

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
DIVISION OF MEASUREMENT STANDARDS (DMS)
REGISTERED SERVICE AGENCY (RSA) ADVISORY COMMITTEE
CONFERENCE MEETING**

**December 4, 2024
1:02 p.m. – 2:19 p.m.**

MEETING MINUTES

**Minutes are considered DRAFT until approved
by the RSA Advisory Committee**

A. CALL TO ORDER

Lucian Stacy, Committee Chair, called the meeting to order at 1:02 p.m. The meeting was held both in-person and remotely via Microsoft Teams (Teams).

B. ROLL CALL OF MEMBERS

Membership attendance is reported below. Lucian Stacy confirmed that there was a quorum of committee members attending remotely.

Committee Members Present (In-person):

None

Committee Members Present (Teams):

Lynn Carmichael
Ann Crowley
Chris Gate
Breanne Matsuura
Steve Myers
Lucian Stacy

Committee Members Absent:

Joseph Lundeen

CDFA-DMS:

Kevin Schnepf, John Larkin, Matthew Douglas and Samuel Ferris

Other Participants:

None identified.

Presenter(s):

Samuel Ferris, CDFA-DMS
Matthew Douglas, CDFA-DMS

Lucian Stacy, Committee Chair

C. APPROVAL OF PRIOR MEETING MINUTES

Lucian Stacy asked the committee if there were any comments or edits regarding the minutes of the meeting held on July 23, 2024. No comments were made.

Motion/Vote: To approve the meeting minutes of July 23, 2024, with no additional edits.

Name	Vote	Comment
Lynn Carmichael	Yea	
Ann Crowley	Abstain	
Chris Gate	Yea	Motion
Joseph Lundeen		Absent
Breanne Matsuura	Yea	Second
Steve Myers	Yea	
Lucian Stacy	Yea	

D. REPORTS AND INFORMATION (Informational)

1. CDFA-DMS Updates. (*Samuel Ferris*)
 - a. CDFA-DMS promoted John Larkin as Supervising Special Investigator II, Branch Chief of Enforcement.
 - b. 2024 Year End Report (*Samuel Ferris*) – During the 2024 calendar year, the RSA Advisory Committee completed the following projects:
 1. Farm Milk Tank Survey – Aided committee with making final review and recommendations of California Code of Regulations (CCR) Sections 4000, 4001 and 4002.
 2. Commissioned a Work Group – Service Agent Examination Process. Evaluated current service agent test procedures and content.
 3. Reviewed NIST Handbook 130, Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices compared to CCR Sections 4080-4088
 4. Reviewed NIST Handbook 44 and CCR Sections 4001 and 4002
 5. Requested CDFA-DMS to review and revise three state forms referenced in CCR Sections 4080-4088. Two of three state forms were revised and updated. Form revisions will be adopted in future rulemaking.
 - c. CDFA-DMS Presentation: The National Council of Weights and Measures (NCWM) and How It Affects RSAs (*Matthew Douglas*) – Presentation explaining how members of NCWM propose items to be changed and how those items are reviewed by regional committees, modified, and voted on by NCWM each year. This affects RSAs because NIST Handbooks 44, 130 and 133 may be published with new requirements enforceable each new year in January. The RSA must be familiar with the new requirements in addition to the existing ones.

2. RSA Advisory Committee Chair Updates (*Lucian Stacy*) – Lucian Stacy introduced two new committee members: Stephen (Steve) Myers, member representing a client/customer of an RSA and Ann Crowley, member representing the public.

E. OLD BUSINESS (Discussion/Action by Committee)

1. Update of the RSA Advisory Committee Work Group on Service Agent Examinations process (*Lucian Stacy*)

Lucian Stacy read aloud the Work Group’s final recommendations to the committee.

Regarding bilingual test versions, John Larkin mentioned that NIST Handbook 44 is written in English, so the test may not need to be offered in other languages and that CDFA Legal Office may be able to answer this question.

