

Weighmaster Enforcement Program



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INFORMATION GUIDE

Introduction

The Weighmaster Enforcement Program assures that:

- Commercial transactions based on quantities certified on a weighmaster certificate are accurate.
- Weighmasters; individuals or firms who weigh, measure, or count bulk products and issue certificates of accuracy of the weight, measure, or count are licensed.
- Weighmaster certificates are used as the basis to buy or sell the product identified on the certificate or to charge for a service based on the quantity on the certificate (i.e., moving household goods).

Program activities include:

- Reweighing of vehicles and containers to verify the net weight statements on weighmaster certificates.
- Conducting routine and spot inspections of establishments involved in bulk sales through the use of undercover sales or purchases of products.
- Investigating complaints alleging fraudulent use or misuse of weighmaster certificates.

This program is funded by license fees collected from the regulated industries. There are approximately 90 different types of industries that are licensed by the program. The use of these certificates to buy and sell products represents over 78 billion dollars per year in California's economy.

Where Can the Laws and Regulations be Found?

The laws relating to weighmasters were first enacted in 1916 and are found in the [California Business and Professions Code, Division 5, Chapter 7](#). Regulations that further define and implement the laws are found in the [California Code of Regulations, Title 4, Division 9, Chapter 9](#). Most violations of the weighmaster laws are classified as misdemeanors and carry fines of up to \$1,000 per violation and/or six months in the county jail.

Information for Consumers

The Weighmaster Enforcement Program seeks to provide customer confidence when buying or selling bulk products based on quantities represented on a weighmaster certificate by ensuring uniformity, fairness and honest competition in the marketplace.

The Division of Measurement Standards Investigators and Specialists, work jointly with County Weights and Measures Officials to enforce California's weighmaster laws and regulations within the State.

A weighmaster is a person or business that, for hire or otherwise, weighs, measures, or counts a product and issues a written statement of the quantity. The statement is referred to as a weighmaster certificate and is a legal document. The weighmaster certificate is used to buy or sell the product described on the certificate. All weighmaster certificates are required to have certain information.

A charge for a service can also be based on the quantity represented on the weighmaster certificate. Charges for moving household goods is one example of this. A weighmaster may also provide a weighing service to the public or other businesses, for a fee, and issue weighmaster certificates for the customer's use. This type of location is known as a public scale. Over 78 billion dollars a year changes hands in California's economy that is based on weighmaster certificates.

Businesses that are licensed as weighmasters include, but are not limited to, agricultural processors, dealers, packers, and growers; livestock feed yards and auction yards; construction including rock, sand, gravel, earth, concrete, and asphalt paving materials; bulk fertilizers; landscape companies that deliver; fish processors; scrap and salvage materials; timber; wineries; moving and storage; and general transportation companies.

Violations of the weighmaster laws are misdemeanors. Violators may be subject to civil or criminal proceedings. Additionally, a complaint may be filed with the district attorney against them for violations.

General Terms and Definitions

Gross Weight	<p>The weight of the product and the container(s) or vehicle(s) that holds and transports the product being weighed. The loaded weight of the container(s) or vehicle(s).</p>
Locations	<p><u>Fixed Location</u></p> <p>A location used consistently by a weighmaster to conduct weighing, measuring, or counting of products and the issuing of weighmaster certificates.</p> <p><u>Principal Fixed Location</u></p> <p>The primary weighing, measuring, or counting location licensed by a weighmaster. It may have multiple weighing or measuring devices as long as they are all on the same property and address. A \$75 fee is paid for this location.</p> <p><u>Non-Fixed Location</u></p> <p>A location that is a random, non-established location where weighing, measuring, or counting of products performed and weighmaster certificates are issued by the licensee. A \$200 fee is paid for this type of operation.</p> <p><u>Additional Location</u></p> <p>A secondary weighing, measuring, or counting location licensed by a weighmaster. It may have multiple weighing or measuring devices as long as they are all on the same property and address. A \$30 fee is paid for this location.</p>
Net Weight	<p>The weight of the product. The weight of any container(s) or vehicles(s) used to hold the products is excluded.</p>

