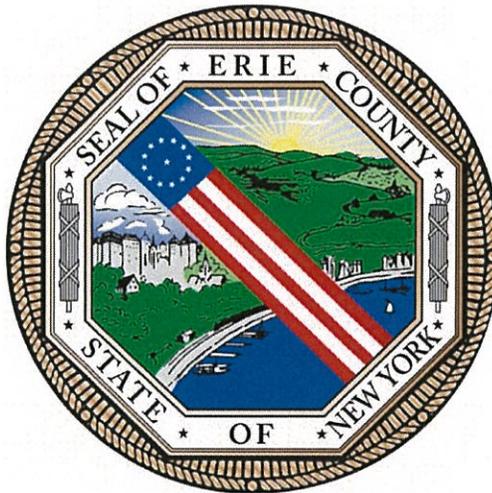


JUNE 2014

**INVESTIGATION OF
ERIE COUNTY DIVISION OF WEIGHTS AND MEASURES
FOR THE PERIOD
JANUARY 1, 2014 THROUGH APRIL 1, 2014**



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ERIE COUNTY COMPTROLLER'S OFFICE
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June 5, 2014

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Honorable Members:

During the months of March and April 2014, the Erie County Comptroller's Office received multiple telephone calls to the Erie County Whistleblower Hotline (Hotline)¹ from employees of the Division of Weights and Measures (W&M) as well as external sources. These individuals alleged several improprieties within Weights and Measures including improperly conducting field inspections, issuing unjust fines, the storage of the Director's personal vehicle for the winter, county employees performing maintenance and work on the privately stored, personal vehicle during the work day, smoking on Erie County property where highly flammable liquids like gasoline are stored, and poor inventory tracking with potential theft. The individuals who called the Hotline felt that these actions were improper and could be deemed theft and fraud by County employees.

Our investigation covered a period of the most recent four months to perform our investigation and substantiate the claims made by the whistleblowers. The report that follows represents the results of our investigation into the Hotline allegations. Our investigation was conducted through interviews with Weights and Measures management and employees, testing of work performed in the field, and physical inventory testing.

¹ Audit investigates allegations of waste, fraud, and abuse within Erie County through the Hotline. The Hotline can be reached by telephone (716-858-7722), email (whistleblower@erie.gov), or Internet (<http://www2.erie.gov/comptroller/index.php?q=report-waste-fraud-or-abuse>).

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Background

The Division of Weights and Measures (W&M) operates within the Department of Public Works (DPW). This Division is overseen at the State level by the Department of Agriculture and Markets. W&M is tasked with assuring that all devices used commercially within the county are accurate and are constructed in a manner to prevent fraud. It is also responsible for compliance with the local item pricing/scanner accuracy law. This law requires that consumers know and pay the lowest of any advertised price.

The Division of Weights and Measures inspects tests and certifies the accuracy of all commercial weighing and measuring devices, including gasoline and other fuel pumps or meters in Erie County. It is responsible for enforcing all applicable laws, rules, regulations and ordinances prescribed by the New York State Department of Agriculture and Markets and the County of Erie. It ensures that buyers and sellers of commodities base their transactions upon accurate weights, measures or counts by confirming the accuracy and the proper usage of all commercial devices.

W&M receives revenue from civil penalties assessed for violations of the New York State Agriculture and Markets law and local legislation. A user fee system was enacted in 1989 to help defray this Division's cost to the taxpayers. In 1997, this Division joined forces with New York State's Weights and Measures to test the octane of petroleum products within our county. The cost of this program is fully reimbursed by the State.

On several occasions between April 18th and 22nd, multiple individuals contacted the Erie County Comptroller's Office with concerns about several perceived improprieties within Weights and Measures. These allegations include:

- 1) Improper and incomplete field inspections/testing, that led to clients being fined, by Weights and Measures;
- 2) The Director of Weights and Measures misusing public property by storing his personal classic car in the Weights and Measures Garage for an extended period of time during the winter and staff working on his inoperable car during the work day;
- 3) Numerous staff members of Weights and Measures violating County Policy by smoking on County property near highly flammable liquids like gasoline;
- 4) Improper inventory tracking allowing for potential theft.

On April 23rd, the Division of Audit within the Erie County Comptroller's Office issued an engagement letter to DPW regarding their intention to investigate these allegations. That same day a meeting was held with John C. Loffredo, Commissioner of the Erie County Department of Public Works and subpoenas were served to employees within Weights and Measures. The purpose of those subpoenas was to obtain documents and records as well as advise the Weights and Measures staff that they were all required to appear to testify under oath at a hearing on April 28, 2014 at the Comptroller's Office.

Testing on the documents and information obtained was performed starting April 23rd, and hearings were held the morning of April 29, 2014. The hearings were conducted by Associate Deputy Comptroller Bryan Fiume, and attended by Christopher Musialowski - Deputy Comptroller for Audit, Jeremy Toth - Second Assistant County Attorney, Kevin Kumor and Denise Szymura – CSEA representatives. Testimony was recorded by the Office of the Comptroller, as well as the County Attorney.

Results of Investigation

1) Improper Field Testing, Fraudulent Reporting, Issuing Improper Fines

The most serious allegation made regarding the conduct of the Division of Weights and Measures involves the procedures for how employees conduct field testing, and how management responds to the results of the tests. It was alleged that management is assigning fines to businesses based on testing that was never completed. It was further alleged that the Division Director then falsifies paperwork that is sent to New York State in order to verify that the additional testing required to fine a client was actually conducted.

To confirm the allegation, our auditors first had to fully explore and understand the process that takes place during field inspections. It is our understanding that employees routinely visit grocery stores, markets and convenient stores to perform field tests to ensure the products they are selling meet the weight and measurement quantities identified on their packaging. In order provide this verification, Erie County Weights and Measures employees measure the contents of packages and test onsite scales for accuracy.

New York State's Department of Agriculture and Markets has adopted federal standards as their guidelines, and uses the National Institute of Standards and Technology (NIST) Handbook 113. These guidelines establish the protocol for Weights and Measures field testing. (Please see Appendix II for a copy of these Guidelines)

Testing of this sort can include measuring products created and sold in the store, such as meat products from a deli or butcher or products that are packaged elsewhere at a manufacturer, like cereal. Testing guidelines are designed to determine whether or not the seller or the manufacturers are at fault if a product fails its field test.

Weights and Measures employees conduct two types of tests in the field, in stores and places of business. One is a less rigorous inspection called an "Audit Test" that is categorized by the Division of Weights and Measures in their records as a WM-57. According to the NIST Handbook 113, the Audit Testing as performed in the WM-57 is considered to be minimal "spot checks" using "smaller sample sizes," but is **not sufficient to take enforcement action**.

The NIST Handbook 113 explains that these types of test results **cannot lead to fines**:

“May audit tests and other shortcuts be used to identify potentially volatile lots?”

Shortcuts may be used to speed the process of detecting possible net content violations. These audit procedures may include the following: using smaller sample sizes, spot checks using tare lists provided by manufacturers, selecting samples without collecting a random sample. These and other shortcuts allow spot checking of more products than is possible with the more structured techniques, **but do not take the place of Category A or B testing.**”

Source: The NIST Handbook 113

To reiterate that point, audit tests, referred to as WM-57 by the Division of Weights and Measures, the less rigorous test, cannot take the place of or be substituted for an official test, which is categorized by the Division of Weights and Measures in their records as a WM-58:

*“These and other shortcuts allow spot checking of more products than is possible with the more structured techniques, but **do not take the place of Category A or B testing.**”*

Source: The NIST Handbook 113

The NIST Handbook 113 confirms that fines cannot be administered based on audit tests or less stringent inspections:

“Can audit tests and other shortcuts be used to take enforcement action?”

“No. Do not take enforcement action using audit test results.”

Source: The NIST Handbook 113

The Director of Weights and Measures confirmed this fact during his interview, that fines cannot be given to stores based on a simple audit test in the field (WM-57):

Weights and Measures Director: “The only way I can fine, the only way I can fail a lot, is an official test.”

The “Audit Test,” or WM-57 inspection testing includes opening packages, weighing the contents, and if the packages fail by more than the acceptable limit, either high or low, the batch fails.

If a batch fails, then it is recommended, based on New York State and federal standards, that Weights and Measures inspectors conduct a more thorough and longer inspection to determine if there is a problem with one box at one store or if there is a much larger issue at the manufacturer level. This test is an “Official Test” and is categorized by the Division of Weights and Measures in their records as a WM-58.

Employee #6: “That (WM-58) is what’s called an ‘official test.’ And in that test you have to take at least two packages, you have to destroy the packages, so you can establish what the weight of all the packaging is, that’s called ‘tare weight.’ Then, once you’ve established what the average ‘tare weight’ between what those two packages are, then you go to a random number selection and you would take, of the lot, you would take maybe the third, then whatever random number sequence would be. Maybe the 11th. Maybe the 21st. Maybe the 28th. Whatever the random number is, that is the one you would take, and sample those, and test them to see that they are accurate.”

An “official test” or WM-58 could entail inspectors trying to pinpoint the source of a product at the manufacturer level, and then determine if the lot of defective products was sent to multiple stores or even to multiple cities.”

