



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

Karen Ross, Secretary

May 29, 2024

DMS NOTICE  
WM – 24 – 01  
DISCARD: RETAIN

**TO:** WEIGHTS AND MEASURES OFFICIALS

**SUBJECT:** Weighmaster Survey – 2023 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 9, 2023, through November 30, 2023.

Data was collected at eighty-nine (89) of the ninety (90) locations selected; one location was closed, and no replacement was selected. The locations included all twenty (20) Approved Recyclers with the remaining sixty-nine (69) comprised of Approved Collectors. All participating businesses answered a series of questions related to weighmaster practices, had records inspected, and completed Weighmaster Inspection Forms that documented business practices. Staff audited over 1,966 records and observed 133 individual violations. Although 97.7% of the weighmasters questioned could verbalize the duties of a weighmaster, compliance with all laws and regulations was only 42.7% for the e-waste industry. Key issues continue to include the following: use of common and predetermined tares, proper documentation of information on weighmaster certificates, and device requirements. 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 by phone at (916) 229-3000.

Sincerely,

Kevin Schnepf  
Director

cc: Hyrum Eastman, County/State Liaison, CDFA

Attachment



# **DIVISION OF MEASUREMENT STANDARDS WEIGHMASTER SURVEY – 2023 E-WASTE SURVEY**

May 29, 2024

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; three prior surveys were done in 2015, 2017, and 2020/21.

## **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, 2023, through November 30, 2023. 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. When possible, staff verified pre-established tares (common tares or predetermined tares).

## **LOCATION SELECTIONS**

There are currently 111 licensed weighmasters identified in the Weighmaster Licensing Database who handle electronic waste or e-waste. The CalRecycle CEW Recycling Program has twenty (20) Approved Recyclers registered that also operate as Approved Collectors. Approved Recyclers must be licensed weighmasters. CalRecycle CEW Recycling Program has 296 Approved Collectors, but not all are weighmasters. For the survey, all twenty (20) Approved Recyclers were selected. Seventy (70) Approved Collectors, who were weighmasters, were randomly selected for a total of ninety (90) businesses.

## **INSPECTION PROCEDURE**

Locations were assigned to Weighmaster Enforcement Program Special Investigators who went to selected businesses 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 tares being used, how tares are established, understanding of the weighing process, and procedures to follow if an incorrect certificate is issued. Once the questionnaire was completed, an inspection including 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 verified the following:

1. Businesses had an active weighmaster license.
2. Deputies performing work were on the current license.
3. Device registration and seals were up to date.
4. Devices had approved software.
5. Assurance that weighmaster records were completed properly.
6. Required records were available for inspections.
7. Where available, predetermined tares and common tares were verified.

## **SURVEY RESULTS**

Data was only collected at eighty-nine (89) of the ninety (90) locations selected. The locations included all twenty (20) Approved Recyclers with the remaining sixty-nine (69) comprised of Approved Collectors. One collector was closed, and this location was not replaced prior to the end date of the survey.

### **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. Note that not all respondents answered every question, and the percentages are based off the number of responses.

### **RECYCLERS (20): Questionnaire/Interview Response Summary**

1. What are the duties of a weighmaster?
  - Twenty (20) or 100% could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Nineteen (19) or 95.0% knew records must be kept at least four years.
3. Define "Gross Weight."
  - Twenty (20) or 100% were able to define this term.
4. Define "Net Weight."
  - Twenty (20) or 100% were able to define this term.

5. Define "Tare Weight."
  - Twenty (20) or 100% were able to define this term.
6. Define "Commodity."
  - Twenty (20) 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.
  - Two (2) or 10.0% could explain how to issue a correction certificate.
8. Number using Common or Predetermined Tares.
  - Five (5) of twenty (20) or 25.0% of these weighmasters use Common or Predetermined tares.
9. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Four (4) of the five (5) or 80% of the businesses using Common or Predetermined Tares established them correctly.

