



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

Karen Ross, Secretary

August 26, 2021

DMS NOTICE  
WM - 21 – 02  
DISCARD: RETAIN

**TO:** WEIGHTS AND MEASURES OFFICIALS

**SUBJECT:** Weighmaster Survey – E-Waste Industry

The California Department of Food and Agriculture, Division of Measurement Standards (CDFA DMS) Weighmaster Program completed a statewide survey of licensed weighmasters participating in CalRecycle/Covered Electronic Waste (CEW) Recycling Program as either Approved Recyclers and/or Collectors to determine compliance levels with applicable state weighmaster laws and regulations. The survey was done as part of an agreement with CalRecycle/CEW Recycling Program. The survey was conducted from October 15, 2020 through March 16, 2021.

Due to COVID restrictions and business closures, data was only collected at ninety-nine (99) of the 102 locations selected. The locations included all twenty-one (21) Approved Recyclers with the remaining seventy-eight (78) comprised of Approved Collectors. All participating businesses answered a series of questions related to weighmaster practices, had records inspected, and Weighmaster Inspection Forms documenting business practices completed. Staff audited over 1,958 records and observed 131 individual violations. Although 91.9% of the weighmasters questioned could verbalize the duties of a weighmaster, compliance with all laws and regulations was only 52.5% for the e-waste industry. Problems were identified with the establishment and use of predetermined tares and proper documentation of information on weighmaster certificates. The following attachment provides detailed results of the survey.

If you have any questions regarding this notice, please contact CDFA DMS by email at [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov) or phone at (916) 229-3000.

Sincerely,

Kristin J. Macey  
Director

cc: Hyrum Eastman, County/State Liaison, CDFA

Attachment



# **DIVISION OF MEASUREMENT STANDARDS WEIGHMASTER SURVEY – 2020/2021 E-WASTE SURVEY**

August 26, 2021

A statewide survey of weighmasters participating in the CalRecycle/Covered Electronic Waste (CEW) Recycling Program was performed by the California Department of Food and Agriculture, Division of Measurement Standards (CDFA DMS) Weighmaster Program to determine compliance levels with applicable state weighmaster laws and regulations. The survey was done as part of an agreement with CalRecycle/CEW Recycling Program; two prior surveys were done in 2015 and 2017.

## **SCOPE OF THE SURVEY**

The survey included only licensed weighmasters who are active participants in the CalRecycle/CEW Recycling Program as Approved Recyclers and/or Collectors. The survey was conducted by investigative staff of the CDFA DMS Weighmaster Enforcement Program. The survey occurred from October 15, 2020 through March 16, 2021. Its purpose was to determine compliance with weighmaster laws and regulations and determine if deputy weighmasters are familiar with legal requirements for operation. This was done through performing interviews with business representatives, observing weighing operations, and performing records audits.

## **LOCATION SELECTIONS**

There are currently 115 licensed weighmasters who handle electronic waste or e-waste. The CalRecycle/CEW Recycling Program has twenty-one (21) Approved Recyclers registered and all of them also operate as Approved Collectors; Approved Recyclers are required to be weighmasters. CalRecycle/CEW Recycling Program has 337 Approved Collectors, but not all are weighmasters. For the survey, all twenty-one (21) Approved Recyclers were selected and eighty-one (81) Approved Collectors, who are weighmasters, were randomly selected for a total of 102 businesses.

## **INSPECTION PROCEDURE**

Locations were assigned to Weighmaster Enforcement Program Special Investigators who went to each business during the survey period. Staff interviewed the weighmaster or one of their deputy weighmasters using a questionnaire. The questionnaire verified the participant's ability to explain the duties of a weighmaster; knowledge on records retention, where records were stored, basic weighing terminology, types of tare being used and how they are established; understanding of the weighing process; and procedures to follow if an incorrect certificate is issued. Once the questionnaire was completed an inspection which included an audit of weighmaster records was performed to determine current levels of compliance.

After completing the questionnaire, staff observed the weighing process and performed a records audit. Observations were documented on a Weighmaster Inspection Report Form. Weighmaster audits verify the following:

1. Businesses have an active weighmaster license.
2. Deputies performing work are on the current license.
3. Device registration and seals are up to date.
4. Devices have approved software.
5. Assure weighmaster records are completed properly.
6. Required records are available for inspections.

