

COUNTY MONTHLY REPORT

INSPECTION DEFINITIONS

Service Agency Inspections: All inspections performed upon commercially used weighing and measuring equipment on which a service agency has worked on or installed and all enforcement actions taken upon a service agency or agent. All inspections recorded under the Service Agency section shall be counted on the back page as either reinspections or new installations and not as initial tests.

Device Inspections: All inspections performed upon commercially used weighing and measuring equipment: Including devices in use, new devices put in use by other than a service agency, and those devices being returned to service upon completion of repairs and adjustments made by other than a service agency. An inspection of a device with multiple indicators (i.e., A vehicle scale with a weighbeam and an electronic readout) would be counted as one inspection, as this system is considered one device. Additionally, devices may have several inspections in a reporting period. For example, a computing scale that is inspected and marked “Out of Order” and later in the same reporting period, reinspected after being returned to service upon completion of repairs by a service agency, would be counted as two inspections, the first being the initial inspection and the second reported as a reinspection.

NOTE: The total number of inspections recorded under Service Agency should equal the total of reinspection and new installations recorded under Measuring Devices and Weighing Devices. The total of inspections recorded under devices on the front page should equal the total number of initial inspections and other inspections recorded under Measuring Devices and Weighing Devices on the back page of the report.

Quantity Control Inspections: All inspections performed upon packaged commodities. Inspections also include: packages checked for price verification through a scanner or price look up system, packages removed from sale for lack of a quantity statement, packages actually weighed in an audit, packages verified through end result testing (including bulk commodities, such as cords of firewood), and packages inspected because of Package Inspection Report (PIR). For PIRs the number of packages inspected is the lot size on the form.

Weighmaster Inspections: Such inspections include: audits (an audit would be one inspection regardless of the number of certificates inspected at a location), reweighs of carriers to verify certificate accuracy, end result verification of certificate accuracy through purchases or sales of commodities, and tares verified (this would include the total number of container tares, vehicle tares, cab cards, gondola tares, drop boxes).

Petroleum Inspections: All activities conducted at a location equal one inspection. For example, an inspector may review advertising signs, labeling, or take a product sample. This would only be recorded as one inspection for this report.

INSTRUCTIONS

ITEM 1. Locations Visited. Enter, in the appropriate program box, the total number of locations visited for:

1. Inspections
2. Audits
3. End result verification of bulk commodities or tares and price verification
4. Disposition of off-sale merchandise
5. Investigation or enforcement actions
6. Informational calls
7. Inspections resulting from service agents placing devices in service or making new installations

If two or more program activities are involved at the same location (Quantity Control and Devices, for example) indicate a "location visited" for each. (Note: Both activities should be reported on an inspection report[s].)

ITEM 2. Inspections. Enter, in the appropriate program box, the total number of inspections performed upon devices placed in service by or worked on by service agencies, commercially used weighing and measuring equipment, packaged and bulk commodities, quantity and labeling verification; weighmasters and petroleum resale establishments.

ITEM 3. Investigations.

- **Consumer Complaints.** Enter in the appropriate program box the total number of consumer complaints investigated.

Note: Complaints from industry or their employees would be considered a consumer complaint.

- **Other complaints.** Enter, in the appropriate program box, the total number of complaints investigated other than consumer complaints (i.e., request from assistance from another agency).

ITEM 4. Notices of Violation Issued. Enter, in the appropriate program box, the total number of Notices of Violation issued.

ITEM 5. Civil Administrative Actions Taken. Enter, in the appropriate program box, the total number of Civil Administrative Actions taken. This includes all Notices of Proposed Action. **(Record when the NOPA is sent out.)**

- ITEM 6. Civil Administrative Hearings Held.** Enter, in the appropriate program box, the total number of Civil Administrative Hearings held, whether in your office, the district attorney's office, or in another agencies' office. **(Record after the hearing is held.)**
- ITEM 7. Civil Administrative Penalties Assessed.** Enter, in the appropriate program box, the total dollar amount collected from Civil Administrative penalties assessed.
- ITEM 8. Citations Issued.** Enter, in the appropriate program box, the total number of citations issued:
- Total infractions.
 - Total misdemeanors.
- ITEM 9. Criminal Complaints Filed.** Enter, in the appropriate program box, the total number of criminal complaints filed as a result of investigative action by your staff. (Note: Count at time of filing. In joint actions, only one agency should take credit for the complaint.)
- ITEM 10. Civil Complaints Filed.** Enter, in the appropriate program box, the total number of civil action initiated as a result of investigative action by your staff. (Note: Count at time of filing. In joint actions, only one agency should take credit for the complaint.)
- ITEM 11. Convictions/Judgments.** Enter, in the appropriate program box, the total number of convictions and/or judgments granted. (Note: In joint actions, only one agency should take credit for each litigation.)
- ITEM 12. Penalties Assessed.** Enter, in the appropriate program box, the total dollar amount of fines.
- **Infraction/Criminal Fines Assessed.** Enter, in the appropriate program box, the total dollar value of infraction/criminal fines levied by the court as a result of your criminal complaints and citations.
 - **Civil Penalties Assessed.** Enter, in the appropriate program box, the total dollar value of civil penalties levied as a result of judgments made in civil actions. The agency that has taken credit for the complaint should take credit for the fines assessed.
- ITEM 13. Investigative Cost Recovery.** Enter, in the appropriate program box, the total dollars received as a result of cost recovery for either criminal or civil judgments. (Note: In joint actions, take credit for your share of the cost recovery assessment).