Weights and Measures Director: “Where did this lot end up going? It may be all in one store, it may be across five stores. It may be ten. We don’t do that. We won’t do that. It takes too long and it’s a waste of time...We decided at that point, after talking with other Directors is, it’s almost insane to try to do that.

The Director of Weights and Measures stated that he spoke to other Directors of Weights and Measures across New York State about the stringent measures needed to complete an “official test” in order to place fines at stores:

Weights and Measures Director: “When I took it to the other Directors, because we all talk, I say ‘what are you doing about Category A (more detailed inspections)? Most said ‘All we’re going to do is fail lots because of the MAV (Maximum Allowable Variance).’ I figure that’s the best way to go about it.”

“All I’m failing them for is exceeding the MAV (Maximum Allowable Variance). That’s why we don’t go through that. Yeah. You have to go through this long formula, and then it still comes down to you have to check the whole lot. It’s a waste of time. Ask any other Director. You’re not going to track down that whole lot because it’s next to impossible. So, I’m taking it and just failing them ‘officially’ because it’s the only way I can.”

Weights and Measures Inspectors confirmed in their interviews that they do not conduct the thorough and rigorous inspections that lead to fines, as established by the national standards adopted by the New York State Department of Agriculture and Markets:

Comptroller’s Office Question: “How often do you do official testing?”

Weights and Measures Employee #2: I do not do official testing.”

Question: “Ever?”

Weights and Measures Employee #2: "I haven't done official testing in probably eight years. Maybe eight years ago."

Comptroller's Office Question: "If you go back to the main form...it says the 'official test.'"

Weights and Measures Employee #3: "We don't do those."

Question: "You've never done those?"

Employee #3: "I've never done an official test."

Comptroller's Office Question: "Have you ever conducted one (an official test)?"

Weights and Measures Employee #4: "Back in the day."

Question: "...If you did it 'back in the day' what is it?"

Employee #4: "We're talking about 20 years ago."

Question: "You said, not to hold it to you, but you've said you haven't done one (an official test) in approximately 20 years?"

Employee #4: "When we were taught it, yeah."

Question: "It's not something you regularly do?"

Employee #4: "No."

Comptroller's Office Question: "Can you confirm you did not perform any 'official tests?'"

Weights and Measures Employee #6: "I can confirm, I don't even have to look. We used to do those. But we don't do those any more."

Question: "Looking at your tracking of the management sheets, did you perform, in the month of January (2014), 3,106 tests (inspections) on packages?"

Employee #6: "No I haven't done any."

Question: "In the month of February (2014), did you perform 1,784 official tests?"

Employee #6: "No."

Question: "In the month of March (2014), did you perform 2,183 official tests?"

Employee #6: "No."

During our interviews we provided employees copies of their field reports to verify their accuracy. The reports were obtained by our staff from the Director. The field reports were specific to audit tests and official tests. The five employees who perform these tests all verified

the accuracy of their field reports. The Director also affirmed their accuracy. (For A Sample of these Documents please see Appendix I)

Based on our interview with the Director, it appears that Weights and Measures inspectors in Erie County, and potentially across New York State find it too difficult and time consuming to conduct "official tests" on packages. The very serious concern is that the federal guidelines, which have been adopted by the New York State Department of Agriculture and Markets, are not being followed properly in order to levy fines to businesses. It appears that in Erie County the Director of Weights and Measures uses the less rigorous "audit test," the WM-57, then arbitrarily decides on his own, referencing the "audit test," to levy fines. This would not be in compliance with federal guidelines:

WEIGHTS AND MEASURES DIRECTOR: "There is only one way to fine on these commodities. We can either track down these lots, look at Kellogg's Corn Flakes. You have to look at the package find out what the lot is to do Category A (the rigorous inspection) and the 58 you would have to track that lot down. You find what you have at Tops, Tops may have 15 stores that that same lot is at, they may be in Pennsylvania, Cleveland whatever. We decided at that point, after talking with other Directors that it's almost insane to try to do that."

"Can audit tests and other shortcuts be used to take enforcement action?"

"No. Do not take enforcement action using audit test results."

Source: The NIST Handbook 113

According to all five Weights and Measures employees that conduct testing in the field, they have never performed an official test referred to in Erie County as a "WM-58."

Based on the information provided to the Comptroller's Office and the interviews conducted, the Comptroller's Office has determined that the Division of Weights and Measures is out of compliance with the NIST Handbook 113. As a result of being out of compliance with these regulations, we have not met the appropriate criteria for issuing fines.

Furthermore, it appears that Weights and Measures has been submitting fraudulent records to the New York State Department of Agriculture and Markets that clearly indicate that our employees have been performing "WM-58," or "official tests," when employees have confirmed to us, under oath, that they have not.

The Director of Weights and Measures confirmed in his interview that he simply takes a completed "WM-57" or "audit test" and makes a personal judgment decision to declare whether a business failed a "WM-58" or "official test." This personal judgment then leads to a fine, which our office believes is not proper.

During the Director's interview, he stated that he believes this practice could be happening statewide. This is very concerning and should be explored further by the New York State Comptroller.

"WEIGHTS AND MEASURES DIRECTOR: "We decided at that point, after talking with other Directors (across New York State) that it's almost insane to try to do that (conduct official tests in the field)."

WE RECOMMEND that the New York State Comptroller review our findings and conduct a similar investigation into statewide county compliance with NIST regulations, relating to Divisions of Weights and Measures, to determine if an epidemic of improperly fining businesses for failure to comply without proper proof exists.

WE FURTHER RECOMMEND that if the State Comptroller conducts an investigation and agrees that we have fined businesses improperly, that those businesses be refunded immediately.

2) Storing a Personal Vehicle on County Property for over Four Months

During an interview in the Office of Erie County Comptroller on April 29th, 2014, the Erie County Director of Weights and Measures confirmed his private vehicle, a classic car, was delivered by someone else to the county owned and operated garage at the Weights and Measures facility, where it sat for an extended period of time:

Comptroller's Office Question: "You had the car delivered to the garage?"

Weights and Measures Director: "Yes."

Question: "Why?"

Director: "Because I live in Hamburg. The 'guy' said it would be easier to deliver it there. So, I figured I'd have it delivered there, get a license plate, and take it home."

Question: "So it did not arrive in working condition?"

Director: "No. It rolled when it got there, but then the front wheel completely locked up."

Question: "How long was the car in the garage?"

Director: "I think it was December 15th that the delivery was made and I just got it out of there permanently within the past week. (Interview took place on 4/29/14)"

All ten employees interviewed, including the Director himself, verified that the Director stored his personal vehicle, a 1966 Buick Riviera, in the County Garage at Weights and Measures for a period of approximately four months.

Comptroller's Office Question: "For the record, I am going to hand (NAME REDACTED) a photograph of a 1966 maroon Buick Riviera. (NAME REDACTED) do you recognize that the vehicle in that photograph is in a county garage?"

Weights and Measures Employee #1: "Yes."

Question: "Is that a Weights and Measures garage?"

Employee #1: "Yes."

Question: "Can you identify who owns the vehicle?"

Employee #1: (NAMES THE DIRECTOR OF WEIGHTS AND MEASURES)

Question: "Approximately how long would you say that the vehicle was there?"

Employee #1: "Until a couple weeks ago (Interview took place on 4/29/14)"

Comptroller's Office Question: "For the record, I'm handing (NAME REDACTED) a photo, it is of a 1966 maroon Buick Riviera. (NAME REDACTED) will you take a look at that and tell me if you recognize that vehicle as being parked in the Erie County garage?"

Weights and Measures Employee #2: "It was."

Question: "Do you recognize the vehicle?"

Employee #2: "I do."

Question: "Can you state who owns the vehicle?"

Employee: "My boss, (NAMES THE DIRECTOR OF WEIGHTS AND MEASURES)."

Question: "To the best of your recollection, when did you first notice the vehicle in the county garage?"

Employee #2: "I don't know, winter-time, sometime. First of the year, maybe that era."

Question: "Do you know about how long the vehicle was in that garage?"

Employee #2: "I know it couldn't move because the wheel was locked. So, it sat there with a frozen wheel."

Comptroller's Office Question: "For the record, I'm providing you a photo of a 1966 maroon Buick Riviera. Do you recognize that vehicle as being in the Weights and Measures garage?"

Weights and Measures Employee #3: "Yes."

Question: "Do you know who the owner of that vehicle is?"

Employee #3: "I believe the Director (NAMES THE DIRECTOR OF WEIGHTS AND MEASURES), that's (NAMES THE DIRECTOR OF WEIGHTS AND MEASURES) car."

Question: "To the best of your recollection, when did that vehicle first appear in the county Weights and Measures garage?"

Employee #3: "Maybe December. Or January, maybe. Well, December of 2013 or January 2014. Around there."

Comptroller's Office Question: "First question I have, and I'm presenting you with a photo for the record, of a 1966 Buick Riviera. Do you recognize the car as being parked in the Weights and Measures garage?"

Weights and Measures Employee #4: "Yes."

Question: "When did you, as an employee, first notice that car in the garage?"

Employee #4: "I think it was December."

Question: "And how long, about, was it there?"

Employee #4: "A couple of months, maybe."

