon installation. Thereafter, they receive regular testing on an established schedule. Sealers have the authority to test them more frequently as they deem necessary.

County sealers are responsible for inspecting and testing all commercial devices in their jurisdiction. DMS is responsible for providing various training courses and technical support to county officials. State officials continued to offer essential device training while following the physical distancing and face covering restrictions of COVID-19.

Devices found to be accurate and correct receive an official county approval seal. As an example, here is a 2020 approval seal from Tulare County Weights and Measures Division.



Figure 4: 2020 Approval Seal of Tulare County Weights and Measures Division

## REGISTERED SERVICE AGENCIES

Business owners of commercial weighing and measuring devices must ensure their equipment always operates properly, not just when inspected. They rely on companies that specialize in device installation, service, and repair. DMS' Registered Service Agency (RSA) program oversees the work of these companies and their employees.

RSA companies must register with DMS and prove they have sufficient certified standards for the work they perform. Their employees (registered service agents) must pass an exam and

be licensed before they may legally perform RSA work in California.

After completing their work, RSAs have the authority to place a device into service pending official inspection by a weights and measures official. This delegated authority minimizes device downtime and business interruption after installation or repair. In FY 2019/20, there were 626 registered agencies and 1,732 licensed agents operating in California.

## FRAUD PREVENTION

A major method of fraud in California is consumer theft by means of a payment card “skimmer.” Payment card information collected from each transaction is used by criminals to make counterfeit cards which can then be used to drain consumers’ bank accounts or make fraudulent in-store or Internet purchases. According to the National Association of Convenience Stores (NACS), seventy-five percent (75%) of all purchases at fueling stations are made using a credit or debit card. The Federal Bureau of Investigation posted on its [Scams and Safety](#) webpage that costs to financial institutions and consumers nationwide associated with skimming device fraud is in excess of \$1 billion each year. This estimate includes skimmers illegally installed on ATMs, point-of-sale (POS) terminals, or fuel dispensers across the United States. DMS has authority to inspect fueling stations in California including looking inside fuel dispenser cabinets for skimmers.

There are two general types of skimmers and both can be installed in just seconds. The first type of skimmer is an external card reader. These may also have an associated keypad overlay that matches up with and looks like the buttons of the actual POS keypad below it. This kind of skimmer collects payment card information as the consumer keys in their payment information using the fraudulent keypad.

The second is an internal skimmer installed inside the fuel dispenser cabinet. Internal skimmers are far more common at fueling stations and defrauders utilize various methods of



Photo 19: External Skimmer - Keypad Overlay



Photos 20 and 21: Point-of-Sale Keypad Overlay (Top and Bottom Views)

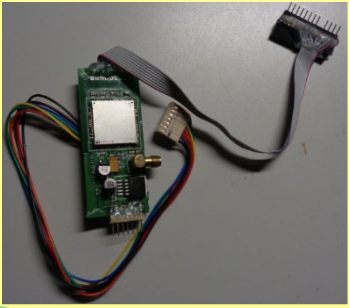
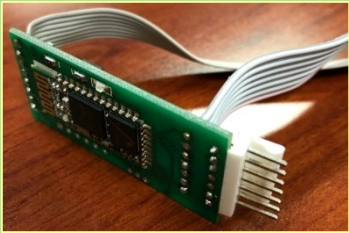
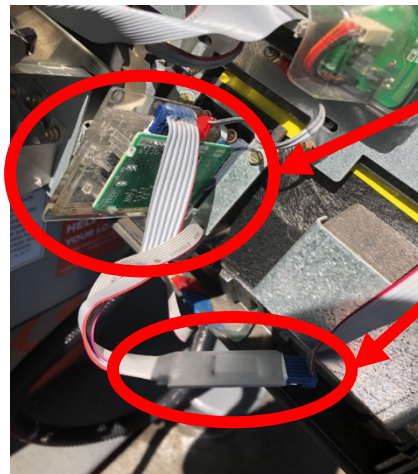


Photo 22 and 23: Internal Wireless Skimmers – (Top) "Ribbon Cable" Bluetooth Communication Enabled Device; (Bottom) Cell Phone Transmitting Device

wireless communication to retrieve consumer payment card information without having to reopen the fuel dispenser cabinet. Being in the dispenser and out of sight, the internal skimmer is virtually undetectable by the consumer at the time of purchase.

This is where state and county weights and measures officials come in. State and county officials have authority to open fuel dispenser cabinets to inspect inside. Occasionally, officials find more than one skimmer installed at a fueling station. Some officials have found five or more skimmers at one location.

Occasionally, state and county officials remove skimmers at a location only to find replacement skimmers installed soon after. This is no coincidence. Some perpetrators target the same location because it has higher than average sales or is located near a busy highway. Others target locations that have weak security deterrents or no security measures, allowing them to quickly and easily replace skimmers that have been removed. Once a fuel dispenser cabinet has been opened, it takes as little as 5 seconds to install an internal skimmer.



Fraudulent Card reader

Skimmer plugged into card reader.

Photo 24 and 25: Fraudulent Card Reader and Internal Skimmer Detected and Removed from Inside a Gasoline Dispenser Cabinet

A nationwide poll, conducted by the [Arizona Department of Agriculture](#), made the obvious observation that states with aggressive inspection programs were more successful