### **COLLECTORS (69): Questionnaire/Interview Response Summary**

**Note: Not all Collectors issued weighmaster certificates.**

1. What are the duties of a weighmaster?
  - Sixty-four (64) or 95.5% could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Forty-seven (47) or 87.0% knew records must be kept at least four years.
3. Define "Gross Weight."
  - Sixty-six (66) or 98.5% were able to define this term.
4. Define "Net Weight."
  - Sixty-six (66) or 98.5% were able to define this term.
5. Define "Tare Weight."
  - Sixty-six (66) or 98.5% were able to define this term.
6. Define "Commodity."
  - Sixty-five (64) or 95.5% 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.
  - Eleven (11) or 19.6% could explain how to issue a correction certificate.

8. Number using Common or Predetermined Tares.
  - Twenty (20) of sixty-nine (69) or 29.0% of these weighmasters use Common or Predetermined tares.
9. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Fourteen (14) of twenty (20) or 70.0% of the businesses using Common or Predetermined Tares established them correctly.

**COMBINED TOTAL (89): Questionnaire/Interview Response Summary**

**Note: Not all businesses issued weighmaster certificates.**

1. What are the duties of a weighmaster?
  - Eighty-four (84) or 96.6% could explain the duties of a weighmaster.
2. How many years do you keep your (weighmaster) certificates and worksheets?
  - Sixty-six (66) or 89.2% knew records must be kept at least four years.
3. Define "Gross Weight."
  - Eighty-six (86) or 96.6% were able to define this term.
4. Define "Net Weight."
  - Eighty-six (86) or 98.9% were able to define this term.
5. Define "Tare Weight."
  - Eighty-six (86) or 98.9% were able to define this term.
6. Define "Commodity."
  - Eighty-four (84) or 96.6% 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.
  - Thirteen (13) or 17.1% could explain how to issue a correction certificate.
8. Number using Common or Predetermined Tares.
  - Twenty-five (25) of eighty-nine (89) or 28.1% of the weighmasters use Common or Predetermined tares.
9. Able to demonstrate they correctly established their Common Tare or Predetermined Tare.
  - Nineteen (19) of the twenty-five (25) or 72.0% of the businesses using Common or Predetermined Tares established them correctly.

## **Weighmaster Records Audit Results**

The following is a list of the weighmaster records audit results including violations observed at the eighty-nine (89) locations surveyed. Staff audited over 1,966 records and observed 133 individual violations.

### **APPROVED RECYCLERS**

Staff audited 640 records at twenty (20) Approved Recyclers; Twenty-three (23) individual violations observed.

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

1. Of twenty (20) weighmasters, nine (9) had at least one violation; overall compliance was 55.0%.
2. Of twenty (20) weighmasters, five (5) had scales that lacked current seals; overall compliance was 75.0%.
3. Of twenty (20) weighmasters, three (3) had predetermined tares or common tares that were out of tolerance; overall compliance was 85.0%.
4. Of twenty (20) weighmasters, three (3) had scales that lacked the proper marking requirements for capacity and divisions; overall compliance was 85.0%.
5. Of twenty (20) weighmasters, two (2) failed to note that a common tare (C.T.) was used on the weighmaster certificate; overall compliance was 90.0%.
6. Of twenty (20) weighmasters, two (2) failed to sign the worksheets used for the transference of weights to the weighmaster certificate; overall compliance was 90.0%.
7. Of twenty (20) weighmasters, two (2) had an incorrect weighmaster legend on certificates; overall compliance was 90.0%.
8. Of twenty (20) weighmasters, two (2) failed to document the container tare weight and code identification or container description on the weighmaster certificate; overall compliance was 90.0%.

Other violations observed included: one (1) improperly set predetermined tare, one (1) failed to list the correct weighing location address on the certificate, one (1) failed to assure deputies signed a weighmaster certificate, and one (1) did not include the unit of measure on the weighmaster certificate.

## **APPROVED COLLECTORS (69)**

Staff audited 1,326 records at sixty-nine (69) Approved Collectors; 110 individual violations observed.