ITEM 14-16. RESERVED FOR INDIVIDUAL COUNTY USE.

ITEM 17. Total Program Direct Hours. Enter, in the appropriate program box(s), the total number of direct hours devoted to each of the programs (Service Agency, Devices, Quantity Control, Weighmaster and Petroleum). Note: Direct hours include the travel, field and laboratory time, as well as time spent on paperwork associated with performing inspections, investigations and other enforcement actions. Include maintenance of equipment and training sessions clearly associated with a specific program.

ITEM 18. Total Weights and Measures Direct Hours. Enter the sum of the direct hours for each program area.

ITEM 19. Total Weights and Measures Support Hours (Optional). Enter the total support hours spent in a function not related to a specific weights and measures program (i.e., training [supervisory], meetings [general]; clerical time and administrator's time [agricultural commissioner/deputy]).

ITEM 20. Total Weights and Measures Hours. Enter the sum of the direct hours, Item 18 and the support hours, Item 19.

WEIGHING AND MEASURING DEVICES PROGRAM

Initial Inspection “In” or “Out” of Compliance

Record the “as found” condition of devices in use. If a device fails to comply with specifications or tolerances, record it as “out” in the initial inspection and if it is corrected by other than the service agency and sealed in the same visit also record it in the OTHER test column. A scale off zero by an amount equal to or greater than the minimum allowable tolerance, with no load applied, is considered out of compliance. (Inspection after a **routine service** by a service agency, which did not require a placed in service report, is considered an initial inspection.)

% In Compliance

Determine the percent compliance for each device. (“In” divided by [“In” + “Out”] X 100)

Other

Record all devices that did not pass the “initial inspection” or “new installation”, that were corrected and sealed in the same visit by the owner of the device who is not a registered service agent.

“Other” may include: noncommercial device inspections, a device that has been reinspected and sealed in the course of a complaint investigation, or a device that is reinspected more frequently than required by the California Code of Regulations (i.e., a livestock scale that is inspected every six months as required by Packers and Stockyards).

Hours

Record the direct person-hours spent testing each device in the initial inspection column (i.e., “In”, “Out” and “Other”). Include travel time and stand-by time. These hours will be recorded under Devices, Column B, line 17, of the front page.

Reinspection “In” or “Out” of Compliance

Record the “as found” condition of devices that have been reinspected after repairs by a registered service agency and returned to service. This includes all inspections performed on devices that have been placed in service by a service agency, even if it is your initial inspection of this device. (Inspection after a **routine service** by a service agency is considered an initial inspection.)

% In Compliance

Determine the percent compliance for each device. (“In” divided by [“In” + “Out”] X 100)

New Installations “In” or “Out” of Compliance

Record the “as found” condition of all devices places in service for the first time at a location even if it is a used device. Devices not checked within 120 days of installation should be recorded under Initial Inspection.

% In Compliance

Determine the percent compliance for each device. (“In” divided by [“In” + “Out”] X 100)

Hours

Record the direct person-hours spent testing each device in the reinspection and new installation columns. Include travel time and stand-by time. These hours are to be recorded under Service Agency, Column A, line 17, on the front page.

Total Inspected

Record the total inspections completed in this column. (Initial Inspections + Other + Reinspection + New Installations)

Column Totals

For Initial Inspections – Total each column of inspection recorded as “in”, “out”, or “other”, as well as “hours”. The sum of the “in”, “out”, and “other” column is transferred to the front page and placed under Devices – Inspections (Column B, line 2). The sum of the “hours” column is recorded under Devices – Total Program Direct Hours (column B, line 17).

For Reinspection and New Inspections – Total each column of inspection recorded as “in” or “out”. The sum of the columns for “in” or “out” for both Reinspection and New Installations is recorded on the front page under Service Agency – Inspections (Column A, line 2). The sum of the “hours” for these two inspection types is recorded under Service Agency – Total Program (Direct Hours (Column A, line 17).