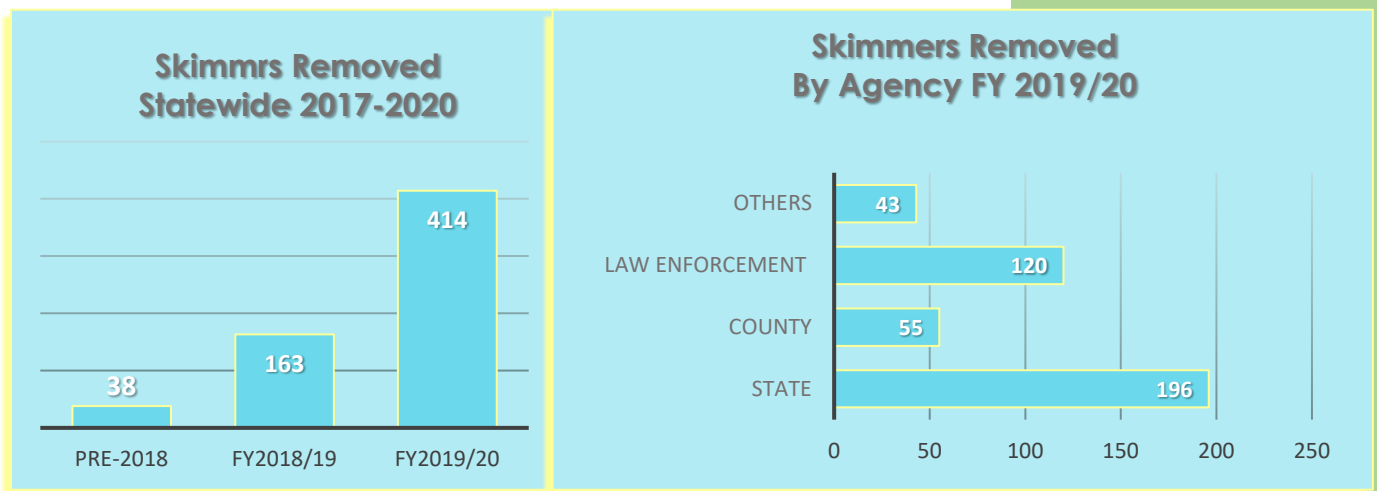


in finding the internal type skimmers than those states that do not regularly inspect for them. DMS concurred and began its efforts to detect and remove skimmers from fuel dispensers as early as FY 2016/17. DMS coordinated with fueling station owners and various law enforcement agencies to do this kind of work.

These coordinated efforts have rapidly increased the number of skimmers removed throughout California in the last few years. By the end of 2018, state and county officials found 38 skimmers at fueling stations. In early 2019, DMS expanded its efforts by coordinating even more closely with county sealers and local and federal law enforcement to remove even more skimmers. By the end of FY 2018/19, the number of skimmers removed by all coordinating agencies across the state jumped to 163.

During FY 2019/20, all coordinating agencies removed 414 skimmers from fueling stations. Because of these coordinated efforts, over twice as many skimmers were removed this fiscal year than the prior two years combined.

**Charts 1 and 2: Skimmers Discovered and Removed, Statewide 2017-2020 (Left) and By Agency FY 2019/20 (Right)**



The increased number of skimmers removed was also a direct result of DMS providing classroom and field training to local law enforcement agencies, fueling station owners, registered service agents, corporate fraud investigators, and other state,

county, and federal officials. Beginning in March 2020, the effects of COVID-19 quickly restricted in-person training courses and DMS postponed them until further notice. DMS responded to the new physical distancing restrictions by offering video/webinar training presentations.

A highlight of FY 2019/20 that showcased the coordinated efforts of multiple agencies was in December 2019 when [Marin County Weights & Measures division](#) posted a press release on their website. The article, [Credit Card Skimmer Seized at Gas Station, County Weights & Measures inspector deactivates suspicious device](#), emphasized the coordinated efforts of a Marin County weights and measures official, local law enforcement, the [Northern California Computer Crimes Task Force](#), and the Federal Bureau of Investigation to detect, deactivate, remove, and process the skimmer as evidence. The article also credits the training courses provided by state law enforcement and state weights and measures officials at DMS that aided the Marin County official in detecting the skimmer inside a fuel dispenser during a routine fueling station inspection.

Currently, there is no direct funding source for this work, but county inspectors can look for skimmers when they test fuel dispensers for accuracy. The year-after-year growth in the number of removed skimmers demonstrates a need for more attention to this kind of crime, and effectively combat skimmer fraud in California. Nonetheless, DMS staff continue to routinely check for skimmers when they perform site inspections, collect fuel samples, or respond to complaints. DMS staff also continue to train county weights and measures officials on how to detect skimmers at fueling stations and encourage them to “open up the cabinet” to look for skimmers when they perform their periodic inspections at fueling stations.

In 2019, DMS developed a new software application using GIS capabilities to track fueling station inspections by state officials and plot the number of skimmers discovered and removed

throughout the state. The state map below shows locations where one or more skimmers were found and removed. The orange and red symbols show more than one skimmer removed either during the same inspection or cumulatively over subsequent inspections during this year.