Regarding the test retake timeframe, Ann Crowley mentioned that NCWM has a 30-day timeframe, but they don’t give any feedback on which questions were missed. She doesn’t want the timeframe to prohibit a person from working. She also asked whether CDFA-DMS would accept NCWM’s service agency test and whether there would be feedback of answers missed. Kansas now does this. Breanne Matsuura is in favor of shorter timeframe to allow agent to get working. Chris Gate agreed and supports providing feedback to develop a more qualified agent.

Regarding open-book format and proctoring test: Ann Crowley asked if test materials will be hardcopy or electronic and whether the test will be in-person proctored or electronic format. She mentioned the state’s examination procedures form (Item 10) does not allow for resource materials. Steve Myers mentioned he wanted clarity on availability of test resource materials and who may provide it (test giver or test taker).

Motion/Vote: To table this review until next meeting to allow the committee more time to review edits.

Name	Vote	Comment
Lynn Carmichael	Yea	Second
Ann Crowley	Yea	
Chris Gate	Yea	
Joseph Lundeen		Absent
Breanne Matsuura	Yea	
Steve Myers	Yea	
Lucian Stacy	Yea	Motion

F. NEW BUSINESS

1. RSA Placing Device in Service (*Chris Gate*) – Chris Gate mentioned that a count official told his RSAs that they needed to send in placed in service reports. His RSAs had differing opinions on when to submit one. He felt that CCR Section 4085 is vague in the definition of “device” and “place in service.” Lucian Stacy explained confusion among county officials regarding the scales industry and when to submit a placed in service report. Kevin Schnepf added that the definition of repair is in CCR [correction: Business and Professions Code (BPC), statute] Section 12531 and read it aloud. He confirmed that a “break away” event would require submitting a placed in service report. Matthew Douglas explained that CCR Section 4085 (a)(2) does not differentiate

or only specify a repair that is metrological, so all repairs require a placed in service report. He also confirmed that the definition of repair is in BPC Section 12531. Lucian Stacy felt that the term “servicing” in the definition of repair is not clear. Ann Crowley added that other states require a placed in service report if the seal is broken (in terms of scales). Steve Myers felt that CARB and other agencies view hanging hardware and hoses, nozzles and “break aways” as repairs done by his employees (non-RSAs). There would be a huge burden if he needs to have a service agency submit a placed in service report for this work. Lucian Stacy asked if it is a “service” to open a fuel pump to blow dust out of the inside and does not break the calibration seal? Steve Myers added that he feels it is required by the State of California to inspect the inside of every dispenser at least once per month. He asked if it is required for an RSA to submit a placed in service report per dispenser per month. Lucian Stacy requested for clarification from CDFA-DMS on this issues. Breanne Matsuura and Samuel Ferris referenced two DMS Notices on the matter and Samuel Ferris agreed to compile all applicable DMS Notices for the committee to consider: DMS Notices [D-01-4](#), [D-19-02](#) and [D-19-07](#). Lucian Stacy recommends adding these DMS Notices to an agenda item for the next meeting.

Motion/Vote: To continue this discussion at the next meeting.

Name	Vote	Comment
Lynn Carmichael	Yea	
Ann Crowley	Yea	
Chris Gate	Yea	Motion
Joseph Lundeen		Absent
Breanne Matsuura	Yea	
Steve Myers	Yea	Second
Lucian Stacy	Yea	

G. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No comments were made.

H. NEXT MEET AGENDA

Lucian mentioned the two prior agenda items to be added to the next meeting.

I. ADJOURNMENT

1. Lucian Stacy asked to adjourn this meeting.

Motion/Vote: To adjourn the meeting at 2:19 p.m.

Name	Vote	Comment
Lynn Carmichael	Yea	Motion
Ann Crowley	Yea	Second
Chris Gate	Yea	
Joseph Lundeen		Absent
Breanne Matsuura	Yea	
Steve Myers	Yea	
Lucian Stacy	Yea	

Respectfully submitted:

Committee Chair, Lucian Stacy
CDFA-DMS RSA Advisory Committee Chairman

DRAFT