Comptroller's Office Question: "I'm going to hand you a picture, and the picture for the record is of a 1966 maroon Buick Riviera. I'm going to ask you a series of questions about it. Do you recognize that vehicle as being in the county Weights and Measures garage?"

Weights and Measures Employee #5: "I do."

Question: "To the best of your recollection, when did you first notice that vehicle in the county garage?"

Employee #5: "I'm going to say late last year. Early this year. I can't put an exact date on it."

Question: "Do you have or did you have any concerns about a private vehicle being stored on county property?"

Employee #5: "I did."

Comptroller's Office Question: "To the best of your recollection, when did you first notice this vehicle sitting in the garage?"

Weights and Measures Employee #6: "Probably a little after Christmas-time."

Question: "Can you identify the owner of the vehicle?"

Employee #6: "That would be the Director, (NAMES DIRECTOR OF WEIGHTS AND MEASURES)."

Question: "Can you confirm this is in the county garage?"

Employee #6: "Yes. That is in the county garage."

Question: "Did you have any concerns, and what were they, about a private vehicle being stored on county property?"

Employee #6: "Yeah. Yes I did."

Question: "What were those concerns?"

Employee #6: "I thought it was improper, against the Director."

Comptroller's Office Question: "To the best of your recollection, when did you first notice this vehicle sitting in the county garage?"

Weights and Measures Employee #7: "It was late last year."

Question: "Do you recognize that as the county garage?"

Employee #7: "I do, yes."

Question: "Can you identify the owner of the vehicle?"

Employee #7: "Yes."

Question: "Who is the owner?"

Employee: "(NAMES DIRECTOR OF WEIGHTS AND MEASURES)."

Comptroller's Office Question: "To the best of your recollection, when did you first notice this vehicle sitting in the Weights and Measures garage?"

Weights and Measures Employee #8: "Probably I would say, maybe, last fall."

Question: Can you confirm this is the Weight's and Measures garage?

Employee #8: "Yes that is."

Comptroller's Office Question: "How long was it in the garage?"

Weights and Measures Employee #9: "About two months."

The time period in question spans December 15, 2014 through April 25, 2014. (Please see Appendix III for a picture of the car in the County garage.)

The Comptroller's Office performed research into vehicle storage locations in Erie County. After looking at three, A2Z Self Storage, Lancaster Self Storage, and Uncle Bob's Self Storage, the Comptroller's office determined the average rate for a climate controlled space large enough for a full size vehicle for the winter, 10' X 20', to be \$162 per month or \$648 for the entire period it was stored. (Please see Appendix IV for a copy of the estimates.)

According to testimony of Weights and Measures employees and the Director, the classic car was not in driving condition, and was inoperable because of a frozen right tire.

In addition to storing a personal vehicle on county property for this four-month period, interviews with Weights and Measures employees also confirmed that at least four employees were seen working on the vehicle during the workday. Seven of ten Weights and Measures employees directly addressed the issue of county employees working on the classic car during the work day and the fact that it was impeding work in the Weights and Measures garage:

Comptroller's Office Question: "Did you ever see people involved with the car?"

Weights and Measures Employee #1: "Probably. Yeah. Sure."

Question: "Who did you witness working on the car?"

Employee #1: "Well. Let's see. I'm trying to think. Probably (NAMES DIRECTOR OF WEIGHTS AND MEASURES), (NAME REDACTED), (ANOTHER NAME REDACTED). But I don't think anyone else had anything to do with it.

QUESTION: "I know you stated you're not a mechanic. But could you describe the type of work they were doing on the car?"

Employee #1: "There was something. A wheel was stuck. And they were trying to 'unstuck it.' So I guess he could get it out of the garage, is from my understanding. So I know they all took turns trying to get this "unstuck."

Question: "Can you say, and estimating, how often the car was being worked on? Was this a daily occurrence? A weekly occurrence?"

Employee #1: "I'm not in the office, so."

Question: "From your perspective."

Employee #1: "From my perspective, that occurrence, when they were doing work on the wheel, was maybe a couple days, while they were trying to get it 'unstuck' and that was our down time, around Christmas, from what I remember."

Question: "So, the office was slow, so they didn't have to do work in the field?"

Employee #1: "No, we stay in at the end of the year."

Question: "In the office?"

Employee #1: "Yes."

Question: "And they were using that slow, down time, to repair and work on the car?"

Employee #1: "Well, not only that. But yes."

Comptroller's Office Question: "Have you ever expressed to management or anyone about concerns about the car being in a county facility?"

Weights and Measures Employee #3: "No. I only say that when I try to move my gas can around it, you know, I don't want to hit the car with my gas cans."

Question: "Understandable."

Employee #3: "I'd say 'Hey! What's a car doing there?!' You know?"

Comptroller's Office Question: "We've received reports that county employees have been working on this car during county time. Did you ever see people working on the car?"

Weights and Measures Employee #4: "Yeah."

Question: "Who did you witness working on the car?"

Employee #4: "Myself. The boss, (NAMES DIRECTOR OF WEIGHTS AND MEASURES). Maybe (NAME REDACTED)."

Question: "Were you ever asked to work on the car?"

Employee #4: "No."

Question: "You offered to help?"

Employee #4: "Yeah. I found myself in the garage. And yeah."

Question: "What did you, yourself do, or what did you see being done with the car?"

Employee #4: "I think I was holding this contraption designed to take a wheel drum off."

Question: "Like a breaker bar?"

Employee #4: "This thing was like a claw. With...do you know what a faucet-puller wrench looks like?"

Question: "I do not."

Employee #4: "Okay. A faucet-puller wrench was kind of like what we were doing. You stick something in the center and these other things are designed to pry this thing off. Same thing as a faucet. Because those things can get, you put a faucet-puller in the middle of where a screw usually goes, and it has a claw on there. And you kind of just crank it up on a piece of all-thread, and it just pops off."

Question: "Right. Creates the tension."

Employee #4: "Yeah. That's it."

Question: "Were they working to free a tire that was locked?"

Employee #4: "Well, the tire was off."

Question: "So what were they doing specifically that you witnessed?"

Employee #4: "Trying to get the drum off, that was frozen on."

Comptroller's Office Question: "Did you ever specifically witness the car having a locked tire?"

Weights and Measures Employee #5: "Yes."

Question: "Did you ever see staff working on it (the frozen tire) to free it up?"

Employee #5: "There was that five minute thing I was telling you about. (NAMES DIRECTOR OF WEIGHTS AND MEASURES) had asked me to hold a wrench. I just volunteered. He didn't even ask me. I just went in. And I know a lot about vehicles. So when it was stuck I was on my way out. We were going to lunch and I stopped to hold the wrench."

Question: "Who else was working on the car?"

Employee #5: "Just (NAMES DIRECTOR OF WEIGHTS AND MEASURES) at the time."

Comptroller's Office Question: "We have reports that county employees worked on this car during county time. Did you ever see people conducting work on this car?"

Weights and Measures Employee #6: "Yes."

Question: "Were those people on county time?"

Employee #6: "I believe they were, yes."

Question: "Were they county employees?"

Employee #6: "Yes."

Question: "Who did you see working on the car?"

Employee #6: "The Director himself. Probably (NAME REDACTED), probably helped."

Question: "Did you see (REDACTED) working on the car?"

Employee #6: "Yes. I saw him working on the tire. There was an issue with the tire. And (NAME REDACTED) was there. (ANOTHER NAME REDACTED). And (ANOTHER NAME REDACTED). They all attempted to help the Director break the brake loose on that car."

Question: "(NAME REDACTED), (NAME REDACTED), (NAME REDACTED) are all county employees?"

Employee #6: "Yes."

Question: "Did you ever work on the car?"

Employee #6: "Absolutely not. I wanted nothing to do with it."

Question: "To the best of your knowledge, did the employees you stated, that worked on the car, were asked to work on the car by your Supervisor?"

Employee #6: "I don't know if they were asked. I would think it was implied that they would."

Question: "How often were employees working on the vehicle?"

Employee #6: "Most everyday they would spend some time on it. From Christmastime to most recently when the car was gone."

Question: "For approximately how long each day?"

Employee #6: "The Director was working on it quite a bit himself. I was out of the office usually by 8:30, 8:45. I do know that when I came back, he was pretty much always working on it. When the other county employees were working on it, it was probably 45 minutes to an hour, at least."

Question: "Have you ever expressed concern to your Supervisor regarding work being done on his private vehicle?"

Employee #6: "Never."

Question: "Specifically, did you ever witness the car having a locked tire, and seeing staff work on trying to break it free?"

Employee #6: "Yes."

Comptroller's Office Question: "We have reports that county employees worked on this car during county time. Did you ever see people conducting work on this car?"

Weights and Measures Employee #8: "Yes."

Question: "On county time?"

Employee #8: "Yes."

Question: "Who asked other employees to perform work on this car during county time?"

Employee #8: "I don't know anyone else who worked on the car other than the Director."

Question: "How often was the Director or other employees working on the car?"

Employee #8: "Very frequent. I didn't keep track. But it was frequent."

Question: "Have you ever expressed concerns about the work being done on the car?"

Employee #8: "I thought it wasn't really right. No I didn't."

Comptroller's Office Question: "We have reports that county employees worked on this car during county time. Have you ever seen anyone working on this car?"

