

DEPARTMENT OF FOOD AND AGRICULTURE



Division of Measurement Standards
8500 Fruitridge Road
Sacramento, CA 95826-4808

DMS NOTICE
D - 02 - 3
(Supersedes DMS Notice
D-97-8)

October 7, 2002

Discard: 10/03

TO WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Repaired Devices Compliance with Certificates of Approval

Recently, a service agency asked if repairs to an electric meter affected its compliance with a certificate of approval.

An approval issued by the Secretary certifies that a particular "type" or "design" of weighing or measuring device, including accessories and software, was found to comply with the California Code of Regulations (CCR). The certificate identifies the equipment by manufacturer and model and lists pertinent information including standard features and options.

Registered service agents are authorized to repair commercial weighing and measuring devices and place them back into commercial service. A repair is defined in the Business and Professions Code as "...to provide maintenance, to install, adjust, recondition, or service a device". When inspecting a repaired device, the official determines if the device complies with a certificate of approval by comparing the device with the requirements or limitations on the certificate and the requirements of the CCR. This determination applies to new as well as repaired devices. If the official determines the device does not comply with the approval, it is removed from commercial service.

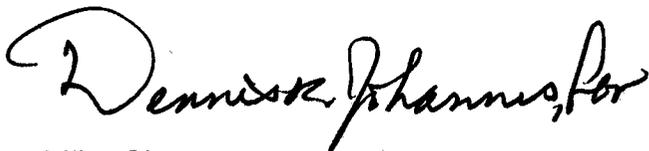
This does not preclude the owner of a certificate of approval or anyone else from challenging the compliance of a repaired device with a certificate of conformance. If sufficient evidence of non-conformance is obtained by the Division of Measurement Standards steps are taken to correct the violation.

DMS Notice
D - 02 - 3
Page Two

In conclusion, a repaired device found to comply with the original criteria outlined in the certificate of approval does not require resubmission for evaluation and approval.

If you have comments or questions, please contact Gary Castro at (916) 229-3049 or by e-mail (gcastro@cdfa.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Dennis J. Phannus, for". The signature is written in a cursive style with a large, looping initial "D".

Mike Cleary
Director
(916) 229-3000