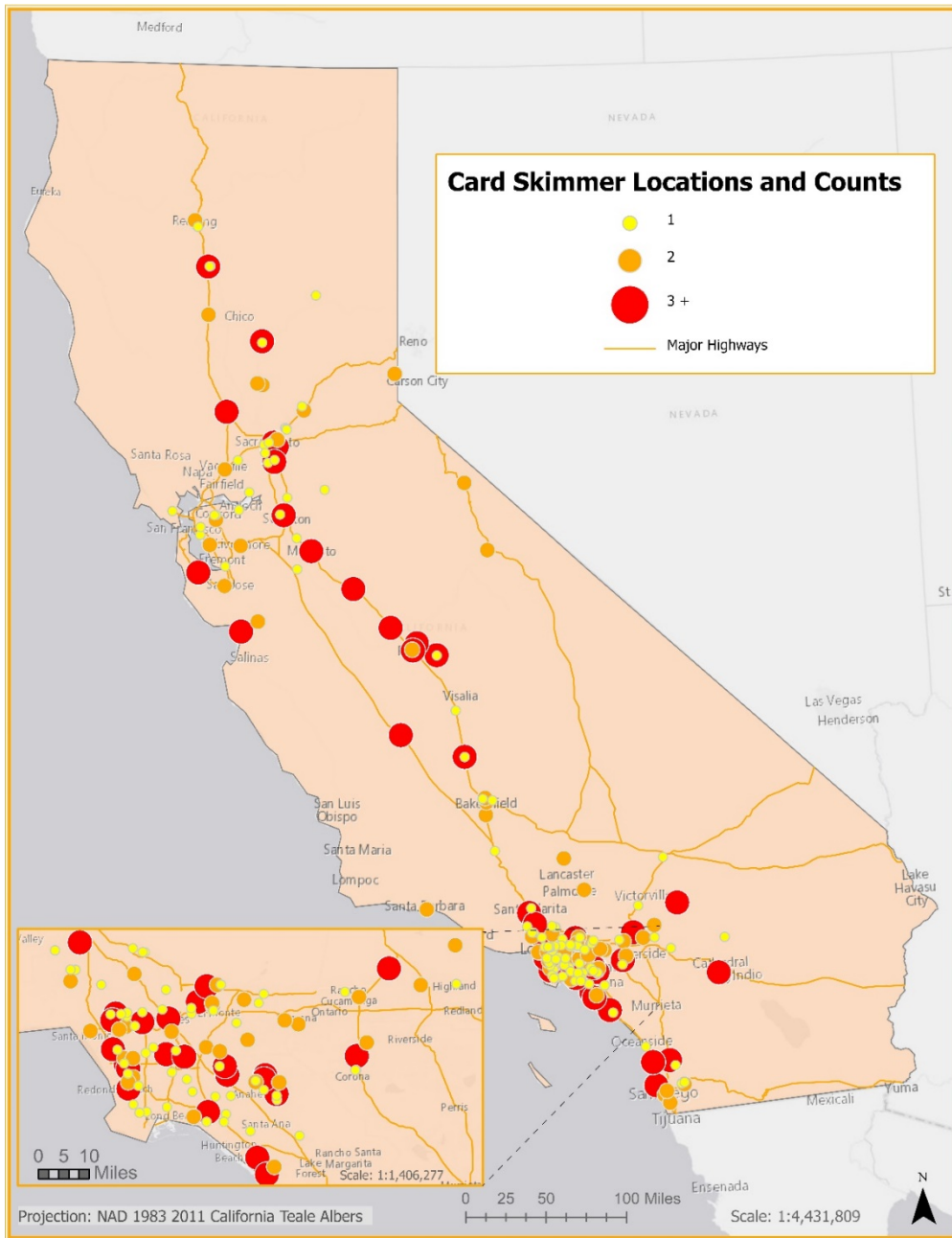


Figure 5: FY 2019/20 GIS Map of the Number of Skimmers Removed in California

In addition to tracking the number of skimmers discovered and removed, DMS officials also take note of various kinds of deterrents businesses have installed to reduce the incidents of skimmers at their fueling stations. Things like security cameras, newer fuel dispenser models that have highly secure, site-specific cabinet locks, and the presence of security seals on dispenser cabinet doors are all very effective deterrents. In accordance with recently enacted laws that will become effective in 2021, a new kind of deterrent being installed at California fueling stations is a more secure point-of-sale payment card device called VeriFone or “chip reader” that uses a highly secure encryption program to greatly reduce the incidence of skimmers at that fueling station.

In California, possession of a card skimmer or card skimming paraphernalia is a misdemeanor, punishable by a fine of one thousand dollars (\$1,000), or a jail term up to one year, or both [Penal Code Section 502.6(a)]. Repeat offenses do not carry a harsher punishment. In contrast, our western neighboring states of Arizona, Nevada, Oregon, Washington, Utah, and Idaho make payment card fraud a more serious felony offense to further deter this kind of crime.

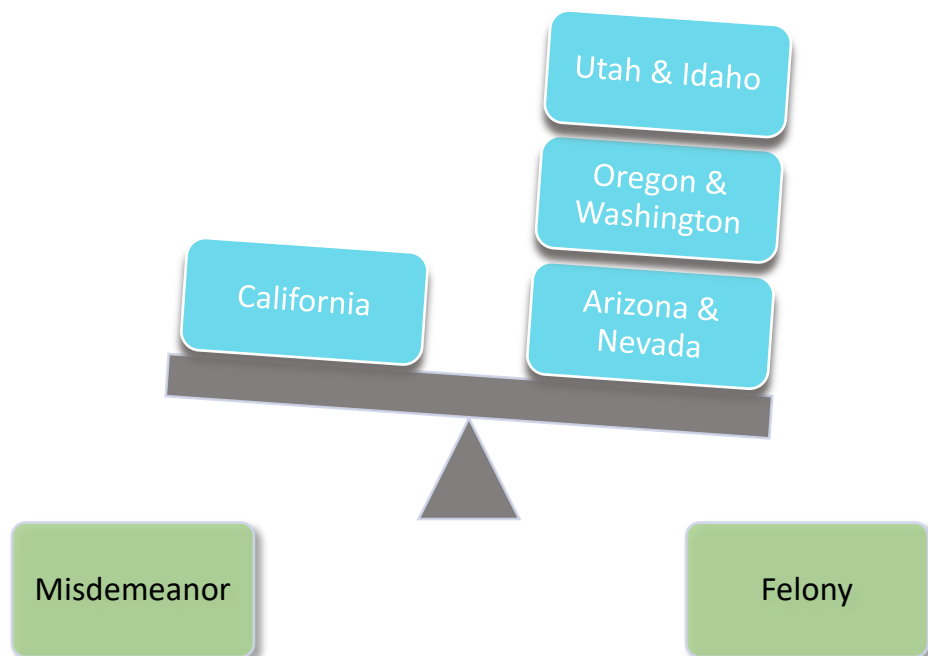


Figure 6: Perpetrators Caught with Skimmers in California Face Only Misdemeanor Charges in Most Cases

## FUELS AND LUBRICANTS

Every day, 50 million gallons of retail motor vehicle fuel is sold in California. In FY 2019/20, the state's annual total sales of gasoline and diesel topped 18.5 billion gallons. Motorists need and expect to receive the proper grade and quality of fuel they are paying for.

DMS' Fuels, Lubricants, and Automotive Products Program (FLAPP) focuses on protecting motorists and their vehicles whenever fuels and other automotive products are purchased. FLAPP's enforcement of the laws in Division 5 of the BPC also creates an equitable marketplace for fuel and automotive product retailers to compete. Under the oversight of DMS, county weights and measures officials routinely inspect the nearly 10,000 fueling stations located throughout the state.

Samples of fuels and automotive products are purchased by state and county officials, either openly or undercover. Service stations; quick lube and automotive repair shops; and retail businesses are all subject to product sampling. Samples include fuels in liquid and gaseous form, prepackaged products, and bulk products.

Samples are taken to one of two DMS fuels and automotive products quality laboratories in Sacramento or Anaheim. Laboratory staff perform various quality tests of the products using procedures developed by ASTM International and SAE International. DMS and county weights and measures staff also routinely inspect fueling stations to make sure the prices on street signs and dispensers match; that signs offering discounts and other advertising are not confusing or misleading; and that the equipment dispensing air and water is in good working order.

In FY 2019/20, DMS investigated 526 complaints from motorists who did not receive free air and water at a service station. Table 2 shows the variety and number of automotive products sampled in FY 2019/20, and their compliance rates. For more information on compliance rates please contact DMS.