Weights and Measures Employee #9: "I think I stopped in once when I needed to talk to (NAMES DIRECTOR OF WEIGHTS AND MEASURES) and he was on his lunch, and that was it."

Question: "And to clarify, he was working on the vehicle at the time?"

Employee #9: "He was on his lunch. And he was working, nothing complicated, he was getting part numbers, so he can order, I guess."

Question: "Have you ever worked on the car?"

Employee #9: "Yeah. I helped him tinker with it a little bit after I was off work."

Comptroller's Office Question: "It has also been reported to us, and confirmed by some employees, that county employees have performed work on the car during county time. Can you explain why?"

Weights and Measures Director: "No. If anyone did it, because the wheel was locked, we were having trouble. Never asked anyone to work on the car itself. If anyone worked on the car, they did so on their lunch hour and not at my direction. Everyone thought they had the solution to get the wheel free."

Question: "Was there any work also performed on the wiring of the car?"

Director: "Yes. I did the wiring."

Question: "At the office?"

Director: "At the office. On my lunch hour."

As a result of our investigation, the Comptroller's Office can unequivocally state that the Director of Weights and Measures stored his personal vehicle on County property for a period of at least four months. Similar storage on a private lot paid for by the Director would have cost hundreds of dollars. In addition to this, the Director himself performed maintenance on the car while being stored in the Weights and Measures garage. Interviews with multiple staff members confirm many employees performed maintenance on his private car on multiple instances during the workday. The most egregious violation of the County Employee Handbook appears to be:

- B:9 – Performing personal business during County working hours;

And may include but are not limited to:

- A:4 – Violations of any Criminal Law or the commission of an offense which involves moral turpitude;
- A:8 – Deliberately restricting or interfering with the work performance by your department or work unit, or that performed by another person;
- B:8 – Personal Use of County Materials, tools, or equipment without proper permission;
- C:6 – Misuse of County time such as loitering in halls, restrooms, or cafeterias interfering with other employees' work routines, engaging in prolonged conversations which are not work related, etc.

WE RECOMMEND that the administration discipline the Director of Weights and Measures accordingly for storing a private vehicle for many months in a county garage where employees directly work, and for employees under his direction performing maintenance on a privately owned vehicle during the workday.

3) Smoking in the Weights and Measures Garage

During our interviews all ten employees verified and confirmed that they were aware that Erie County Personnel Policies and Procedures prohibit smoking inside of County buildings or within County vehicles.

Erie County Personnel Policies and Procedures Chapter X, Section 15

- 4) Smoking Prohibitions: All smoking by employees of Erie County is prohibited in any and all offices, buildings, vehicles and/or facilities owned, rented or leased by the County of Erie. There are no exceptions. This policy also applies to electronic cigarettes, which also are not permitted in office areas or inside office buildings, including those owned or leased by Erie County. (Employees found violating this policy are subject to disciplinary action).

- 5) Smoking Outdoors: B. Other County Locations: Employees who smoke outside of affected buildings may do so only during their normal break or lunch periods, and will do so no closer than ten (10) feet to the side of any point of entry or exit from the building.

Per the testimonies from the Weights and Measures staff, as well as a site visit by the Comptroller's office, we confirmed that the Weights and Measures garage contains between 50 and 150 gasoline samples for octane testing, as well as other flammable cleaning products, aerosol sprays, and machine lubricants. These materials are highly flammable and should never be subject to an open flame. In addition to the violation of county policy, this behavior endangers the welfare of those committing the violation as well as their co-workers and members of the public.

During our interviews several staff admitted to seeing the Director and others regularly smoking in the Weights and Measures garage.

Comptroller's Office Question: "Have you ever seen anyone smoking in the garage?"

Weights and Measures Employee #1: "Yes."

Question: "If so, who?"

Employee #1: (NAMES THE DIRECTOR) and myself."

Comptroller's Office Question: "Have you ever seen anyone smoke in the garage or in a county vehicle?"

Weights and Measures Employee #4: "Yeah. I got written up for smoking in a county vehicle. I don't smoke anymore. Yeah."

Question: "So who have you seen smoking in the garage?"

Employee #4: "I've seen myself, (NAMES THE DIRECTOR), (REDACTED NAME). I don't think anyone else smokes there. Yeah, that's it."

Comptroller's Office Question: "Have you ever seen anyone smoking in the county garage or in a county vehicle?"

Weights and Measures Employee #5: "Yes."

Question: "Who have you witnessed smoking on county property?"

Employee #5: "I saw (NAMES THE DIRECTOR), (REDACTED NAME), and that's really it, I think, from a smoking standpoint."

Comptroller's Office Question: "Who have you seen smoking in the county garage or a county owned vehicle?"

Weights and Measures Employee #6: "Inside the garage?"

Question: "Inside the garage."

Employee #6: "The Director (NAMES DIRECTOR OF WEIGHTS AND MEASURES). (REDACTED NAME). (ANOTHER REDACTED NAME) every once in awhile.

Question: "Any other names?"

Employee #6: "(ANOTHER REDACTED NAME). Those are the smokers in our office."

Comptroller's Office Question: "Have you ever seen anyone smoking in the county garage or a county vehicle?"

Weights and Measures Employee #7: "Yes?"

Question: "Who have you seen smoking in the garage?"

Employee #7: "I've seen the Director smoking in the garage."

Comptroller's Office Question: "Which employees have you seen anyone smoking in the county garage?"

Weights and Measures Employee #8: "(NAMES DIRECTOR OF WEIGHTS AND MEASURES) and (REDACTED NAME)."

Comptroller's Office Question: "Have you ever seen anyone smoking in the garage or on county property?"

Weights and Measures Director: "Yes."

QUESTION: "Who?"

Director: "Me."

Question: "Have you witnessed anyone else?"

Director: "Yes."

Question: "Can you list all the folks you've witnessed smoking on county property?"

Director: "No, I will not."

Question: "You will not?"

Director: "No."

Question: "As Director, were you aware that as they were smoking on county property that they were violating county policy?"

Director: "Well."

Question: "Yes or no."

Director: "We don't have a smoking policy for that building."

Question: "The county has a policy."

Director: "And I'm aware of it. Yes."

Question: "As Director, when you have witnessed people smoking on county property, have you ever provided any direction that they should not do that?"

Director: "No I have not."

Question: "And you participated with them?"

Director: "Yes."

Question: "Do you remain unwilling to state any other employee..."

Director: "I would rather not. It's a disciplinary action. I'll talk with my union to see if I should give you that information."

While the Director of the facility admitted to having smoked with staff in the garage; he refused to answer questions about other employees who did the same. The Director confirmed he was aware they were violating county policy and of the dangers associated with being in close proximity to flammable chemicals and materials, but he still participated with them, and confirmed he had never discouraged nor disciplined them from doing so.

One employee stated that they were disciplined for smoking. The employee stated that they were disciplined by the Deputy Director. This demonstrates inconsistencies within the department regarding the enforcement of county policy.

Two other Weights and Measures employees also admitted to having smoked in the garage with the Director on numerous occasions. Both of those employees acknowledged they were in violation of county policy.

As a result of our investigation, the Comptroller's Office can indisputably state that the Director knowingly allowed his staff to repeatedly violate county policy by smoking inside a County building in close proximity to flammable chemicals, and participated in the activity.

WE RECOMMEND that the Division of Weights and Measures become compliant with the existing county policy on smoking and not continue the course of selective enforcement.

WE FURTHER RECOMMEND that employees within the division, known to have violated the policy, be appropriately disciplined.

4) Improper Inventory Tracking

The initial Whistleblower claims received by the Comptroller's Office included potential theft of Inventory. Throughout the course of our investigation it was noted that due to poor record

keeping of inventory, and a lack of proper inventory lists, it was not possible to determine what may have been stolen versus what may have been lost, or divided for parts.

The inventory lists provided to the Comptroller's Office by Weights and Measures were dramatically different than those provided by New York State Department of Agriculture and Markets. When asked about it, the Weights and Measures Director explained that any item sent to New York State to be certified at any time is retained on that list. On an annual basis certain items come up to be re-certified, and at that time, if items are no longer in use, lost, stolen, or missing the State is informed to remove them from their list. However, in most cases this is not done, and the items remain on the State list.

For our review of inventory, the Comptroller's Office used both the State List as well as the Inventory Lists provided by W&M. During our review we noted the following:

- 1) Improper tracking of missing/stolen/lost equipment. At the time of our investigation, the Director explained that there had only been one report of anything being lost or stolen. This theft was in 2012, when a worker had a kit stolen from his truck. A report was filed with the Buffalo Police and an incident report was on file. Outside of this incident, no other reports had been filed, however during our interviews an employee admitted that he had misplaced part of his weight set and never reported it. According to W&M's records, since 2010, 35 items have been listed as missing, lost or stolen and filed with NYS. The lack of attention to detail on these lists is evidenced by our office having found 9 of those 35 during our investigation. The only items which had supporting documentation as to them being lost or stolen were those from the 2012 incident.
- 2) None of the inventory was locked up; all pieces were easily accessible to anyone with access to the building.
- 3) Nearly 40% of the items on the list from the State could not be found. All the kits listed on the W&M's list were found, however not all kits were complete. A considerable number of items were identified that didn't appear on any inventory lists.
- 4) A total of 33 items were found in the Weights and Measures Garage which were not on the State provided list of inventory.
- 5) Multiple weight kits are often pieced together to create complete kits, without tracking where the parts are coming from. The Director explained that some weight kits become incomplete because staff misplace or lose weights in the field. In those cases, they are replaced with weights from other kits which are already incomplete without documenting the transfer from one kit to another.
- 6) During the performance of this review, we noted numerous small weights the size of pencil erasers or smaller in piles on tables or in boxes which were clearly not properly

stored. The Director explained that the weight kits are extremely expensive, especially for the smaller more precise weights, and as such these items should be more properly cared for.