<p><i>Signature</i></p>	<p>The name of a deputy weighmaster performing the weighing or measuring, as written on the weighmaster certificate by that person, consisting of the first and last name or first and middle initial and last name or first initial and last name. The name of the deputy weighmaster can also be electronically imprinted provided it is the name of the person actually doing the weighing or measuring.</p>
<p><i>Tare Weight</i></p>	<p><u>Common Tare Weight</u></p> <p>The average tare weight of a group or lot of containers or pallets, each weighing less than 1,000 pounds, determined by a weighmaster prior to the time of delivery of the product. The common tare is used in lieu of actually weighing the containers or pallets each time to complete the weighmaster certificate.</p> <p><u>Predetermined Individual Tare Weight</u></p> <p>The tare weight or unladen weight of an individual vehicle, container, or pallet, determined by a weighmaster prior to the time of delivery of a commodity. The predetermined individual tare is used in lieu of actually weighing the individual vehicle, container, or pallet each time to complete the weighmaster certificate.</p> <p><u>Seasonal Tare Weight</u></p> <p>The tare weight of a fuel consuming vehicle (truck tractor) used to transport bulk loads of tomatoes. It is officially established by a weighmaster with the issuance of a cab card. The seasonal tare weight is used in lieu of actually weighing the truck tractor each time to complete the weighmaster certificate.</p> <p><u>Timber Tare Weight</u></p> <p>The unladen weight of a vehicle or combination of vehicles used to transport loads of logs where an automated weight scaling program is used to determine the board foot volume of the load. The timber tare weight is used in lieu of actually weighing the vehicle(s) each time to complete the weighmaster certificate.</p>

<p>Weighmaster</p>	<p><u>Weighmaster</u></p> <p>A company who, for hire or otherwise, weighs, measures, or counts a product and issues a statement or memorandum of the weight, measure, or count which is used as the basis for either the purchase or sale of that product or charge for service. Deputy weighmasters perform the weighing, measuring, or counting and issue the weighmaster certificate for the company.</p> <p><u>Deputy Weighmaster</u></p> <p>An individual designated by the weighmaster to perform weighing, measuring or counting for the weighmaster and to issue weighmaster certificates in the weighmaster's name.</p>
<p>Weighmaster Certificate</p>	<p>A weighmaster certificate is a legal document completed by a deputy weighmaster. The certificate contains specific information about the:</p> <ul style="list-style-type: none"> • Weight, measure or count of a product. • Buyer and seller of the product. • Date of the quantity determination. • Identification of the container holding the commodity. • Signature of the deputy weighmaster who determined the quantity certifying to the contents accuracy. <p>The certificate is used to buy or sell the product represented on the certificate, or to charge for a service based on the weight or measure on the certificate.</p>
<p>Weighmaster License</p>	<p>A license issued by the Division of Measurement Standards to a person, firm or corporation that allows them to legally weigh, measure, or count a product and issue a weighmaster certificate.</p>

Questions and Answers for Consumers



Who must license as a weighmaster?

A person who, for hire or otherwise, weighs, measures, or counts any product and issues a statement or memorandum of the weight, measure, or count that is used as the basis for either the purchase or sale of that product or charge for service.



What is a weighmaster certificate?

A weighmaster certificate is a negotiable document that binds the buyer and seller. It serves as a contractual agreement between the involved parties for payment of goods sold or purchased on the basis of weight, measure or count.



Can the vehicle be weighed with people in it?

As a general rule, the answer is “no”; however, there are a few exceptions.



How often do Weights and Measures Officials inspect commercial scales?

Usually once a year. You may contact your individual County Weights and Measures office for their schedule.



When I purchase a product that needs to be weighed, how do I know if the scale used by the vendor is accurate?

Any weighing, measuring or counting instrument used by a weighmaster, for which tolerances and specifications have been adopted shall be approved, tested, and sealed in accordance with the Division of Measurement Standards.



How does the Weighmaster Enforcement Program verify that weighmasters are issuing accurate certificates?

The program investigators audit weighmaster records. They also do undercover buying and selling of products that are weighed or measured by weighmasters.



What kind of products are weighed or measured by a weighmaster?

Everything from bulk agricultural products to rock, sand, gravel, cement and landscaping products. Also scrap metal, fish from commercial fishing boats, timber, and household goods.



Why is the Weighmaster Enforcement Program important to the consumer?

The Program works to make sure that the weights or measures of bulk products purchased by consumers and sold by businesses are accurate. Over 78 billion dollars worth of products or services is changing hands annually based on the weights or measures found on weighmaster certificates.



How do I file a complaint if I think I have been overcharged due to inaccurate scales?

Contact your local county Department of Weights and Measures or file a complaint form with the Division of Measurement Standards using the [Complaint Form](#) at this website.