## **SURVEY RESULTS**

Due to COVID restrictions and business closures, data was only collected at ninety-nine (99) of the 102 locations selected. The locations included all twenty-one (21) Approved Recyclers with the remaining seventy-eight (78) comprised of Approved Collectors.

### **Survey Questionnaire/Interview and Percent Responding Correctly**

Below is a list of the survey questions given to Approved Recyclers and/or Collectors, along with the number of respondents answering correctly and the corresponding percentage. These questions demonstrate understanding of the duties of a weighmaster, recordkeeping requirements, basic weighing concepts (definitions), how to do a correction certificate, and questions related to tare. Warm-up questions used to get respondents comfortable and talking are not listed. Not all respondents answered every question.

### **RECYCLERS (21) Questionnaire/Interview Response Summary**

1. What are the duties of a weighmaster?
  - Twenty (20) or 95.2 % could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Twenty (20) or 95.2 % knew records must be kept at least four years.
3. Define "Gross Weight."
  - Twenty-One (21) or 100 % were able to define this term.
4. Define "Net Weight."
  - Twenty-One (21) or 100 % were able to define this term.
5. Define "Tare Weight."
  - Twenty-One (21) or 100 % were able to define this term.
6. Define "Commodity."
  - Twenty-One (21) or 100 % were able to define this term.

7. Able to explain how to fix an error on a weighmaster certificate that has already been issued/issue a correction certificate.
  - Seven (7) or 33.3 % could explain how to issue a correction certificate.
8. Able to explain how they determine tare for a certificate.
  - Nine (9) or 42.9 % could explain how to determine a tare for a certificate.
9. Number using Common or Predetermined Tares.
  - Six (6) of Twenty-One (21) or 28.6 %
10. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Two (2) of the six (6) or 33.3 % of the businesses using Common or Predetermined Tares established them correctly.

### **COLLECTORS (78) Questionnaire/Interview Response Summary**

1. What are the duties of a weighmaster?
  - Seventy-two (72) or 92.3 % could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Sixty-one (61) or 78.2 % knew records must be kept at least four years.
3. Define "Gross Weight."
  - Seventy-three (73) or 93.6 % were able to define this term.
4. Define "Net Weight."
  - Seventy (70) or 89.7 % were able to define this term.
5. Define "Tare Weight."
  - Seventy-two (72) or 92.3 % were able to define this term.
6. Define "Commodity."
  - Seventy-five (75) or 96.2 % were able to define this term.
7. Able to explain how to fix an error on a weighmaster certificate that has already been issued/issue a correction certificate.
  - Twenty-three (23) or 29.5 % could explain how to issue a correction certificate.
8. Able to explain how they determine tare for a certificate.
  - Thirty-three (33) or 42.3 % could explain how to determine a tare for a certificate.

9. Number using Common or Predetermined Tares.
  - Twenty-Six (26) of seventy-eight (78) or 33.3 %.
10. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Eight (8) of Twenty-six (26) or 30.8 % of the businesses using Common or Predetermined Tares established them correctly.

### **COMBINED TOTAL (99) Questionnaire/Interview Response Summary**

1. What are the duties of a weighmaster?
  - Ninety-two (92) or 92.9 % could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Eighty-two (82) or 82.8 % knew records must be kept at least four years.
3. Define "Gross Weight."
  - Ninety-four (94) or 94.9 % were able to define this term.
4. Define "Net Weight."
  - Ninety-one (91) or 91.9 % were able to define this term.
5. Define "Tare Weight."
  - Ninety-three (93) or 93.9 % were able to define this term.
6. Define "Commodity."
  - Ninety-six (96) or 97.0 % were able to define this term.
7. Able to explain how to fix an error on a weighmaster certificate that has already been issued/issue a correction certificate.
  - Thirty (30) or 30.3 % could explain how to issue a correction certificate.
8. Able to explain how they determine tare for a certificate.
  - Forty-two (42) or 42.4 % could explain how to determine a tare for a certificate.
9. Number using Common or Predetermined Tares.
  - Thirty-two (32) of Ninety-nine (99) or 32.3 %
10. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Ten (10) of the Thirty-two (32) or 31.3 % of the businesses were able to show how they established Common or Predetermined Tares

## **Weighmaster Records Audit Results**

The following lists the results of the records audits and violations observed at the ninety-nine locations surveyed. Staff audited over 1,998 records and observed 129 individual violations.