The overall inventory record keeping within W&M fails to account for all the equipment they have on hand. This opens up the department to potential theft. There is no formal policy for reporting items lost or stolen to management and there is no record of items which have been lost or stolen.

WE RECOMMEND that a formal policy is put in place in the Division of Weights and Measures which tracks all inventory. This policy should include procedures for equipment to be issued, a process for reporting any items which have been lost or stolen. All decommissioned or damaged items should be noted on a list for tracking purposes, and NYS should be provided an accurate list of certified equipment.

WE FURTHER RECOMMEND that obsolete items within W&M should be disposed of through the Department of Purchase's Division of Surplus. Many of these items carry financial value and could be sold at an upcoming county sponsored auction.

ERIE COUNTY COMPTROLLER'S OFFICE

cc: Hon. Mark C. Poloncarz, Erie County Executive
The Honorable Erie County Legislature
Hon. Thomas DiNapoli, New York State Comptroller
Hon. Andrew SanFilippo, Executive Deputy State Comptroller
Mr. John Loffredo, Commissioner of Public Works
Mr. Robert W. Keating, Director of Budget and Management
Mr. Michael A. Siragusa, Erie County Attorney
Erie County Fiscal Stability Authority

Appendix I – Inspection Reports

WEIGHTS & MEASURES DIVISION TOTALS										MONTH OF		FEBRUARY							
2014										2/3		2/10		2/17		2/24		TOTAL	
TOTAL STOPS										45		67		64		65		241	
TOTAL MILES										570		546		387		423		1926	
SUPERMARKETS										33		8		7		12		60	
FOOD/DELI												6		2		4		12	
FARM/PRODUCE																			
FISH/BUTCHER										2						1		3	
CANDY/NUT												2		1		3		6	
BAKERY																			
DRUG										7		32		33		30		102	
HARDWARE												1						1	
GAS STATION												10		8		5		23	
GAS STATION/STORE																			
MARINA																			
AIRPORT																			
VARIETY/MULTIPLE																			
FUEL OIL DEALER																			
LPG																			
PROC/WARE/MFG										3		3		6		2		14	
ASPHALT/SALVAGE																			
FABRIC/SEWING																			
FEED/FERTILIZER																			
OTHER												3		4		7		14	
NON-COMMERCIAL																			
COMPLAINTS												2		3		1		6	
DEVICE REPORT										2/3		2/10		2/17		2/24		TOTAL	
										C + - O		C + - O		C + - O		C + - O		C + - O	
COMPUTING SCALE										264		20		6		97		387	
COMPUTING SCALE/recall										3		3		2		5		13	
PRE-PACK SCALE										88		15		3		20		126	
PRE-PACK SCALE/ recall																			
CUSTOMER SCALE										17		1				1		19	
CUSTOMER SCALE/ recall																			
VEHICLE SCALE												1		1				1	
VEHICLE SCALE/ recall																			
TRACK SCALE																			
TRACK SCALE/ recall																			
PRESCRIPTION SCALE										9		34		1		32		109	
PRESCRIP. SCALE/ recall																			
HOPPER/TANK/BATCH																			
HOPP/TANK/BATCH/recall																			
PLATFORM SCALES										3		1		9		9		22	
PLATFORM SCALES/recall										2								2	
LIVESTOCK SCALE																			
LIVESTOCK SCALE/ recall																			
MISCELLANEOUS SCALE										22		8		22		5		70	
MISC. SCALE/ recall														3		2		2	
PETROLEUM PUMP																			
PETROLEUM PUMP/recall																			
PETROLEUM METER																			
PETROLEUM METER/recall																			
RACK METER																			
RACK METER/ recall																			
LIQUID MEASURE																			
LIQUID MEASURE/recall																			
VOLUMETRIC MEASURE																			
VOLUM. MEASURE/ recall																			
WEIGHTS - PHARMACY										71		25		451		303		1,261	
WTS - PHARMACY/ recall																			
WEIGHTS - OTHER												1						1	
WEIGHTS - OTHER/ recall																			
LINEAR MEASURE																			
LINEAR MEASURE/ recall																			
LINEAR DEVICE																			
LINEAR DEVICE/ recall																			
MISC (SPECIAL)																			
MISC (SPECIAL) recall																			
OCTANE SAMPLE												16		28				44	
OCTANE SAMPLE/ recall																			
LPG																			
LPG/ recall																			
NON-COMM DEVICE																			
NON-COMM DEVICE/recall																			
NOTES:										OCT MILES		STOPS		Total Devices		2,926			
										1st				Fees		11,910			
										2nd		70							
										3rd		59							
										4th		24							
										5th				Fines		4,730			
										153		24							
																WM-60 (4/07) DPW (WKLY)			

WEIGHTS & MEASURES DIVISION TOTALS										Month OF FEBRUARY			
2/3/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	# PACKAGES C + L			# OF LOTS P/F					
AUDIT	I	812	749	415	229	105		P	64	F	55		
WM-57	O	337	285	239	13	33		P	1	F	38		
WM-58	I/S							P		F			
	I/R	562	562	412	93	57		P	44	F	55		
	O/S	285	285	239	13	33		P	1	F	38		
	O/R							P		F			
2/10/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	# PACKAGES C + L			# OF LOTS P/F					
AUDIT	I	801	694	225	239	230		P	62	F	37		
WM-57	O	863	541	55	298	188		P	61	F	6		
WM-58	I/S							P		F			
	I/R	547	547	215	132	200		P	42	F	37		
	O/S	252	252	46	98	108		P	19	F	6		
	O/R							P		F			
2/17/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	# PACKAGES C + L			# OF LOTS P/F					
AUDIT	I	449	340	70	192	78		P	42	F	12		
WM-57	O	665	293	23	169	95		P	28	F	1		
WM-58	I/S							P		F			
	I/R							P		F			
	O/S	200	200	28	86	86		P	18	F	1		
	O/R							P		F			
2/24/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	# PACKAGES C + L			# OF LOTS P/F					
AUDIT	I							P		F			
WM-57	O							P		F			
WM-58	I/S							P		F			
	I/R							P		F			
	O/S							P		F			
	O/R							P		F			
FEBRUARY TOTALS	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	# PACKAGES C + L			# OF LOTS P/F					
AUDIT	I	2062	1783	710	660	413		P	168	F	104		
WM-57	O	1865	1119	322	480	317		P	90	F	45		
WM-58	I/S							P		F			
	I/R	1109	1109	627	225	257		P	86	F	92		
	O/S	737	737	313	197	227		P	38	F	45		
	O/R							P		F			

WEIGHTS & MEASURES DIVISION TOTALS								Month OF		MARCH	
3/3/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I	1590	1004	213	465	326		P	132	F	28
WM-57	O	2061	1196	121	445	630		P	128	F	18
WM-58	I/S							P		F	
	I/R	498	498	199	175	124		P	45	F	28
	O/S	294	294	90	33	171		P	15	F	18
	O/R							P		F	
3/10/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I	1220	990	259	426	305		P	111	F	24
WM-57	O	1063	678	103	319	256		P	85	F	15
WM-58	I/S							P		F	
	I/R	490	490	249	167	74		P	36	F	24
	O/S	316	316	90	55	171		P	34	F	15
	O/R							P		F	
3/17/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I	1570	1215	316	472	427		P	121	F	48
WM-57	O	977	597	101	219	277		P	61	F	23
WM-58	I/S							P		F	
	I/R	742	742	287	212	243		P	62	F	48
	O/S	375	375	101	86	188		P	36	F	23
	O/R							P		F	
3/24/2014	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I	1809	1292	293	674	325		P	172	F	47
WM-57	O	1161	736	196	335	205		P		F	20
WM-58	I/S							P		F	
	I/R	647	647	282	300	65		P	63	F	63
	O/S	304	304	167	40	97		P	21	F	20
	O/R							P		F	
	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I							P		F	
WM-57	O							P		F	
WM-58	I/S							P		F	
	I/R							P		F	
	O/S							P		F	
	O/R							P		F	
MARCH TOTALS	CODES I/O	# PKGS IN LOT	# PKGS MEASURED	-	C	+	L	# OF LOTS P/F			
AUDIT	I	6189	4501	1081	2037	1383		P	536	F	147
WM-57	O	5262	3207	521	1316	1368		P	274	F	76
WM-58	I/S							P		F	
	I/R	2377	2377	1017	854	506		P	206	F	163
	O/S	1289	1289	448	214	627		P	106	F	76
	O/R							P		F	

