



November 12, 2008

DMS NOTICE
W – 08 – 1

Discard: Retain

TO: WEIGHTS AND MEASURES OFFICIALS

**SUBJECT: Letter to Packers and Stockyards Locations Regarding
Common Weighmaster Violations**

The Division of Measurement Standards recently sent the attached letter to selected Packers and Stockyards locations throughout the State to address common weighmaster violations found in the livestock industry.

Information compiled by DMS staff based on weighmaster audits performed over a five year period at sale barns/auction houses identified a significant number of code violations. By identifying some common problems and bringing them to the weighmasters attention, it is anticipated that the affected industry will come into voluntary compliance and future violations can be avoided.

Information regarding this notice may be obtained by contacting Gary Castro, Weighmaster/Petroleum Branch Chief, at (916) 229-3049 or John Cline, Senior Special Investigator, at (559) 445-5404.

Sincerely,

Edmund E. Williams
Director

Enclosures

cc: Kevin Masuhara, Director, County/State Liaison Office
C. Frank Bowen, USDA Packers and Stockyards, Northern CA
Stacey Schofield, USDA Packers and Stockyards, CO
Douglass E. Rydberg, USDA Packers and Stockyards, Southern CA
John Suther, CDFA Animal Livestock Identification





September 10, 2008

SAMPLE

Subject: Common Weighmaster Violations at Packers and Stockyards
Locations

To Whom It May Concern:

Businesses that weigh livestock at the time of sale must not only comply with the USDA Packers and Stockyards Program Regulations, but also with the weighmaster requirements in Division 5, Chapter 7 of the Business and Professional Code of California (B&P Code) and the California Code of Regulations (CCR).

We have listed below some common violations identified by staff of the Division of Measurement Standards, California Department of Food & Agriculture. If you recognize any of these deficiencies in your livestock business operations, you have an opportunity to address them before the state or county weights and measures officials take official enforcement action.

- All scale systems interfaced with computers must be approved for commercial use in California, either through the National Type Evaluation Program or California Type Evaluation Program.
- Certificates must be consecutively numbered. If a blank form is preprinted with the weighmaster legend, the weighmaster's name and a consecutive number must also be included at the time of preprinting.
- Buyer's and seller's recap sheets are weighmaster certificates and must comply with all requirements of a weighmaster certificate.
- If more than one page is needed for a buyer's or seller's recap, each page shall have its own number and individually meet all weighmaster certificate requirements.
- Weighmaster certificates must contain the required legend/authority statement. The principal weighmaster name must be the same as it appears on the license. The weighmaster certificate must show the street



address or location description and the city where the weighing occurred. The deputy name(s) are not to be preprinted on the certificate, nor presigned before weights are entered.

- The name of the owner, or his or her agent, and the consignee of the livestock being sold or purchased must be included on the weighmaster certificate.
- Any unused weight spaces shall be deleted when applicable.
- The deputy weighmaster responsible for the issuance of the certificate shall sign the certificate. All required worksheets and/or ring tickets shall be signed by the deputy that determined the weight of the livestock. These names may be imprinted electronically in lieu of a handwritten signature, if the electronically imprinted name is that of the deputy who determined the weight or issued the certificate.
- All copies of voided certificates and worksheets shall be preserved for four years.

Although this list contains some of the most common problems, the weighmaster is ultimately responsible to comply with all applicable laws and regulations.

The Division of Measurement Standards is available to review any software, certificates, or forms you are currently using. To answer any questions you may have regarding California weighmaster requirements or schedule a site review please contact John Cline, Senior Special Investigator, at (559) 445-5404.

Sincerely,

/s/

Gary Castro
Branch Chief
Weighmaster/Petroleum Branch