*Photo 26: State Official Inspecting Fueling Station Sign for Advertising and Labeling Requirements*



*Photo 27: State Official Responding to a Complaint About an Air and Water Machine*



Photo 28: State Official Collecting Bulk Motor Oil from a Lube Shop in Sacramento County

**Table 2: Fuels, Lubricants, and Automotive Products Sampled and Tested with Compliance Rates in California**

Samples	Number of Samples	Compliance Rate (%)
Gasoline	1,352	84.8
Diesel	812	87.7
Biodiesel (B20)	149	82.6
E85	7	100.0
Hydrogen	136	98.5
Kerosene	0	N/A
Motor Oil	50	86.0
Gear Oil	10	60.0
Transmission Fluid (TF)	16	81.3
Diesel Exhaust Fluid (DEF)	56	76.8
Brake Fluid	1	100.0
Engine Coolant	6	83.3

DMS tracks compliance data to guide its inspection activity in the future. More attention may be given to certain fuels or automotive products that have lower than expected compliance rates.

In cases when a product does not meet required specifications, DMS requires the store owner/operator to take it off sale until the violation is corrected. If the product is sold in bulk, the entire tank, container, or batch is removed from sale (“red tagged”) until the product is retested in the laboratory and released by a weights and measures official.



Photo 29: State Official Collecting Prepackaged Motor Oil from a Retail Store in Mendocino County

## ALTERNATIVE FUELS

A fast-growing subset of FLAPP, the Alternative Fuels Laboratory, addresses the quality, method of sale, labeling, and advertising of alternative motor vehicle fuels.

Roughly forty percent (40%) of California's greenhouse gas (GHG) emissions come from the transportation sector. For this reason, California has the nation's most aggressive short- and long-term goals for improving air quality, reducing petroleum dependence, and lowering vehicular emissions of GHG.

In support of these critical environmental efforts, FLAPP has expanded its scope to include low carbon and zero-emission motor vehicle fuels such as hydrogen, biodiesel, renewable diesel, E85, renewable natural gas, and electricity.

## HYDROGEN AS A MOTOR VEHICLE FUEL

California leads the nation as the first state to establish commercial requirements for hydrogen sold at retail as a motor vehicle fuel. California's network of 43 retail hydrogen fueling stations in FY 2019/20 is projected to grow to over 250 locations by 2035 to meet the state's zero-emission transportation goals. Hydrogen fuel is projected to play an increasing role in medium and heavy-duty transportation applications including freight, fleets, and busses. Hydrogen fuel provides the energy to power fuel-cell electric vehicles and differs from traditional motor vehicle fuels in that it is dispensed as a compressed gas. Thus, hydrogen must be sold by mass (in terms of kilograms) and not by liquid volume (in terms of U.S. gallons).

DMS has equipped its Anaheim and Sacramento Alternative Fuel laboratories with special instruments to test hydrogen fuel quality in accordance with SAE International J2719 specifications.

In FY 2019/20, 126 samples were collected from retail hydrogen fuel stations and analyzed. All samples were one-hundred percent in compliance with SAE J2719 specifications. This success is important to the continued support and growth of the relatively nascent hydrogen fueling industry.



Photo 30: Hydrogen Fuel Station in Nevada County

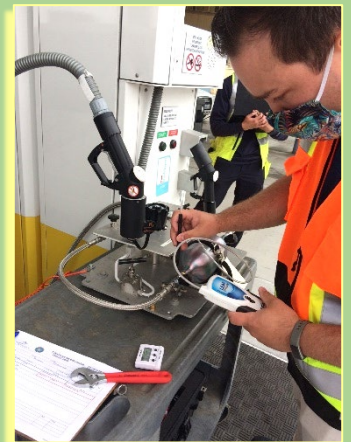


Photo 31: State Official Collecting Hydrogen Fuel Sample in San Francisco County

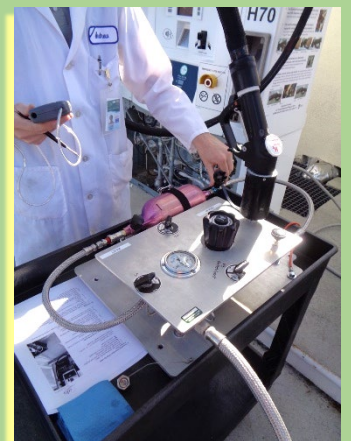


Photo 32: State Official Collecting Hydrogen Fuel Sample in Orange County



Photo 33: DMS' EVSE Field Test Standard Used During a Training Course in San Joaquin County



Photo 34: Plug-In Hybrid Sedan at Charging Station in Sacramento County



Photo 35: State Official Conducting EVSE Training in Monterey County

Station owners must have confidence they are receiving and selling high quality fuel. Vehicle and dispenser manufacturers require expanding consumer demand in the hydrogen fuel marketplace to continue investing in new technology and fueling infrastructure.

## ELECTRICITY AS A MOTOR VEHICLE FUEL

The California Public Utilities Code, Division 1, section 216 (i) exempts a person or company as a public utility if they sell electricity to refuel light-duty electric vehicles (EV). Assembly Bill 808 (Ridley-Thomas, Chapter 591, Statutes of 2015) defined electricity as a motor vehicle fuel and established weights and measures oversight of this zero-emission fuel when sold at retail.

As with hydrogen fuel cell vehicles, Californians are also early adopters of plug-in EVs making electricity the leading zero-emission motor fuel to propel vehicles into the state's future. Occasionally, commercial EVSE are equipped with two independent charging cords i.e., charging outlets or ports where two vehicles may refuel simultaneously. By the end of FY 2019/20, the U.S. Department of Energy's Alternative Fuels Data Center Station Locator reported California having 21,718 individual alternating current (AC) charging outlets and 4,423 direct current (DC) charging outlets; the highest in the nation.

During FY 2019/20, CDFA promulgated a new regulation to adopt the national model specifications, tolerances and other technical requirements for electric vehicle fueling systems, a.k.a., electric vehicle supply equipment (EVSE) approved by the National Conference on Weights and Measures (NCWM) and published in NIST Handbook 44 with some California specific amendments. The regulation was filed with the Secretary of State in April 2020 and will be enforceable for new AC EVSE installations beginning January 1, 2021.

DMS acquired two field test standards and began its outreach, education, and training courses about EVSE testing



with Monterey and San Joaquin counties. DMS has been working with EVSE manufacturers to prepare them to submit their commercial model EVSE for type evaluation before 2021.

These regulatory and oversight activities have standardized California's EV fueling infrastructure and made the method of sale of electricity (in terms of the kilowatt-hour) uniform for all businesses in this industry. EV drivers can make informed decisions about their purchases of electricity as motor fuel when there is clearly indicated price advertising, a consistent and meaningful method of sale, and a device that dispenses an accurate amount of energy for their vehicles.