WEIGHTS & MEASURES DIVISION TOTALS										WEEK		2/3/2014	
	CODES	#PKGS	#PKGS	#PACKAGES			#OF LOTS						
	(NO)	(IN LOT)	(MEASURED)	(C)	(L)	(L)	(P)	(F)					
AUDIT	IL	207	187	3	136	48	P	20	F				
WM57	OL						P		F				
WM58	ILS						P		F				
	IR						P		F				
	OS						P		F				
	OR						P		F				
AUDIT	IL						P		F				
WM57	OL						P		F				
WM58	ILS						P		F				
	IR						P		F				
	OS						P		F				
	OR						P		F				
AUDIT	IL	605	562	412	93	57	P	44	F	55			
WM57	OL	337	285	239	13	33	P	1	F	38			
WM58	ILS						P		F				
	IR	562	562	412	93	57	P	44	F	55			
	OS	285	285	239	13	33	P	1	F	38			
	OR						P		F				
AUDIT	IL						P		F				
WM57	OL						P		F				
WM58	ILS						P		F				
	IR						P		F				
	OS						P		F				
	OR						P		F				
AUDIT	IL						P		F				
WM57	OL						P		F				
WM58	ILS						P		F				
	IR						P		F				
	OS						P		F				
	OR						P		F				
TOTAL	IL	812	749	415	229	105	P	64	F	55			
WM57	OL	337	285	239	13	33	P	1	F	38			
WM58	ILS						P		F				
	IR	562	562	412	93	57	P	44	F	55			
	OS	285	285	239	13	33	P	1	F	38			
	OR						P		F				

WEIGHTS & MEASURES DIVISION TOTALS										WEEK		2/10/2014	
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I	205	190	30	160		P	18	F	2			
	O	191	168	3	153	12	P	20	F				
WM58	IS						P		F				
	I/R	100	100	20	80		P	8	F	2			
	O/S						P		F				
	O/R						P		F				
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I	233	146	8	56	82	P	19	F	1			
	O	504	305	19	140	146	P	39	F	1			
WM58	IS						P		F				
	I/R	89	89	8	29	52	P	9	F	1			
	O/S	184	184	13	93	78	P	19	F	1			
	O/R						P		F				
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I	363	358	187	23	148	P	25	F	34			
	O	188	68	33	5	30	P	2	F	5			
WM58	IS						P		F				
	I/R	358	358	187	23	148	P	25	F	34			
	O/S	68	68	33	5	30	P		F	5			
	O/R						P		F				
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I						P		F				
	O						P		F				
WM58	IS						P		F				
	I/R						P		F				
	O/S						P		F				
	O/R						P		F				
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I						P		F				
	O						P		F				
WM58	IS						P		F				
	I/R						P		F				
	O/S						P		F				
	O/R						P		F				
TOTAL	TOTAL	TOTAL	TOTAL	TOTAL			TOTAL						
AUDIT	CODES	PKGS	PKGS	PACKAGES			O/FLOTS						
				INDIC	MEASURED	C	L	P/F	P/F				
WM57	I	801	694	225	239	230	P	62	F	37			
	O	863	541	55	298	188	P	61	F	6			
WM58	IS						P		F				
	I/R	547	547	215	132	200	P	42	F	37			
	O/S	252	252	46	98	108	P	19	F	6			
	O/R						P		F				

WEIGHTS & MEASURES DIVISION TOTALS WEEK 2/17/2014

CODES	PKGS	PKGS	PAGES			LOTS				
			INITIAL	MEASURED	C	L	P/F			
AUDIT WM57	I	75	57		57		P	7	F	
	O	108	93		83	10	P	10	F	
WM58	IS						P		F	
	IA						P		F	
	OS						P		F	
	OB						P		F	
AUDIT WM57	I	203	116		83	33	P	20	F	
	O	557	200	28	86	86	P	18	F	1
WM58	IS						P		F	
	IA						P		F	
	OS	200	200	28	86	86	P	18	F	1
	OB						P		F	
AUDIT WM57	I	171	167	70	52	45	P	15	F	12
	O						P		F	
WM58	IS						P		F	
	IA						P		F	
	OS						P		F	
	OB						P		F	
AUDIT WM57	I						P		F	
	O						P		F	
WM58	IS						P		F	
	IA						P		F	
	OS						P		F	
	OB						P		F	
AUDIT WM57	I						P		F	
	O						P		F	
WM58	IS						P		F	
	IA						P		F	
	OS						P		F	
	OB						P		F	
TOTAL	I	449	340	70	192	78	P	42	F	12
AUDIT WM57	O	665	293	28	169	96	P	28	F	1
WM58	IS						P		F	
	IA						P		F	
	OS	200	200	28	86	86	P	18	F	1
	OB						P		F	

WEIGHTS & MEASURES DIVISION TOTALS										WEEK		2/24/2014	
CODES	NO.	#PKGS INITIAL	#PKGS MEASURED	#PACKAGES			# OF LOTS						
				C	L	EL	P/F	P/F					
AUBT WM157	I	291	265	19	223	23		27	3				
	O												
WM158	IS												
	IR	60	60	19	41			5	3				
	OS												
	OR												
AUBT WM157	I	702	404	12	293	99		60					
	O	563	306	18	175	113		39	1				
WM158	IS												
	IR												
	OS												
	OR												
AUBT WM157	I	533	491	187	143	161		29	32				
	O	23	20	20					2				
WM158	IS												
	IR	491	491	187	143	161		29	32				
	OS	20	20	20					2				
	OR												
AUBT WM157	I												
	O												
WM158	IS												
	IR												
	OS												
	OR												
AUBT WM157	I	108	80		32	48		8					
	O	184	142	5	2	135		23					
WM158	IS												
	IR												
	OS												
	OR												
TOTAL													
AUBT WM157	I	1634	1240	218	691	331		124	35				
	O	770	468	43	177	248		62	3				
WM158	IS												
	IR	551	551	206	184	161		34	35				
	OS	20	20	20					2				
	OR												

WEIGHTS & MEASURES DIVISION TOTALS										WEEK		3/3/2014	
AUDIT	WM	CODES	PKGS	PKGS	PACKAGES			OF LOTS					
					IN LOT	MEASURED	IN	OUT	IN	OUT			
AUDIT	WM 57	IS											
		OT	211	190	10	153	27			20			
WM 58		IS											
		IR											
		OS											
		OR											
AUDIT	WM 57	IS	518	230	9	184	37			46			
		OT	873	450	18	227	205			66			
WM 58		IS											
		IR											
		OS											
		OR											
AUDIT	WM 57	IS	583	498	199	175	124			45		28	
		OT	156	104	58	5	41					13	
WM 58		IS											
		IR	498	498	199	175	124			45		28	
		OS	104	104	58	5	41					13	
		OR											
AUDIT	WM 57	IS	227	102	3	66	33			21			
		OT	584	262	33	37	192			31		5	
WM 58		IS											
		IR											
		OS	190	190	32	28	130			15		5	
		OR											
AUDIT	WM 57	IS	282	174	2	40	132			20			
		OT	237	190	2	23	165			21			
WM 58		IS											
		IR											
		OS											
		OR											
TOTAL													
AUDIT	WM 57	IS	1590	1004	213	465	326			132		28	
		OT	2061	1196	121	445	630			128		18	
WM 58		IS											
		IR	498	498	199	175	124			45		28	
		OS	294	294	90	33	171			15		10	
		OR											

WEIGHTS & MEASUREMENT DIVISION TOTALS										WEEK		3/10/2014	
CODES	NO	PKGS INITIAL	PKGS MEASURED	PACKAGES			ORIGINS						
				C	L		P/F						
AUBT WM57	I	348	301	11	252	36		32	1				
	O	233	205	12	182	11		25					
WM58	I/S												
	I/R	87	87	5	62			9	1				
	O/S												
	O/R												
AUBT WM57	I	259	152	1	73	78		30					
	O	91	50	1	42	7		10					
WM59	I/S												
	I/R												
	O/S												
	O/R												
AUBT WM57	I	434	403	244	85	74		27	23				
	O	66	53	39		14			7				
WM59	I/S												
	I/R	403	403	244	85	74		27	23				
	O/S	53	53	39		14			7				
	O/R												
AUBT WM57	I	53	36	9	33	14		10					
	O	505	263	51	55	157	239	34	8				
WM59	I/S												
	I/R												
	O/S	263	263	51	55	157	239	34	8				
	O/R												
AUBT WM57	I	126	98		16	82		12					
	O	168	107		40	67		16					
WM59	I/S												
	I/R												
	O/S												
	O/R												
TOTAL													
AUBT WM57	I	1220	990	259	426	305		111	24				
	O	1063	678	103	319	256		85	15				
WM59	I/S												
	I/R	490	490	249	167	74		36	24				
	O/S	316	316	90	55	171		34	15				
	O/R												