Measuring Devices – Definitions

- ITEM 1. CNG Meters.** A metering system used for the measurement of natural gas used as a fuel for vehicles.
- ITEM 2. Electric Submeters.** A watt-hour meter used for the measurement of electrical energy and used to bill domestic or commercial tenants for electricity usage.
- ITEM 3. Fabric, Cordage & Wire Meters.** This item includes devices as defined in Section 5.50, 5.51 and 5.52 of the Field Reference Manual, California Code of Regulations, Title 4, Division 9.
- ITEM 4. Grease & Lube Meters.** Devices designed for the measurement and delivery of liquid lubricants.
- ITEM 5. Liquefied Gas Meters.** Liquefied gas meters include all LPG meters, retail and wholesale, in various sizes, used in determining the amount of liquefied gas offered for sale in the liquid state whether mounted on a vehicle or otherwise.
- NOTE:** Liquefied gas includes cryogenics as well as liquefied petroleum gas and other liquids that do not remain in a liquid state at atmospheric pressure and temperature, such as butane, propane, anhydrous ammonia, carbon dioxide, nitrogen, oxygen, and others.
- ITEM 6. Milk Tanks (Liquid).** Calibrated tanks used for raw milk or milk products tested for accuracy of chart graduations and capacity by liquid test.
- ITEM 7. Odometers.** A device that automatically indicates the total mileage traveled by a rental vehicle, tow truck, ambulance, etc.

- ITEM 8. Retail Motor Fuel Meters.** A measuring device used for retail deliveries of motor fuels to individual highway vehicles.
- ITEM 9. Retail Meters.** A device, other than a retail water meter or retail motor fuel meter, designed for single deliveries of less than 50 gallons (kerosene, solvent, etc.).
- ITEM 10. Retail Water Meters.** A stationary water meter used for the measurement of water sold at retail.
- ITEM 11. Tanks.** Tanks used for commercial measurement and tested for accuracy.
- ITEM 12. Taximeters.** A device that automatically calculates, at a predetermined rate or rates, and indicates the charge for hire of a vehicle.
- ITEM 13. Vapor Submeters.** A vapor meter used for the measurement of natural gas or LPG and used to bill domestic or commercial tenants for use of natural gas or LPG.
- ITEM 14. Vehicle Meters.** This item includes any meter mounted on a mobile conveyance, except liquefied gas meters mounted on a vehicle which are included under Item 5.
- ITEM 15. Water Submeters.** A water meter used for the measurement of water and used to bill domestic or commercial tenants for water usage.
- ITEM 16. Wholesale Meters.** A stationary device designed for single deliveries of more than 50 gallons except retail motor fuel meters.
- ITEM 17. Miscellaneous Measuring Devices.** Includes all other commercial measuring devices not included above.

Weighing Devices – Definitions

- ITEM 18. Computing Scales.** A computing type scale that indicates the money values of amounts of commodities weighed, at predetermined unit prices, throughout all or part of the weighing range of the scale.
- ITEM 19. Counter Scales.** A noncomputing type small capacity scale which, by reason of its size, arrangement of parts and moderate nominal capacity, is adapted for use on a counter or bench. A scale not used on a counter or bench and of a larger capacity is to be reported as platform scale at Item 21.
- ITEM 20. Crane Scale.** One with a nominal capacity of 5,000 pounds or more designed to weigh loads are suspended freely from an overhead, track-mounted crane.

- ITEM 21. Dormant/Portable Platform.** A dormant scale is any self-contained platform scale without wheels. May also be built into a prepared foundation. Example: A scale mounted flush with the floor used in warehouse shipping or receiving department. Included in this classification are portable type scales. Also, included suspension scales. A portable platform scale is any self-contained scale by reason of its design, with or without wheels that can readily be moved from place to place.
- ITEM 22. Hopper and Tank Scales.** Permanently installed scales designed for the weighing of granular or liquid materials in bulk where the load receiving element is a self-cleaning hopper or tank with outlet gate.
- Example:** A hopper scale used in aggregate batching (stationary or potable). A tank scale as used by creameries, distilleries, and wineries in determining the weight of liquids.
- ITEM 23. Hanging Scales.** Any automatic indicating scale of the hanging type except those defined elsewhere in this report.
- ITEM 24. Livestock and Animal Scales.** A scale equipped with stock racks and gates. One adapted to weighing livestock standing on the scale platform or adapted to the weighing of a single head of livestock.
- ITEM 25. Monorail & Meat Beam Scales.** A meat beam is a scale particularly adapted to the weighing of sides of beef, pork, etc, In its simplest form, it comprises two weighbeams connected together, and is supported from a hinged bracket with a hook for a load receiving element. A scale which has the load receiving element as part of a rail system is called a monorail scale. In the meat industry, such a scale is also called a track scale or an abattoir scale.
- ITEM 26. Prescription and Jewelers Scales.** Analytical type scales or balances adapted to the weighing of medicinal ingredients in a pharmacy or by a jeweler for weighing gems or precious metals.
- ITEM 27. Railway Track Scales.** A track scale especially designed for the weighing of mobile railway equipment.
- ITEM 28. Vehicle Scales.** One adapted to weighing highway/off highway vehicles, loaded or unloaded. Includes scales with load cells and electronic indicators.
- ITEM 29. Miscellaneous Weighing Devices.** Includes any other commercially used weighing device not included in this report.

