

DEPARTMENT OF FOOD AND AGRICULTURE

A. G. KAWAMURA, Secretary

Division of Measurement Standards
6790 Florin Perkins Road, Suite 100
Sacramento, CA 95828
Phone: (916) 229-3000
FAX: (916) 229-3026



DMS Notice
P-06-4

August 22, 2006

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 between the months of June 2005 and March 2006. Fuel quality, advertising, labeling, air, water, and disabled drivers provisions were evaluated and the results compared to the baseline conducted in 1994 and 2000.

Our Weighmaster Enforcement/Petroleum Products Enforcement Branch randomly selected 537 gasoline and 126 diesel fuel samples at 309 locations, which were tested for compliance with State quality specifications. The results show that for gasoline 97.4% of the product tested was in compliance; for diesel fuel 96.8% 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 1994 and 2000 results are included.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Cleary".

Mike Cleary
Director

Attachments

cc: Ed Williams, Director, County Liaison Office

MARKETPLACE EVALUATION
CALIFORNIA DIVISION OF MEASUREMENT STANDARDS

PETROLEUM PRODUCTS BASELINE SURVEY

June 2005 - March 2006

DIVISION OF MEASUREMENT STANDARDS STATEWIDE PETROLEUM PRODUCT BASELINE SURVEY

A statewide survey to determine the baseline compliance levels for engine fuel quality as well as petroleum product advertising and labeling was conducted within California from June 2005 through March 2006.

Scope of the survey

The Division of Measurement Standards, Petroleum Products Program, sampled all grades of engine fuels at randomly selected locations selling products at retail throughout the State. State investigators, using a uniform grading method, also recorded observed sign and label violations and categorized them as either serious or technical. The State Petroleum laboratories tested the engine fuel samples obtained for compliance pursuant to American Society for Testing and Materials (ASTM) specifications.

Sample selection

Three hundred and nine (309) locations were selected at random from a statewide population of approximately ten thousand (10,000) locations.

Inspection procedure

The locations selected were separated into two categories: Major Brand (Arco, Citgo, Chevron, Exxon, Mobil, Shell, Texaco, Valero and Unocal) and Independent Brand (all others). There were 180 major brand locations selected and 129 independent brand locations. A total of 537 gasoline and 126 diesel samples were examined during the baseline survey. Advertising signs, dispensers, storage tanks and product labels were also inspected. Prior to the survey all applicable Business and Professions Code sections were categorized as either serious or technical in nature. This standard was used statewide to provide a uniform method of data collection regarding violation of those sections.

Survey results

The following charts and information summarize the results of the baseline survey and compares the results to a similar survey done in 1994 and 2000. These results should be useful to weights and measures officials in determining which areas of the marketplace to focus enforcement activity.

Gasoline

1994

2000

2005-6

Total number of gasoline samples taken during the survey:	835	875	537
Overall percent compliance for all gasoline specifications:	98.2	99.3	97.4
Overall percent compliance for octane number (antiknock index):	98.6	99.3	97.6
Percent compliance for 87-88 octane grade fuels:	100	100	100
Percent compliance for 89-90 octane grade fuels:	98.7	100	97.6
Percent compliance for 91 octane and higher grade fuels:	96.8	97.9	95.0
Percent compliance for distillation:	100	100	100
Percent compliance for vapor pressure:	NA	NA	100
Percent compliance for water and sediment:	99.6	100	99.8
Percent compliance for major brands:	NA	99.4	97.0
Percent compliance for independent brands	NA	99.0	98.1

Diesel Fuel

1994

2000

2005-6

Total number of diesel fuel samples taken during the survey:	72	84	126
Overall percent compliance for all diesel fuel specifications:	95.8	91.7	96.8
Percent compliance for flash point:	95.8	91.7	99.2
Percent compliance for distillation:	100	100	100
Percent compliance for water and sediment:	100	100	99.2
Percent compliance for red dye:	NA	100	99.2
Percent compliance for lubricity:	NA	NA	99.2

ADVERTISING AND LABELING

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

Price Signs

1994

2000

2005-6

Percent of stations with violations	30.1	20.1	48.5
Percent of stations with serious violations	6.6	3.1	8.0
Percent of stations with technical violations	23.5	17.0	40.5

Dispensers

1994 2000 2005-6

Percent of stations with violations	26.0	4.7	70.2
Percent of stations with serious violations	14.7	1.0	24.3
Percent of stations with technical violations	11.3	3.7	45.9

Storage Tanks

1994 2000 2005-6

Percent of stations with technical violations	30.1	20.7	61.2
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Chapter 14.5 - Air and Water – Disabled Drivers

1994 2000 2005-6

Percent of stations with free air and water sign violations	NA	NA	23.6
Percent of stations without air/pressure gauge	NA	NA	14.6
Percent of stations without water	NA	NA	6.8
Percent of stations with Disabled Drivers signage violations	NA	NA	28.5

VIOLATION CATEGORIES

Price Signs

Serious

§13413	Deceptive, false, or misleading statements
§13530(a)	Price sign agrees with pump 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 letter and numerals

Dispenser Labels

Serious

§13413	Deceptive, false or misleading statements
§13470	Price per gallon on dispenser

Technical

§13471	Dispenser labeling – See 13480(a) under Product Technical
§13473	Letter size on dispenser
§13474	Legibility of labels

Storage Tank Labels

Technical

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

Chapter 14.5

Serious

§13651(a)	Free air and water sign
§13651(a)	Air available/Pressure gauge
§13651(a)	Water available
§13660(c)	Disabled driver's signage