While electricity does not have a fuel quality component like most other fuels, it does require accurate measurement and clearly displayed unit price advertising to instill consumer trust and confidence, especially when pricing may periodically change throughout the day.

## WEIGHMASTERS

A "weighmaster" is an individual or business licensed by DMS to certify that the weight or measurement of a commodity is accurate. Weighmasters fill a critical role, especially in agriculture, because, many times neither the seller nor the buyer is present to witness the weighing of the commodity. Fruits, vegetables, and other farm commodities are weighed or measured multiple times by weighmasters as they move from the grower to the processor, then on through the distribution chain to the retailer.

The 6,843 licensed weighmaster businesses and their 47,768 employees (deputy weighmasters) work in a variety of business types, e.g., wineries, cement plants, scrap metal yards, dairy co-ops, moving and storage companies, livestock dealers, quarries, and feed mills, to name a few.

DMS' oversight of weighmasters includes auditing a company's weighmaster certificates and other records, verification of proper weighing procedures, reweighing of vehicles and



Photo 36: Plug-In Hybrid Van at EVSE in Sacramento County



Photo 37: Gravel Truck Being Loaded at a Quarry in Tulare County



Photo 38: State Official Auditing Weighmaster Records in Tulare County



Photo 39: State Official Conducting Training for Weighmasters and County Official in Tulare County

containers to confirm accurate net weight statements and conducting undercover sales at weighmaster companies.

### CANNABIS WEIGHMASTERS

Accurate measurements are essential to the success of the cannabis industry. Due to the high dollar value of the product, small amounts diverted (or illegally grown product inserted) during processing and distribution can significantly impact marketplace equity and compliance with cannabis laws and regulations.

In January 2019, the CalCannabis Division within CDFA and the California Department of Public Health (CDPH) adopted regulations requiring cannabis cultivators and distributors to use certified scales and become licensed weighmasters. By June 2020, DMS licensed 2,600 cannabis weighmasters and 5,804 employees of cannabis weighmasters (deputy weighmasters).

### AGREEMENTS WITH CALRECYCLE

Since 2015, DMS' Weighmaster Program has had an interagency agreement (IAA) with the California Department of Resources Recycling and Recovery's (CalRecycle) Covered Electronic Waste Program to help improve compliance with electronic waste recycling requirements. Payments to e-waste collectors and/or recyclers are based on weight and count; it is vital that these quantities are summed and recorded accurately. In FY 2019/20 DMS staff inspected or offered outreach to 246 business locations and issued 89 violations.

In 2018, DMS signed an additional IAA with CalRecycle to assist with their Beverage Container Recycling Program. Consumers receive California Refund Value (CRV) refunds when they redeem empty beverage containers at a Recycling Center. The recycling centers then sell these materials to Certified Processors who package them into large bales and receive payment from CalRecycle for the recycled materials. CalRecycle has authority to audit Certified



Photo 40: Recycled Materials Packaged into Large Bales

Processors for compliance with recordkeeping, reporting, and operational requirements.

DMS' role is to inspect Certified Processors for compliance with CalRecycle's requirements and all applicable Weighmaster Program laws and regulations. In FY 2019/20 DMS staff inspected 96 Certified Processors and issued 472 violations.

## QUANTITY CONTROL

DMS currently does not have an active Quantity Control (QC) Program. General Fund shortfalls in 2011 eliminated state funding for this program. However, several counties remain self-funded and still have active QC inspection programs. County sealers can work with their local District Attorney to investigate and prosecute companies that misrepresent their products, have false or deceptive advertising, or create unfair business competition.

For most consumers, the only visual evidence of weights and measures oversight is the official approval seal placed on a grocery scale or fuel dispenser. However, far more weights and measures oversight activities are conducted without public awareness. Packaged goods are inspected by county weights and measures officials for compliance with labeling requirements and accurate net content statements. For example, the net weight statement on a box of cereal must be the weight of edible product not including the box or inner plastic liner.

Stores use scanning systems at the checkout registers to identify the items being purchased and to look up the prices in their database. The prices posted or advertised must agree with what the customer is ultimately charged. From time to time, consumers have received a short measure package or have been overcharged. To any single consumer, the harm may appear minor. However, for the business, small errors can add up and create an unfair pricing advantage over competing businesses. DMS is proud to report that counties statewide conducted 659,702 inspections. Over 143,00 packages were



Photo 41: Net Contents Statement on a Cereal Box



Photo 42: Net Contents Statement on a Box of Green Tea



Photo 43: String Beans Sign that is Non-Compliant with COOL Requirements



Photo 44: Catfish Label that is Non-Compliant with COOL Requirements



Photo 45: Pecan Label that is Non-Compliant with COOL Requirements



Photo 46: Raw Chicken Legs Sign that is Non-Compliant with COOL Requirements

inspected and audited for net weight contents and labeling requirements. Moreover, 323,887 packages were sampled by county officials who scanned the item at the register and compared its price with the advertised price. Of those, 5,600 prices were over the advertised price while 2,617 were underpriced. Both are examples of inaccurate price advertising and potentially unfair business practices in the marketplace.

See Table 8 for a full breakdown of statewide QC inspections conducted by county weights and measures sealers.

## COUNTRY OF ORIGIN LABELING

Country of Origin Labeling (COOL) is a federal consumer labeling law administered by the United States Department of Agriculture, Agricultural Marketing Service (USDA/AMS). Grocery stores must notify shoppers of the country of origin of certain regulated commodities, e.g., the muscle cuts and ground meat of lamb, chicken, and goat; wild-caught and farm-raised fish and shellfish; fruits, vegetables, and ginseng; and peanuts, pecans, and macadamia nuts. Fish markets, butcher shops, restaurants, and other food service establishments, e.g., cafeterias, lunchrooms, and institutions are exempt from COOL requirements.

USDA/AMS contracts with DMS to audit retailer compliance. Annual audits are conducted at preselected regulated retail locations. DMS conducts two types of audits for the COOL program – an initial audit and a follow-up audit. An initial audit is conducted at regulated retailers that have not been previously audited. A follow-up audit is conducted a year or more after an initial audit to ensure a retailer's compliance of COOL requirements. Occasionally, regulated retailers receive more than one follow-up audit (over multiple years) to track the compliance rate of that location.

In FY 2019/20, DMS staff completed 395 initial audits of regulated retail locations in California. State officials reviewed 116,914 regulated commodities during these audits. There were 8,845 regulated commodities that were out of compliance with COOL requirements. DMS staff also completed 53 follow-up audits at retail locations that had received an initial audit in prior years. State officials reviewed 11,165 regulated commodities and 1,834 were not compliant.