QUANTITY CONTROL PROGRAM

Package Inspection Reports – Sampling Plan Only

ITEM 30. Lots Accepted. The number of lots accepted using a sampling plan which has been recorded on a Package Inspection Report.

ITEM 31. Lots Rejected. The number of lots rejected using a sampling plan which has been recorded on a Package Inspection Report.

ITEM 32. Packages Rejected. Total packages rejected using a sampling plan.

ITEM 33. Packages Accepted. Total packages accepted using a sampling plan.

ITEM 34. Packages Sampled. Record the total number of packages actually weighed, measured or counted and recorded on a Package Inspection Report.

Hours. Record the total number of hours spent on package sampling plan inspections.

Audit Inspections

ITEM 35. Total Lots Inspected. Record the total number of lots inspected.

Hours. Record the total number of hours spent on audit inspections.

ITEM 36. Packages Sampled. Record the total number of packages actually weighed, measured or counted during the audit.

Labeling Actions

ITEM 37. Lots Rejected. Record the number of lots rejected for labeling violations.

Hours. Record the total number of hours spent on labeling actions.

ITEM 38. Packages Rejected. Record the number of packages rejected for labeling violations.

Test Purchases/Sales

ITEM 39. Locations Visited. Record the number of establishments where purchases/sales were made.

Hours. Record the total number of hours spent on test purchases/sales.

ITEM 40. Purchases/Sales Made. Record the number of individual packages purchased/sold or, in the case of nonpackaged commodities, each individual transaction.

NOTE: If you are charged for each item individually, then count each item as a transaction (i.e., 4 individual weighings of produce, each would be one purchase).

For commodities sold to a recycler, the transaction is considered one sale, regardless of the number of individual containers.

ITEM 41. Overcharges. Enter the total number of overcharges. (**Only the overcharges that exceed the tolerance of the weighing or measuring device used to make the purchase should be counted.**)

ITEM 42. Undercharges. Enter the total number of undercharges. (**Only the undercharges that exceed the tolerance of the weighing or measuring device used to make the purchase should be counted.**)

Bulk Commodities Verified

ITEM 43. Inspections Made. Record the total number of inspections made. Bulk commodities include cords or partial cords of firewood, landscaping materials (bark, sand, gravel, stones, etc.) or any other item sold or purchased by weight, measure or count in bulk form excluding commodities where a weighmaster certificate is issued.

Hours. Record the total number of hours spent on bulk commodity verification.

ITEM 44. Locations Tested. Record the total number of locations where scanner/price look-up (PLU) verification occurred.

Hours. Record the total number of hours spent on price verification using scanners/PLU's.

ITEM 45. Locations Accepted. Record the total number of locations where no scanner/PLU overcharges were observed.

ITEM 46. Packages Scanned/PLU. Record the total number of packages that were scanned/PLU for price verification.

ITEM 47. Overcharges. Record the total number of overcharges from price verification tests.

ITEM 48. Undercharges. Record the total number of undercharges from price verification tests.

WEIGHMASTER PROGRAM

- ITEM 49. Audits.** Record the total number of weighmaster audit inspections made.
Hours. Record the total number of hours spent on weighmaster audits.
- ITEM 50. Tares Verified.** Record the total number of tare weights verified.
Hours. Record the total number of hours spent on verifying tares.
- ITEM 51. Reweighs.** Record the total number of reweighs performed (i.e., requiring a loaded truck to return to the scale to be weighed to verify the issued weighmaster certificates).
Hours. Record the total number of hours spent on reweighs.
- ITEM 52. Test Sales.** Record the total number of test sales made.
Hours. Record the total number of hours spent on the test sales.

PETROLEUM PROGRAM

- ITEM 53. Initial Inspections.** (Contract Inspections) Record the total number of initial inspections performed to fulfill the petroleum subvention contract.
Hours. Record the total number of hours spent on initial petroleum inspections.
- ITEM 54. Other Inspections.** (Non-contract Inspections) Record the total number of inspections performed other than the initial inspection (i.e., reinspection or routine non-contractual inspection).
Hours. Record the total number of hours spent on other than initial petroleum inspections.
- ITEM 55. Gallons Rejected – Quality.** Enter the number of gallons that were marked off sale due to the product's failure to meet quality standards.
- ITEM 56. Gallons Rejected – labeling.** Enter the number of gallons that were marked off sale due to a labeling violation.

COUNTY USE ONLY

The data listed in this area will not be recorded or tabulated by the Division and may be used for any reason the county deems necessary.