WEIGHTS & MEASURES DIVISION TOTALS WEEK 3/17/2014

AUDIT	CODES	PKGS	PKGS	PACKAGES			TOTALS		
				NO	IN LOT	MEASURED	C	L	P/F
WM157	I	196	162	21	129	12		10	
	O	220	177		133	44		20	
WM158	I/S								
	I/R								
	O/S								
	O/R								
AUDIT	CODES	PKGS	PKGS	PACKAGES			TOTALS		
				NO	IN LOT	MEASURED	C	L	P/F
WM157	I	464	366	28	176	182		58	2
	O	235	95	2	54	39		15	1
WM158	I/S								
	I/R	183	183	21	84	78		28	2
	O/S	95	95	2	54	39		15	1
	O/R								
AUDIT	CODES	PKGS	PKGS	PACKAGES			TOTALS		
				NO	IN LOT	MEASURED	C	L	P/F
WM157	I	687	559	266	128	165		34	46
	O	243	143	78	3	62		2	18
WM158	I/S								
	I/R	559	559	266	128	165		34	46
	O/S	143	143	78	3	62		2	18
	O/R								
AUDIT	CODES	PKGS	PKGS	PACKAGES			TOTALS		
				NO	IN LOT	MEASURED	C	L	P/F
WM157	I	179	54	1	29	34		13	
	O	71	54	11	6	37		10	3
WM158	I/S								
	I/R								
	O/S	54	54	11	6	37		10	3
	O/R								
AUDIT	CODES	PKGS	PKGS	PACKAGES			TOTALS		
				NO	IN LOT	MEASURED	C	L	P/F
WM157	I	44	44		10	34		6	
	O	208	128	10	23	95		14	1
WM158	I/S								
	I/R								
	O/S	83	83	10	23	50		9	1
	O/R								
TOTAL	CODES	PKGS	PKGS	PACKAGES			TOTALS		
AUDIT	NO	IN LOT	MEASURED	C	L	P/F			
WM157	I	1570	1215	316	472	427		121	48
	O	977	597	101	219	277		61	23
WM158	I/S								
	I/R	742	742	287	212	243		62	48
	O/S	375	375	101	86	188		36	23
	O/R								

WEIGHTS & MEASURES DIVISION TOTALS WEEK 3/24/2014

CODES	NO	#PKGS IN LOT	#PKGS MEASURED	#PACKAGES			# OF LOTS	
				C	L		P/F	
AUDIT WM157	I	195	131		125	6	P	17
	O	221	196	16	163	17	P	20
WM159	IS						P	
	IR						P	
	OS						P	
	OR						P	
AUDIT WM167	I	587	346	8	162	176	P	62
	O	466	206	13	123	70	P	32
WM159	IS						P	
	IR						P	
	OS						P	
	OR						P	
AUDIT WM157	I	757	647	282	300	65	P	63
	O	284	212	139	8	65	P	6
WM159	IS						P	
	IR	647	647	282	300	65	P	63
	OS	212	212	139	8	65	P	6
	OR						P	
AUDIT WM157	I	171	95	3	63	29	P	19
	O	128	92	28	32	32	P	15
WM159	IS						P	
	IR						P	
	OS	92	92	28	32	32	P	15
	OR						P	
AUDIT WM157	I	99	73		24	49	P	11
	O	62	30		9	21	P	3
WM159	IS						P	
	IR						P	
	OS						P	
	OR						P	
AUDIT WM157	I	1809	1292	293	674	325	P	172
	O	1161	736	196	335	205	P	76
WM159	IS						P	
	IR	647	647	282	300	65	P	63
	OS	304	304	167	40	97	P	21
	OR						P	

WEIGHTS & MEASURES DIVISION FORM 45										WEEK		3/31/2014	
CODES	PKGS	PKGS	PACKAGES				OF LOTS						
			IN LOT	MEASURED	C	L	P/R	P/F					
AUDIT WM 57	I												
	O												
WM 58	IS												
	IR												
	OS												
	OR												
AUDIT WM 57	I	328	198	9	72	117		34					
	O	833	369	18	165	186		59					
WM 58	IS												
	IR												
	OS												
	OR												
AUDIT WM 57	I	216	196	68	12	116		15	15				
	O	128	70	28	4	38	4	3	4				
WM 58	IS												
	IR	196	196	68	12	116		15	15				
	OS	70	70	28	4	38	4	3	4				
	OR												
AUDIT WM 57	I	40	35	7	1	27		9					
	O	369	309	114	22	173	16	30	25				
WM 58	IS												
	IR												
	OS												
	OR												
AUDIT WM 57	I	45	41		2	39		5					
	O												
WM 58	IS												
	IR												
	OS												
	OR												
TOTAL	I	631	470	84	87	259		63	15				
WM 57	O	1330	748	160	191	397		92	29				
WM 58	IS												
	IR	196	196	68	12	116		15	15				
	OS	70	70	28	4	38	4	3	4				
	OR												



County of Erie

G 60122

BUREAU OF WEIGHTS AND MEASURES

2380 CLINTON STREET, BUFFALO, NY 14227

Phone: (716) 825-1310 Fax: (716) 823-7686

FIRM <i>LAND AIR EXPRESS</i>	TYPE <i>P/W/M-F</i>	DATE <i>3/17/14</i>
ADDRESS <i>4425 River Road</i>	STATUS OF INSPECTIONS (FEE)	
TOWN <i>TONAWANDA, NY 14150</i>	A <input type="checkbox"/> Initial (Charge)	C <input checked="" type="checkbox"/> Required Inspection (No Charge)
	B <input type="checkbox"/> Retest (Charge)	D <input type="checkbox"/> Non-required Insp. (No Charge)

DEVICE TYPE	Total No	TEST RESULTS						ACTION TAKEN		FEE	
		Correct	Plus	Minus	Zero	Original Replaced	Calibrate	AMT. PER	TOTAL		
Computing Scale											
Pre-Pack Scale											
Customer Scale											
Vehicle Scale											
Monorail Scale											
Prescription Scale											
Hopper/Batch/Tank Scale											
Platform Scale											
Livestock Scale											
Miscellaneous Scale						3					
Petroleum Pump											
Petroleum Meter VTM											
Other Meter											
Rack Meter											
Liquid Measure											
Volumetric Measure											
Weights Pharmacy											
Weights Other											
Linear Measure											
Linear Measuring Device											
Timing Device											
Taximeter											
Miscellaneous Device											
LPG Meters											
Non-commercial Devices											

Device listed below require repair or adjustment

LOCATION	MANUF.	MODEL NO.	SERIAL NO.

Yes No
 Customer Scale is within 30 ft. of retail preparked display, with sign posted.
 Price signs, posted on every pump or dispenser.
 Security seals on all approved meters.
 Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.
 Notify the Director of Weights and Measures when ready for retesting - 825-1310.

GALLONS/LITERS PUMPED			
NO LEAD		NL-Econ	NL Plus
Regular		Diesel	Fuel Oil
NL-Pr.		Kero	

PACKAGE CHECK	C O D E S I/O	# PKGS In LOT	# PKGS ✓	# PKGS			L A B E L S	# OF LOTS	
				-	C	+		P	F
AUDIT WM - 57	I								
	O								
OFFICIAL TEST WM - 58	I								
	I								
	O								
	O								

Make Check Payable To: **ERIE COUNTY COMPTROLLER**

Mail To: Erie County Weights & Measures
 PO Box 32518
 Hartford, CT 06150-2518

Payment due within 30 days from date of report.

FORMS

TIME IN: *9:05* TIME OUT: *9:50*

WAIT FOR SIGNATURE & FOR THEM TO MAKE COPY - (Yellow VERY POOR)

All Commodities Weighed on _____ Model _____
 Serial No. _____ Certified as Correct on this data.

REMARKS: *UPON ARRIVAL FREEMAN SCALE WAS NOT ON SCENE SITE MGR. STATES FREEMAN CONTACTED THEM LAST WK TO CONFIRM DATE. WFM CONTACTED FREEMAN - THEY CLAIM THEY WERE UNAWARE OF SCHEDULE DATE. BUSINESS IS TO RESCHEDULE INSPECTION & NOTIFY THIS OFFICE*

Acknowledged By: *[Signature]* Inspect: *[Redacted]*

Copy Original: WHITE Treasurer: YELLOW Send with payment: PINK Establishment: GOLD



County of Erie

BUREAU OF WEIGHTS AND MEASURES

2380 CLINTON STREET, BUFFALO, NY 14227

Phone: (716) 825-1310 Fax: (716) 823-7686

PRO: DEEP FOOD
BAKE
SEA CHEESE
G 60124

FIRM TOPS MARKET #226	TYPE SPMKT	DATE 3/18/14
ADDRESS 4778 TRANSIT ROAD.	STATUS OF INSPECTIONS (FEE)	
TOWN DEPEW NY 14043	<input type="checkbox"/> A Initial (Charge) <input checked="" type="checkbox"/> C Required Inspection (No Charge) <input type="checkbox"/> B Re-test (Charge) <input type="checkbox"/> D Non-required Insp. (No Charge)	

DEVICE TYPE	Tcbl No	Accuracy	TEST RESULTS						ACTION TAKEN		FEE	
			Current	Pre	Usenet	Other	Device	Condition	AMT. PER	TOTAL		
Computing Scale												
Pre-Pack Scale												
Customer Scale												
Vehicle Scale												
Monorail Scale												
Prescription Scale												
Hopper/Batch/Tank Scale												
Platform Scale												
Livestock Scale												
Miscellaneous Scale												
Petroleum Pump												
Petroleum Meter VTM												
Other Meter												
Rack Meter												
Liquid Measure												
Volumetric Measure												
Weights Pharmacy												
Weights Other												
Linear Measure												
Linear Measuring Device												
Timing Device												
Taximeter												
Miscellaneous Device												
LPG Meters												
Non-commercial Devices												

Device listed below require repair or adjustment

LOCATION	MANUF.	MODEL NO.	SERIAL NO.