### **APPROVED RECYCLERS (21)**

#### **Weighmaster Inspection Violations Observed and Percent Compliance**

1. Of twenty-one (21) weighmasters, ten (10) had at least one violation; compliance overall was 52.4 %.
2. Of twenty-one (21) weighmasters, five (5) failed to properly document the vehicle or Container ID on a certificate; compliance overall was 76.2 %.
3. Of twenty-one (21) weighmasters, four (4) had incorrectly or improperly set Common or Predetermined Tares; compliance overall was 81.0 %.
4. Of twenty-one (21) weighmasters, two (2) did not list the correct weighmaster name on a certificate; compliance overall was 90.5 %.
5. Of twenty-one (21) weighmasters, two (2) did not list the correct weighmaster weighing location on a certificate; compliance overall was 90.5 %.
6. Of twenty-one (21) weighmasters, two (2) failed to present legible or consecutively numbered weighmaster certificates; compliance overall was 90.5 %.

Other violations observed included: one (1) operating without a license, one (1) had incorrectly issued a Gross, Tare, Net Only certificate, one (1) failed to use a suitable scale to complete a weighmaster transaction, one (1) failed to issue a certificate when required, one (1) failed to sign a certificate or worksheet, one (1) failed to assure deputies signed a weighmaster certificate, one (1) failed to list the owner/consignee on the certificate, and one (1) had a weighmaster certificate that did not have all of the correct format requirements.

### **APPROVED COLLECTORS (78)**

#### **Weighmaster Inspection Violations Observed and Percent Compliance**

1. Of seventy-eight (78) weighmasters, thirty-seven (37) had at least one violation; compliance overall was 52.6 %.

2. Of seventy-eight (78) weighmasters, eighteen (18) had incorrect or improperly set Predetermined Tares; compliance overall was 76.9 %.
3. Of seventy-eight (78) weighmasters, thirteen (13) failed to properly document the vehicle ID on a certificate; compliance overall was 83.3 %.
4. Of seventy-eight (78) weighmasters, twelve (12) failed to assure deputies signed a weighmaster certificate; compliance overall was 84.6 %.
5. Of seventy-eight (78) weighmasters, eleven (11) had an incorrect weighmaster legend on a certificate; compliance overall was 85.9 %.
6. Of seventy-eight (78) weighmasters, eleven (10) did not list the correct weighmaster name on a certificate; compliance overall was 87.2 %.
7. Of seventy-eight (78) weighmasters, seven (7) failed to indicate the unit of measure on a certificate; compliance overall was 91.0 %.
8. Of seventy-eight (78) weighmasters, six (6) failed to have their scales sealed; compliance overall was 92.3 %.
9. Of seventy-eight (78) weighmasters, four (4) failed to list deputy name on a license; compliance overall was 94.9 %.
10. Of seventy-eight (78) weighmasters, four (4) failed to keep worksheets with a certificate; compliance overall was 94.9 %.
11. Of seventy-eight (78) weighmasters, four (4) failed to use a suitable scale to complete a weighmaster transaction; compliance overall was 94.9 %.
12. Of seventy-eight (78) weighmasters, four (4) failed to indicate the owner's name on a weighmaster certificate; compliance overall was 94.9 %.
13. Of seventy-eight (78) weighmasters, four (4) failed to indicate tare code identifier on a weighmaster certificate; compliance overall was 94.9 %.
14. Of seventy-eight (78) weighmasters, three (3) locations were operating without a license; compliance overall was 96.2 %.
15. Of seventy-eight (78) weighmasters, three (3) had incorrectly issued a Gross, Tare, or Net Only certificate; compliance overall was 96.2 %.
16. Of seventy-eight (78) weighmasters, three (3) did not list the correct weighmaster weighing location on a certificate; compliance overall was 96.2 %.

Other violations observed at Collector locations include: one (1) location failed to show a copy of the current license, one (1) failed to list a weighing location on their license, one (1) failed to issue a certificate when required, and one (1) failed to indicate the commodity on a weighmaster certificate.