A Few of the COOL Labeling Requirements:

- For U.S. origin muscle cut chicken, lamb, and goat products, the label must state, "Born/Hatched, Raised, and Slaughtered/Harvested in the U.S." Meat derived from animals where production steps occurred in multiple countries including the U.S., must be labeled with production steps at the point of sale. The label may state, "Born in Country X, Raised and Harvested in the U.S." or "Born and Raised in Country X, Harvested in the U.S."

- Fish and shellfish must include country of origin and method of production at the point of sale.

U.S. origin is derived from farm-raised fish and shellfish that are hatched, raised, harvested, and processed in the United States or from wild fish and shellfish harvested in waters of the United States or by a United States flagged vessel and processed in the United States and that have not undergone substantial transformation outside of the United States.

- For Fruits, Vegetables, Peanuts, Pecans, Macadamia Nuts, and Ginseng, the country of origin declaration is the location where the product was harvested.

For complete COOL labeling requirements, see the USDA COOL Consumer Information brochure at:

<https://www.ams.usda.gov/sites/default/files/media/COOLBrochureConsumer.pdf>



Photo 47: Corn on the Cob Sign that is Compliant with COOL Requirements



Photo 48: Peanuts that are Compliant with COOL Requirements



Photo 49: Mango Display with Inset of a Mango Sticker that is Compliant with COOL Requirements

## FINANCIAL STATEMENT AND COUNTY ANNUAL REPORT INFORMATION

**Table 3: FY 2019/20 DMS and County Offices of Weights and Measures Financial Data**

DMS REVENUE	Budgeted	Actual
Federal ( <i>United States Department of Agriculture</i> ) <sup>1</sup>	\$ 262,800	\$ 252,986
CDFA ( <i>General Fund</i> ) <sup>2</sup>	\$ 493,090	\$ 493,090
Industry ( <i>Fee-based Funds</i> ) <sup>3</sup>	\$ 8,610,304	\$ 7,258,860
Other <sup>4</sup>	\$ 1,586,475	\$ 1,586,475
Interagency Agreements ( <i>CalRecycle</i> ) <sup>5</sup>	\$ 667,943	\$ 343,315
<b>TOTAL DMS REVENUE</b>	<b>\$ 11,620,612</b>	<b>\$ 9,934,727</b>

DMS EXPENDITURES	Budgeted	Actual
Personnel Services <sup>4</sup>	\$ 6,518,047	\$ 4,901,547
Operating Expenses <sup>4</sup>	\$ 5,212,341	\$ 4,243,340
County Payments <sup>6</sup>	\$ 707,535	\$ 630,405
<b>TOTAL DMS EXPENDITURES</b>	<b>\$ 12,437,923</b>	<b>\$ 9,775,292</b>

COUNTY REVENUE	Actual
All County Offices Weights and Measures	\$ 32,921,698
All County Reimbursements	\$ 645,879
<b>TOTAL COUNTY REVENUE</b>	<b>\$ 33,567,577</b>

COUNTY EXPENDITURES	Actual
All County Offices Weights and Measures	\$ 51,332,995

<sup>1</sup> COOL Program; <sup>2</sup> Metrology Program; <sup>3</sup> Administration, CTEP, RSA, Devices, Weighmaster, and FLAPP; <sup>4</sup> AB 32 Cost of Implementation Fund for Alternative Fuels Quality and Oversight; <sup>5</sup> Cans and Bottles California Refund Value (CRV) and Covered Electronic Waste; and <sup>6</sup> Cooperative Agreements to Inspect Fueling Stations and Weighmaster Locations.

**Table 4: FY 2019/20 Annual Report for Weights and Measures – Summary**

	<b>Total Expenditures</b>	<b>Total Hours</b>	<b>Hourly Cost</b>	<b>Cost Per Capita*</b>
<b>County</b>	\$51,332,995	529,888	\$96.88	\$1.29
<b>State</b>	\$8,926,269	75,920	\$117.57	\$0.22
<b>Total</b>	\$60,259,263	605,808	\$99.47	\$1.51

**Percent of Expenditures (by Program)**

	<b>Reg. Service</b>		<b>Quantity</b>		<b>Lubricants, and Automotive Products &amp; Alternative</b>	
	<b>Agency</b>	<b>Devices</b>	<b>Control</b>	<b>Weighmaster</b>	<b>Fuels</b>	<b>Metrology</b>
<b>County</b>	8.0%	63.5%	23.7%	1.4%	3.3%	0.0%
<b>State</b>	0.2%	10.2%	0.3%	19.4%	64.5%	5.5%
<b>Statewide</b>	6.9%	55.6%	20.3%	4.1%	12.4%	0.8%

**Percent of Hours (by Program)**

	<b>Reg. Service</b>		<b>Quantity</b>		<b>Lubricants, and Automotive Products &amp; Alternative</b>	
	<b>Agency</b>	<b>Devices</b>	<b>Control</b>	<b>Weighmaster</b>	<b>Fuels</b>	<b>Metrology</b>
<b>County</b>	8.3%	62.6%	24.2%	1.5%	3.3%	0.0%
<b>State</b>	0.3%	14.5%	0.3%	21.6%	57.5%	5.8%
<b>Statewide</b>	7.3%	56.6%	21.2%	4.0%	10.1%	0.7%

\*Population data obtained from the Department of Finance

Table 5: FY 2019/20 Commercial Measuring Devices in California (By County)

