

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

DMS NOTICE
P – 01 - 2

April 10, 2001

Discard: Retain

TO WEIGHTS AND MEASURES OFFICIALS

**SUBJECT: Statewide Petroleum Fuel Quality, Advertising, and Labeling
Baseline Survey**

The Division of Measurement Standards has completed a statewide survey of establishments selling motor vehicle fuels during the months of December 2000 and February 2001. Fuel quality, advertising, and labeling were evaluated and the results compared to the baseline conducted in 1995.

Our Weighmaster/Petroleum Enforcement Branch randomly selected 875 gasoline and 84 diesel fuel samples at 306 locations, which were tested for compliance with State quality specifications. The results show that for gasoline 99.3% of the product tested was in compliance; for diesel fuel 91.7% of the product tested was in compliance.

The following attachments outline the parameters and provide more detailed results of the survey, including the advertising and labeling portions. Additionally, the comparison to the 1995 results is included.

If you have any questions regarding this notice, please contact David Lazier, Chief, Weighmaster/Petroleum Enforcement Branch at (916) 229-3044.

Sincerely,

Mike Cleary
Director
(916) 229-3000

Attachments

**MARKETPLACE EVALUATION
CALIFORNIA DIVISION OF MEASUREMENT STANDARDS**

**PETROLEUM PRODUCTS QUALITY, ADVERTISING, AND
LABELING BASELINE SURVEY**

DECEMBER 2000

**DIVISION OF MEASUREMENT STANDARDS
STATEWIDE PETROLEUM PRODUCT QUALITY, ADVERTISING, AND LABELING
BASELINE SURVEY**

A statewide random survey to determine the baseline compliance levels for engine fuel quality, petroleum product advertising, and labeling was conducted within California from December 2000 through February 2001.

SCOPE OF THE SURVEY

The Division of Measurement Standards Weighmaster/Petroleum Branch staff sampled all grades of engine fuels at randomly selected retail service station locations selling products throughout the State. Branch investigators also recorded observed advertising sign and labeling violations using a uniform grading method. The violations were categorized as either serious or technical as identified in the chart labeled "Violation Categories." The Branch Laboratory Services Unit (LSU) tested the engine fuel samples obtained for compliance with the minimum standards adopted by California as found in the American Society for Testing and Materials specifications.

LOCATION SAMPLE SELECTION

Three hundred six (306) locations were randomly selected from a statewide population of approximately ten thousand (10,000) locations.

INSPECTION PROCEDURE

The randomly selected locations were separated into two categories – Major Brand (i.e., 76, ARCO, Chevron, Exxon, Mobil, Shell) and Independent Brand (all others). There were 233 major brand and 73 independent brand locations included in the random sample. A total of 875 gasoline and 84 diesel fuel samples were tested by the LSU during the survey. There were also 918 advertising signs, 6177 dispensers, and 987 storage tanks inspected during the survey.

SURVEY RESULTS

The following charts summarize the results of the baseline survey and compare the results to a similar survey done during December 1994 through January 1995. The results should be useful to weights and measures officials in determining which areas of the marketplace to focus their enforcement activities on.

ENGINE FUEL QUALITY

Gasoline	1995	2000
Total number of gasoline samples taken	835	875
Overall percent compliance for all gasoline specifications	98.2	99.3
Overall percent compliance for octane number	98.6	99.3
Percent compliance for 87/88 octane grade	100	100
Percent compliance for 89/90 octane grade	98.7	100
Percent compliance for 91/93 octane grade	96.8	97.9
Overall percent compliance for distillation	100	100
Overall percent compliance for water and sediment	99.6	100
Overall percent compliance for major brands	98.2	99.4
Overall percent compliance for independent brands	98.2	99.0

Diesel Fuel	1995	2000
Total number of diesel fuel samples taken	72	84
Overall percent compliance for all diesel fuel specifications	95.8	91.7
Overall percent compliance for flash point	95.8	91.7
Overall percent compliance for distillation	100	100
Overall percent compliance for water and sediment	100	100
Overall percent compliance for red dye (off road non-taxed)	NA	100

ADVERTISING AND LABELING

Violations observed for advertising and labeling were classified as serious or technical as listed in the "Violation Categories" table.

Price Signs	1995	2000
Overall percent compliance	86.59	91.83
Overall percent of serious violations	3.16	1.42
Overall percent of technical violations	10.26	6.75
Percent of serious violations at major brand locations	2.87	1.29
Percent of technical violations at major brand locations	6.09	5.15
Percent of serious violations at independent brand locations	3.74	1.83
Percent of technical violations at independent brand locations	17.37	11.87

Dispensers	1995	2000
Overall percent compliance	88.49	98.28
Overall percent of serious violations	5.85	0.36
Overall percent of technical violations	5.67	1.36
Percent of serious violations at major brand locations	2.47	0.27
Percent of technical violations at major brand locations	5.69	1.10
Percent of serious violations at independent brand locations	2.18	0.74
Percent of technical violations at independent brand locations	5.62	2.61

Storage Tanks	1995	2000
Overall percent compliance	86.27	92.10
Percent of technical violations at major brand locations	6.75	5.70
Percent of technical violations at independent brand locations	23.38	15.09

VIOLATION CATEGORIES

Price Signs

Serious	§13413	Deceptive, false, or misleading statements
	§13530(a)	Price sign does not agree with dispenser price
	§13532(b)	Discount advertising
	§13532(c)	Words of explanation for sales of same grade at two prices
Technical	§13531(a)	Price sign required
	§13532(a)	Price sign contents
	§13534	Additional advertising matter on price sign
	§13535	No brand requirements
	§13536	Legibility and/or color of letters and numerals

Dispenser Labels

Serious	§13413	Deceptive, false, or misleading statements
	§13470	Price per gallon not on dispenser
Technical	§13471	Dispenser labeling
	§13473	Letter size on dispenser
	§13474	Legibility of labels

Storage Tank Labels

Technical	§13480(a)	Label requirements for storage tanks
	§13483	Letter size for storage tank labels