## **Audit Results for All Participants (Collectors and Recyclers) (99)**

### **Weighmaster Inspection Violations Observed and Percent Compliance**

1. Of ninety-nine (99) weighmasters, forty-seven (47) had at least one violation; compliance overall was 52.5 %.
2. Of ninety-nine (99) weighmasters, twenty-two (22) had incorrect or improperly set Predetermined Tares; compliance overall was 77.8 %.
3. Of ninety-nine (99) weighmasters, eighteen (18) failed to properly document the vehicle ID on a certificate; compliance overall was 81.8 %.
4. Of ninety-nine (99) weighmasters, thirteen (13) failed to assure deputies signed a weighmaster certificate; compliance overall was 86.9 %.
5. Of ninety-nine (99) weighmasters, twelve (12) did not list the correct weighmaster name on a certificate; compliance overall was 87.9 %.
6. Of ninety-nine (99) weighmasters, eleven (11) had an incorrect weighmaster legend on a certificate; compliance overall was 88.9 %.
7. Of ninety-nine (99) weighmasters, seven (7) failed to indicate the unit of measure on a certificate; compliance overall was 92.9 %.
8. Of ninety-nine (99) weighmasters, six (6) failed to have their scales sealed; compliance overall was 93.9 %.
9. Of ninety-nine (99) weighmasters, five (5) failed to use a suitable scale to complete a weighmaster transaction; compliance overall was 94.9 %.
10. Of ninety-nine (99) weighmasters, five (5) did not list the correct weighmaster weighing location on a certificate; compliance overall was 94.9 %.
11. Of ninety-nine (99) weighmasters, five (5) failed to indicate the owners name on a weighmaster certificate; compliance overall was 94.9 %.
12. Of ninety-nine (99) weighmasters, four (4) locations were operating without a license; compliance overall was 96.0 %.
13. Of ninety-nine (99) weighmasters, four (4) failed to list deputy name on a license; compliance overall was 96.0 %.



14. Of ninety-nine (99) weighmasters, four (4) had failed to keep signed worksheets with a certificate; compliance overall was 96.0 %.
15. Of ninety-nine (99) weighmasters, four (4) incorrectly issued a Gross, Tare, Net Only certificate; compliance overall was 96.0 %.
16. Of ninety-nine (99) weighmasters, four (4) failed to indicate tare code identifier on a weighmaster certificate; compliance overall was 96.0 %.
17. Of ninety-nine (99) weighmasters, two (2) failed to present legible or consecutively numbered weighmaster certificates; compliance overall was 98.0 %.

Other violations observed included: one (1) location failed to show a copy of their current license, one (1) failed to list a weighing location on their license, one (1) failed to issue a certificate when required, one (1) failed to issue a certificate as required, one (1) failed to indicate the commodity on a weighmaster certificate, and one (1) had a weighmaster certificate that did not have all of the correct format requirements.

## **CONCLUSION**

During the 2020/21 survey, violations were observed at forty-seven (47) of the ninety-nine (99) weighmaster locations visited; overall compliance was 52.5 % for the e-waste industry. This is an improvement of 10 % over 2017 (42 % compliance) and about 25 % better than the 27.1 % compliance found in the 2015 baseline survey.

While respondents in the e-waste industry understand basic weights and measures concepts, they are unable to verbalize how to correct errors on certificates that have already been issued or explain how to legally establish predetermined tares. One of the most common violations observed in each survey continues to be the improper establishment of predetermined tares. In 2015 survey, only 50.8 % of the weighmasters properly established or used predetermined tares. By 2017 compliance improved to 77.2 %, with an additional improvement to 77.8 % in 2020/21. Failure to properly establish the predetermined tare will result in incorrect payments to the seller of the material or to CalRecycle E-waste when reimbursing for canceled materials. Additional outreach and education or enforcement action is needed to encourage industry compliance.

The percentage of violations that occur while documenting the minimum required information on certificates has stayed consistent and is currently around 70 %. Weighmaster certificates are legal documents and failure to provide mandatory information facilitates fraud. Thirty-one (31) of the businesses issued weighmaster certificates that lacked required information like the vehicle or container ID, no deputy signature, no Unit of Measure (e.g., pounds), name of the owner/consignee missing, Container or Tare Code missing, and/or no commodity listed.

Fewer technical violations, e.g., an incorrect legend on the certificate, were observed between the 2015 survey and the 2020/21 survey; compliance went from the initial 74.6 % to 88.9 %. Notices of Violation were issued upon completion of the survey and deficiencies brought to the attention of the weighmaster; follow-up inspections will be performed.