Measuring Devices In Each County																						
FY 2019/20 measuring devices registered, by type of device. Includes count per county and statewide total.																						
2019/20	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Total	
	CNG	Electric	EVSE	Fabric,	Grease &	Hydrogen	LNG	Liquefied	Milk		Retail Motor	Retail	Retail	Tanks		Vapor	Vehicle	Water	Wholesale	Misc.	Total	
	Meters	Submeters	Meter	Cordage,	Lube	Meter	Meter	Gas Meters	Tanks		Fuel	Meters	Water	(Liquid		Submeters	Meters	Submeters	Meters	Measuring	Measuring	
				Wire	Meters				(Liquid)			Meters	Test)						Devs	Devs		
Alameda	4	8,964		121	1				51			10,418		154		739	3,476	128	25,021	12	7	49,096
Amador		304		15					33			384		8		3	1,328		528			2,603
Butte	2	1,709	20	19					67			2,001	2	45		28	1,369	108	1,869	40		7,279
Calaveras		735		9					37			495		11			2,458	8	391			4,144
Colusa		319							13			560	12	25			98	18	37			1,082
Contra Costa	2	6,867		73		1	36		118			8,079	42	112		141	3,771	114	8,012	200	9	27,577
Del Norte		225		5					12			275					473		1	18	2	1,011
El Dorado/Alpine		1,880		1					96			1,901	12	14		55	4,094	15	1,392	3		9,463
Fresno	6	3,766		61		1			146	127	105	9,105		687		41	4,752	128	1,690	68		20,683
Glenn		107		3					13	2		491	9	11			143	4	38			821
Humboldt		2,547		23					69		15	1,685	83	13		24	2,284		785			7,528
Imperial	3	5,220		43					52			2,601		135					71		3	8,128
Inyo/Mono		1,325	8	1					60			923	5				1,325	19	30			3,696
Kern	8	5,448		53					177		177	10,616	99	406		73	3,944	139	4,799	31	601	26,571
Kings	2	513		11					20	217	17	1,558		90		16	969	10	812	9	11	4,255
Lake		1,127		12					45			740	9				2,386	13		1	3	4,336
Lassen				1					23			3	327			1		10		43		408
Los Angeles	145	56,223		540		31	7		777		1,449	61,688		2,690		3,194	38,414	407	131,750	473	1,712	299,500
Madera	4	603		21					66			1,838	22	43		9	1,801	19	234	11		4,671
Marin	2	4,123	80	24		2			22	2		1,819		15		58	785	3	27			6,962
Mariposa		111		4					14			271	7	1			111			10	8	537
Mendocino		668		421					58			1,241	2	25		11	1,397	26	298		69	4,216
Merced	4	677		20				2	59	399	42	2,831	48	108		16	1,180	43	465	11		5,905
Modoc				1			10					162						8				181
Monterey		2,602		44					79			3,717	18	219		122	2,570	95	2,441			11,907
Napa	10	2,653		13					39			995	0	27		13	2,596	17	5,060		3	11,426
Nevada	2	1,359		14		2			68			831		8		10	1,168	10	1,168	2	1	3,475
Orange	56	30,944		157		16			142		463	19,615		556		508	35,115	123	79,680	152	1	167,528
Placer		2,786		37					78			3,750		28			2,769	26	4,592	1	3	14,070
Plumas/Sierra		868		10					48			337					211			14		1,488
Riverside	50	69,702		172					476		250	16,860	139	671		81	64,759	159	80,006	39	67	233,431
Sacramento	8	7,701		58		4			159			11,010	35	153		103	8,234	78	12,001	41		39,585
San Benito		378		3					20			410	1	23			238	10	324			1,407
San Bernardino	67	16,682		120			12		295		620	19,920	52	698		52	17,241	252	45,682	197		101,890
San Diego	32	42,251		196		1			356		1,131	21,014	26	1,339		782	32,617	241	129,853	125	1	229,968
San Francisco		1,788		16	8				5			2,514		121		1,704	5		4,513			10,674
San Joaquin	10	5,377		54			2		105		94	6,904	100	120		22	3,595	151	3,691	184		20,409
San Luis Obispo	4	4,784		38					62			2,541	5	116	1	15	3,870	41	4,596	2		16,075
San Mateo	16	5,416		38					34			4,707		67		157	2,240		15,433	2	2	28,112
Santa Barbara	5	5,727		29		2			56			2,953		187		81	4,951	69	6,136	60	8	20,362
Santa Clara	14	18,832		85					107		4	11,407	1	381		554	17,209	208	62,233	138	571	111,744
Santa Cruz		4,006		30					43			1,845		74		41	3,734	13	4,996			14,782
Shasta		2,305		36					94			2,925		13		15	2,201	57	1,252	20	7	8,925
Siskiyou		42		15					35			1,071	23				45	51	30			1,312
Solano	1	4,244		38					53		103	4,243		55		55	2,472	3	4,047	22	10	15,346
Sonoma	2	7,872		59					105			3,929	2	87		54	7,642	31	9,260	62		29,105
Stanislaus	3	695		40					69		96	5,123	29	155		25	2,307	126	3,451	5	12	12,136
Sutter		379		12					25			939	7	26		1	275	10	117			1,791
Tehama		1,297		11					35			1,068		9			966	5	360			3,751
Trinity		142		3					25			122					345					637
Tulare	10	1,448		52					113	574		5,560	19	276		8	2,997	94	937			12,088
Tuolumne		863		10					57			537	1	7			5,376	16	312			7,179
Ventura	3	11,086		46		1			93		315	5,437		280		36	9,672	43	16,288	94		43,394
Yolo	2	1,718		23		2		1	41		15	2,292	4	63		2	1,497	43	2,401			8,104
Yuba	2	475		6					22			893	3	30			364	19	190			2,004
<b>Total</b>	<b>479</b>	<b>359,883</b>	<b>108</b>	<b>2,947</b>	<b>14</b>	<b>61</b>	<b>70</b>	<b>4,967</b>	<b>1,321</b>	<b>4,994</b>	<b>287,154</b>	<b>1,144</b>	<b>10,382</b>	<b>1</b>	<b>8,850</b>	<b>314,671</b>	<b>3,282</b>	<b>679,229</b>	<b>2,093</b>	<b>3,108</b>	<b>1,684,758</b>	



Table 6: FY 2019/20 Commercial Weighing Devices in California (By County)