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

1. Of sixty-nine (69) weighmasters, fifty-two (52) had at least one violation; overall compliance was 39.1%.
2. Of sixty-nine (69) weighmasters, sixteen (16) had scales that lacked the proper marking requirements for capacity and divisions; overall compliance was 76.8%.
3. Of sixty-nine (69) weighmasters, twelve (12) used predetermined tares that were not supported by a tare-only certificate; overall compliance was 82.6%.
4. Of sixty-nine (69) weighmasters, ten (10) had an incorrect weighmaster legend on a certificate; overall compliance was 85.5%.
5. Of sixty-nine (69) weighmasters, eight (8) failed to properly document the vehicle ID on a certificate; overall compliance was 88.4%.
6. Of sixty-nine (69) weighmasters, eight (8) did not list the correct weighmaster name on a certificate; overall compliance was 88.4%.
7. Of sixty-nine (69) weighmasters, seven (7) failed to assure deputies signed weighmaster certificates issued by them; overall compliance was 89.9%.
8. Of sixty-nine (69) weighmasters, six (6) failed to document the owner/agent on the weighmaster certificate; overall compliance was 91.3%.
9. Of sixty-nine (69) weighmasters, four (4) failed to license branch locations; overall compliance was 94.2%.
10. Of sixty-nine (69) weighmasters, four (4) failed to license all deputies that complete weighmaster certificates; overall compliance was 94.2%.
11. Of sixty-nine (69) weighmasters, three (3) failed to have a current license; overall compliance was 95.7%.
12. Of sixty-nine (69) weighmasters, three (3) did not list the correct weighmaster weighing location on a certificate; overall compliance was 95.7%.
13. Of sixty-nine (69) weighmasters, three (3) did not include the unit of measure on the weighmaster certificate; overall compliance was 95.7%.

14. Of sixty-nine (69) weighmasters, three (3) had scales that lacked current seals; overall compliance was 95.7%.
15. Of sixty-nine (69) weighmasters, three (3) failed to use a suitable scale to complete a weighmaster transaction; overall compliance was 95.7%.
16. Of sixty-nine (69) weighmasters, three (3) failed to issue weighmaster certificates as required; overall compliance was 95.7%.
17. Of sixty-nine (69) weighmasters, three (3) failed to present legible or consecutively numbered weighmaster certificates; overall compliance was 95.7%.
18. Of sixty-nine (69) weighmasters, three (3) failed to note that a predetermined tare (P.T.) was used on the weighmaster certificate; overall compliance overall was 95.7%.
19. Of sixty-nine (69) weighmasters, two (2) had incorrectly issued a Gross, Tare, or Net Only weighmaster certificate; overall compliance was 97.1%
20. Of sixty-nine (69) weighmasters, two (2) failed to note that a common tare (C.T.) was used on the weighmaster certificate; overall compliance was 97.1%.

Other violations observed at Collector locations included: one (1) location failed to show a copy of their current license, one (1) failed to maintain records as required, one (1) failed to properly establish a common tare and document it on a weighmaster certificate, one (1) failed to document the net weight on the weighmaster certificate as required, one (1) failed to submit the name of a replacement deputy as required, one (1) certificate did not have all the correct format requirements, and one (1) failed to indicate the commodity on a weighmaster certificate.

## **Audit Results for All Participants (Collectors and Recyclers) (89)**

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

1. Of eighty-nine (89) weighmasters, fifty-one (51) had at least one violation; overall compliance was 42.7%.
2. Of eighty-nine (89) weighmasters, nineteen (19) had scales that lacked the proper marking requirements for capacity and divisions; overall compliance was 78.7%.



