

DEPARTMENT OF FOOD AND AGRICULTURE

A.G. KAWAMURA, Secretary

Division of Measurement Standards
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DMS NOTICE
P – 07–04



September 6, 2007

Discard: Retain

TO WEIGHTS AND MEASURES OFFICIALS

**SUBJECT: Clarification of California Business and Professions Code
Section 13473**

Weights and Measures Officials have requested guidance from DMS on the proper interpretation for the enforcement of Business and Professions Code Section 13473.

We have reviewed Chapter 14, Article 8 (Price Indications on Petroleum Dispensing Apparatus) in its entirety, researched its history, and concluded that Section 13473 applies to the size of unit price signs and not the indicators on a dispenser. Unit price indicators, provided by the device manufacturer, are covered by Section 13474 in that they shall be plainly legible, with no reference made to a size requirement.

This conclusion is supported by the fact that Chapter 14, Article 8, references requirements for price signs and price indicators. Section 13473 only refers to price signs. This distinction is consistent with the 1963 edition of the Business and Professions Code. Additionally, many unit price indicators on older mechanical registers have unit price indicators that do not meet the 3/4 - inch price sign requirements.

Questions regarding dispenser labels and posting may be directed to Cindy Mough, Program Supervisor, Weighmaster Enforcement/Petroleum Products Branch at (916) 229-3050 or cmough@cdfa.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads 'Dennis R. Johannes'.

Dennis R. Johannes
Director

cc: Kevin Masuhara, Director, County Liaison Office