Weighing Devices In Each County														
FY 2019/20 weighing devices registered, by type of device. Includes count per county and statewide total.														
2019/20	21	22	23	24	25	26	27	28	29	30	31	32	33	Total
	Class II	Computing	Counter	Crane	Dormant/Port. Platform	Hopper & Tank	Hanging	Livestock & Animal	Monorail & Meat	Prescription/Jewelers	Railway	Vehicle	Misc. Weighing Devices	Weighing Devices
Alameda		3,161	286			753	55	41	16	6	266	1	133	4,718
Amador		125	13			36	4	3	12	2		1	17	213
Butte	10	379	60			97	16	54	12	2	10		108	752
Calaveras		95	6			31		9	15		1		13	173
Colusa	2	31	19			73	4	4	8				75	216
Contra Costa	4	2,005	118			280	29	19	18		42	7	97	2,620
Del Norte		10	64			14		17	1				7	113
El Dorado/Alpine		289	183			47	6	23	5	1	4		13	571
Fresno	77	2,455	227	18		521	14	127	37	7	70	3	270	3,826
Glenn		96	39			42	13	17	23	3			71	310
Humboldt	295	476	664			284		155	43	2			57	1,976
Imperial	3	450	53			161	16	17	22	2	15	2	138	879
Inyo/Mono	1	67	37			19	11	6	44	1	3		25	214
Kern	9	1,752	82			294	7	21	56	2	145	7	275	2,665
Kings		251	206			162	10	9	17	4		1	105	819
Lake	4	107	14	6		21			2				16	172
Lassen	28	20				12	6	2	28		1		16	114
Los Angeles	677	19,373	1,181	6	6,961	20	173	2	15	1,919	9	607		30,943
Madera		255	19			85	3	18	29	3	21		76	509
Marin	8	771	43			98	2	34	17		9		14	1,006
Mariposa		43	6			8	3	10	24				1	106
Mendocino		501	472	5		93		69	9		44		35	1,228
Merced	7	705	32	1	126	43	95	49	7		6		174	1,245
Modoc			20		8	5		64	5		1		16	119
Monterey	214	1,052	112	2	262	6	32	79			28		107	1,915
Napa		368	28	46	506	4	7	5	1		5		65	1,083
Nevada		229	85		22	4	16	3			56		10	437
Orange		5,962	662		899	1	30	3	2	160	1		88	7,808
Placer		917	119		111	5	95	15	5	14			23	1,309
Plumas/Sierra		47	34		10		10	37	1				16	155
Riverside		4,220	508	2	1,428	8	86	6	4	123			212	6,600
Sacramento	204	2,531	233		611		24	22	1	53	1		108	3,824
San Benito	12	97	21		42		2	61	1	3	1		37	278
San Bernardino	23	3,581	288		1,874	15	47	6	-	353	8		289	6,484
San Diego	10	5,694	1,047	3	1,011	73	52	9	1	262	1		133	8,296
San Francisco	113	1,308	1,442		38		6						24	2,931
San Joaquin	35	1,666	324		728	70	125	24	8	65	6		290	3,461
San Luis Obispo	18	599	154	5	329	19	86	69	7	2			69	1,357
San Mateo		863	794		774	6	20	4		32	1		38	2,532
Santa Barbara	100	1,010	241	14	427	12	81	40		28			68	2,025
Santa Clara		1,823	2,234	2	790	56	112	16		110			105	5,305
Santa Cruz	92	624	36	2	61	4	25	3	3				28	878
Shasta	13	463	24		87	1	22	32	2	27	2		50	723
Siskiyou		158	23		44	7	15	100	3	2			69	422
Solano		862	106	4	91	6	5	20	3		1		59	1,157
Sonoma	162	1,406	362	146	479	29	67	16	7	30			111	2,815
Stanislaus	55	1,361	210		328	42	83	49	6	28	5		220	2,398
Sutter		252	65		164	1	10	3	1	6			71	575
Tehama		157	19		67		17	30	6	22			42	360
Trinity		175						4						179
Tulare	4	1,028	110		249	3	101	60	3	29	7		238	1,832
Tuolumne		158	27		5	1	6	10		9			18	234
Ventura	1	1,924	341	9	360	8	43	3		39			65	2,793
Yolo	100	459	101	1	216	8	11	13	4	6	2		85	1,184
Yuba		155	8		41		9	9	2	2			45	271
<b>Total</b>	<b>2,281</b>	<b>74,566</b>	<b>13,602</b>	<b>272</b>	<b>22,280</b>	<b>656</b>	<b>2,168</b>	<b>1,304</b>	<b>134</b>	<b>4,050</b>	<b>68</b>	<b>5,142</b>	<b>605</b>	<b>127,128</b>

**Table 7: County Inspection and Enforcement Activities – Summary**

<b>Program Activities</b>	<b>Service Agency</b>	<b>Devices</b>	<b>Quality Control</b>	<b>Weighmaster</b>	<b>Petroleum</b>
Locations Visited	10,797	58,346	24,363	1,214	8,764
Inspections	83,970	349,112	659,702	1,196	9,518
Complaints – Consumer	82	2,847	1,112	23	415
Complaints – Other	6	85	9	1	14
Notices of Violation	768	8,696	4,191	108	2,208
Civil Administrative Actions	6	20	1,445	13	11
Civil Administrative Hearings	4	1	8	0	0
Civil Administrative Penalties	\$ 1,300	\$ 19,110	\$ 476,607	\$ 6,200	\$ 3,904
Citations – Infraction	0	0	0	0	0
Citations – Misdemeanor	0	0	1	0	0
Criminal Complaints Filed	0	4	3	0	0
Civil Complaints Filed	0	12	8	0	1
Convictions / Judgements	0	0	144	0	0
Penalties Assessed – Infraction and Criminal Fines	\$ 0	\$ 0	\$ 4,445	\$ 0	\$ 0
Penalties Assessed – Civil	\$ 0	\$ 0	\$ 250	\$ 0	\$ 700
Investigative Cost Recovery	\$ 6	\$ 0	\$ 91,301	\$ 0	\$ 5

**Table 8: FY 2019/20 County Inspections – Quantity Control**

Package Inspection	Number
Lots Accepted	916
Lots Rejected	813
Packages Rejected	169,545
Packages Accepted	6,075
Packages Sampled	14,016

Price Verification	Number
Packages Scanned / PLU	323,887
Overcharges	5,600
Undercharges	2,617

Audit Inspection	Number
Lots Inspected	44,126
Packages Sampled	143,035

Test Purchases / Sales	Number
Purchases / Sales Made	7,935
Overcharges	1,253
Undercharges	533

Labeling Actions	Number
Lots Rejected	324
Packages Rejected	9,152

**Table 9: FY 2019/20 County Inspections – Fueling Stations**

Fueling Stations	Number
Initial Inspections	7,336
Other Inspections	2,182
Gallons Rejected – Quality	6,626
Gallons Rejected – Labeling	67

**Table 10: FY 2019/20 County Inspections - Weighmaster**

Weighmaster	Number
Audits	771
Tares Verified	63
Reweights	7
Test Scales	355

Bulk Commodities Verified	Number
Inspections	73

For questions or comments regarding this report please contact:

California Department of Food and Agriculture

Division of Measurement Standards

6790 Florin Perkins Road, Suite 100,

Sacramento, CA 95828

Main : (916) 299-3000

Web : <https://www.cdfa.ca.gov/dms/>



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