3. Of eighty-nine (89) weighmasters, thirteen (13) used predetermined tares that were not supported by a tare only certificate; overall compliance was 85.4%.
4. Of eighty-nine (89) weighmasters, twelve (12) had an incorrect weighmaster legend on a certificate; overall compliance was 86.5%.
5. Of eighty-nine (89) weighmasters, eight (8) failed to assure deputies signed a weighmaster certificate; overall compliance was 91.0%.
6. Of eighty-nine (89) weighmasters, eight (8) did not list the correct weighmaster name on a certificate; overall compliance was 91.0%.
7. Of eighty-nine (89) weighmasters, eight (8) failed to have their scales sealed; overall compliance was 91.0%.
8. Of eighty-nine (89) weighmasters, eight (8) failed to properly document the vehicle ID on a certificate; overall compliance was 91.0%.
9. Of eighty-nine (89) weighmasters, six (6) failed to indicate the owner/agent's name on a weighmaster certificate; overall compliance was 93.3%.
10. Of eighty-nine (89) weighmasters, four (4) failed to indicate the unit of measure on a certificate; overall compliance was 95.5%.
11. Of eighty-nine (89) weighmasters, four (4) failed to note that a common tare (C.T.) was used on the weighmaster certificate; overall compliance was 95.5%.
12. Of eighty-nine (89) weighmasters, four (4) failed to license branch locations; overall compliance was 95.5%.
13. Of eighty-nine (89) weighmasters, four (4) failed to license all deputies that complete weighmaster certificates; overall compliance was 95.5%.
14. Of eighty-nine (89) weighmasters, four (4) failed to list the correct weighing location on the weighmaster certificate; overall compliance was 95.5%.
15. Of eighty-nine (89) weighmasters, three (3) failed to have a current license; overall compliance was 96.6%.
16. Of eighty-nine (89) weighmasters, three (3) had predetermined tares or common tares that were out of tolerance; overall compliance was 96.6%.
17. Of eighty-nine (89) weighmasters, three (3) failed to use a suitable scale to complete a weighmaster transaction; overall compliance was 96.6%.

18. Of eighty-nine (89) weighmasters, three (3) failed to present legible or consecutively numbered weighmaster certificates; overall compliance was 96.6%.
19. Of eighty-nine (89) weighmasters, three (3) failed to issue weighmaster certificates as required; overall compliance was 96.6%.
20. Of eighty-nine (89) weighmasters, three (3) failed to note that a predetermined tare (P.T.) was used on the weighmaster certificate; overall compliance was 96.6%.
21. Of eighty-nine (89) weighmasters, two (2) incorrectly issued a Gross, Tare, Net Only certificate; overall compliance was 97.8%.
22. Of eighty-nine (89) weighmasters, two (2) failed to sign the worksheets used for the transference of weights to the weighmaster certificate; overall compliance was 97.8%.
23. Of eighty-nine (89) weighmasters, two (2) failed to document the container tare weight and code identification or container description on the weighmaster certificate; overall compliance was 97.8%

Other violations observed included: one (1) location failed to show a copy of their current license, one (1) failed to document the net weight on the weighmaster certificate as required, one (1) failed to maintain records as required, one (1) failed to submit the name of a replacement deputy as required, one (1) failed to establish their common tare correctly, one (1) failed to indicate the commodity on a weighmaster certificate, and one (1) had a weighmaster certificate that did not have all the correct format requirements.

## **CONCLUSION**

During the 2023 survey, violations were observed at fifty-one (51) of the eighty-nine (89) weighmaster locations visited; overall compliance dropped to 42.7% for the e-waste industry; a decrease of about 10% from the 2020/21 survey and slightly better than the 2017 survey (41.8% compliance) but still superior to the 27.1% compliance found in the 2015 baseline survey. While overall compliance declined, Approved Recycler compliance improved to 55% compliance, up from 44.4% in 2020/21.

Respondents in the e-waste industry understand basic weights and measures concepts, but they are unable to verbalize how to correct errors on certificates that have already been issued or explain how to legally establish predetermined tares. In the use of common tares, overall compliance remained steady at around 80% between the 2020/21 and the 2023 surveys.

The primary area of improvement on tare compliance was with the establishment of common tares and predetermined tares. Tare compliance improved from 34.4% to 72%. This is critical as the 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. Outreach and education or enforcement action will continue, and it is hoped industry compliance will improve.

The overall percentage of technical violations on weighmaster certificates, i.e., violations of Business and Professions Code Sections 12714, 12714.5, and 12715, improved to 66.3%. Weighmaster certificates are legal documents. Failure to provide mandatory weighmaster information facilitates fraud. Thirty (30) of the businesses issued weighmaster certificates that lacked required information that included not having 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. In the prior survey thirty-seven (37) businesses had technical violations representing 62.6% overall compliance.

Notices of Violation were issued upon completion of the survey. Deficiencies were brought to the attention of the weighmaster. Follow-up inspections were performed.

\*Correction from DMS W-21-02: There were thirty-seven (37) weighmasters: thirty-one (31) Approved Collectors, six (6) Approved Recyclers. The prior report incorrectly states thirty-one (31).