Yes No

Customer Scale is within 30 ft. of retail prepacked display, with sign posted.

Price signs, posted on every pump or dispenser.

Security seals on all approved meters.

Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

Notify the Director of Weights and Measures when ready for retesting - 825-1310.

GALLONS/LITERS PUMPED			
NO LEAD	NL-Econ	NL Plus	
Regular	Diesel	Fuel Oil	
NL-Pr.	Kero		

PACKAGE CHECK	C O D S I N G	# PKGS In LOT	# PKGS ✓	# PKGS			L A B E L S	# OF LOTS	
				-	C	+		P	F
AUDIT	I	219	146	47	80	19	OK	11	9
WM - 57	O	70	48	30	2	16	OK	-	7
OFFICIAL TEST	I								
WM - 58	O								

Make Check Payable To: ERIE COUNTY COMPTROLLER

Mail To: Erie County Weights & Measures
PO Box 32518
Hartford, CT 06150-2518

Payment due within 30 days from date of report.

FORMS **wm-57 (3)**

TIME IN: **9:30** TIME OUT: **12:10**

All Commodities Weighed on **AND** Model **EK-12Ki**
Serial No. **EP 1840657** Certified as Correct on this date.

REMARKS: **Comm ck.**

Acknowledged By: Inspector:

Copy Original: WHITE Treasurer: YELLOW Send with payment: PINK Establishment: GOLD

EXCEEDS MAX



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G60124
 DATE 3/12/14

CODES

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	P/F	L
1	0	S	ORGANIC ANSOPBERRIES	DORIS CAL STEWART BERRY ASSOCIATES, INC. 95037		7.88 6.02	.04	7	7	.01	2	1	4	FP	OK
2	0	S	ORGANIC BERRIES	WIND SOURCE BERRIES, COM		.88 6.02	.04	29	10	.05	5	1	4	FP	OK
3	0	S	ORGANIC YELLOW PEPPERS	STERNA PROSECCO SACRAMENTO, CA 95602		3.00 3.45	.05	4	4	.055	3		1	FP	OK
4	0	S	ORGANIC RASPBERRIES	"	196302	3.00 3.45	.05	5	5	.06	4		1	FP	OK
5	0	S	WHITE PEARL PEPPERS	FRIEDMAN'S	2/17/14	1.63	.02	2	2	.075	2			FP	OK
6	0	S	CLIFAMENTS	WIND FRESH FRUIT EXPORT, COM		5.00 5.45	.63	10	10	.216	7		3	FP	OK
7	0	S	"	"	"	5.00 5.45	.63	13	10	.167	7		3	FP	OK
8														FP	
9														FP	
10														FP	

PACKAGE ERRORS IN .01 ^{4%} 70 LBS. 30 2 16 7

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
3	3	1	9	7	37	70			
2	5	2	3	8	11	50			
0	6	3	1	120	11	20			
7	1	7	14	35	63	13			
2	0	2	1	13	2	2			

Acknowledged by: [Signature] Inspector: [Redacted]

(3)

INS# G 60124
DATE 3/18/14

CODES



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

CKELOS MAN

LOT NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	RF	L
1	I	PEPPERONI CAKE	TOSMANBY Williamsville	3-31.14	.50 .82	.06	10	10	.022	8		2	EP	OK
2	I	"	"	4	.50 .62	.06	13	10	.015	6		2	EP	OK
3	I	WHITE CHEESE BASIL SAUCE	"	3-19.14	ASST	.05	6	6	.02	6			EP	OK
4	I	JULIENNE SPINACH SMALL	"	3-21.14	10.02	.06	7	7	.001	3		4	EP	OK
5	I	MACARONI & CHEESE COLA SAUCE	"	3-19.14	ASST	.06	3	3	.06	3			EP	OK
6	I	SOFT AND CHEWY 24 CT CHEE CHIPS COOKIE	"	3-20.14	.88 14.02	.06	14	10	.025	6	4		EP	OK
7	I	PEANNO CAKE CHOCOLATE CHEESE	"	3-22.14	2.00 32.02	.18	3	3	.131	3			EP	OK
8	I	GARLIC SPREAD	"	4-09.14	.50 8.02	.02	4	4	.03	3	1		EP	OK
9	I	SALMON FILLET NO. 1000 CHINA MARKET	4	3-19.14	ASST	.03	2	2	.03	2			EP	OK
10	I	STRONABOLI	"	3-21.14	1	.02	5	5	.008	2	3		EP	OK

PACKAGE ERRORS IN _____ LBS. 60 47 10 8 91

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
5	2	2	1	3	0	23	8	3	2
2	3	1	6	7	2	26	2	3	2
2	1	2	2	2	0	43	4	1	0
2	5	4	8	0	4	1	0	1	0
1	5	4	4	1	0	1	1	1	0

Acknowledged by: [Signature] _____ AUDIT WORKSHEET Inspector. _____

111-57 (Rev. 01/04)



County of Erie

G 60125

BUREAU OF WEIGHTS AND MEASURES

2380 CLINTON STREET, BUFFALO, NY 14227

Phone: (716) 825-1310 Fax: (716) 823-7686

FIRM LAND AIR EXPRESS	TYPE P/W/M-F	DATE 3/19/14
ADDRESS 4425 River Road	STATUS OF INSPECTIONS (FEE)	
TOWN TONAWANDA, NY 14160	A <input type="checkbox"/> Initial (Charge)	C <input type="checkbox"/> Required Inspection (No Charge)
	B <input type="checkbox"/> Retest (Charge)	D <input type="checkbox"/> Non-required Insp. (No Charge)

DEVICE TYPE	Total No.	TEST RESULTS						ACTION TAKEN		FEE	
		Under Visual Inspection	Correct	Yes	Mass	Size	Defective Replaced	Condition	AMT. PER	TOTAL	
Computing Scale											
Pre-Pack Scale											
Customer Scale											
Vehicle Scale											
Monorail Scales											
Prescription Scale											
Hopper/Batch/Tank Scale											
Platform Scale											
Livestock Scale											
Miscellaneous Scale	3	3	2R				3R				
Petroleum Pump											
Petroleum Meter VTM											
Other Meter											
Rack Meter											
Liquid Measure											
Volumetric Measure											
Weights Pharmacy											
Weights Other											
Linear Measure											
Linear Measuring Device											
Timing Device											
Taximeter											
Miscellaneous Device											
LPG Meters											
Non-commercial Devices											

Device listed below require repair or adjustment

LOCATION	MANUF.	MODEL NO.	SERIAL NO.
Forklift #7 - Broken Sensor in J-Box			
EXTREME VIBRATION - READS OUT OF TOL			
Yes	No		
<input type="checkbox"/>	<input type="checkbox"/>	Customer Scale is within 30 ft. of retail prepacked display, with sign posted.	
<input type="checkbox"/>	<input type="checkbox"/>	Price signs, posted on every pump or dispenser.	
<input type="checkbox"/>	<input type="checkbox"/>	Security seals on all approved meters.	
<input type="checkbox"/>	<input type="checkbox"/>	Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notify the Director of Weights and Measures when ready for retesting - 825-1310.	

GALLONS/LITERS PUMPED			
NO LEAD		NL-Econ	NL Plus
Regular		Diesel	Fuel Oil
NL-Pr.		Kero	

PACKAGE CHECK	CODES I/O	# PKGS In LOT	# PKGS ✓	# PKGS			LABE L S	# OF LOTS	
				-	C	+		P	F
AUDIT WM-57	I								
	O								
OFFICIAL TEST WM-58	I								
	I								
	O								
	O								

Make Check Payable To: **ERIE COUNTY COMPTROLLER**

Mail To: Erie County Weights & Measurers
PO Box 32518
Hartford, CT 06150-2518

Payment due within 30 days from date of report.

FORMS **WM-59-F 0185**

TIME IN: **9:55** TIME OUT: **1:00**

All Commodities Weighed on _____ Model _____
Serial No. _____ Certified as Correct on this date.

REMARKS: **NOT COMPLETE: FORKLIFT #7 FAILS OUT OF TOLERANCE (G-T.2) & FAILS ON G-UR.4.2. + ABNORMAL PERFORMANCE, G-UR-3.2 ASSOCIATED EQUIP. & ON G-UR 4.1. MAINT. OF EQUIPMENT. - SEE WM 59-F # 0185 FOR DETAILS. ORDERED RESOLVED - NOTIFY THIS OFFICE WHEN READY FOR RE-TESTING**

Acknowledged By: **[Signature]** Inspector: **[Redacted]**

Copy Original: WHITE Treasurer: YELLOW Send with payment: PINK Establishment: GOLD



County of Erie
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET, BUFFALO, NY 14227

All
G 60128

Phone: (716) 825-1310 Fax: (716) 823-7686

FIRM Tops Market # 233	TYPE SPMKT	DATE 3/21/14
ADDRESS 184 South Cascade Drive	STATUS OF INSPECTIONS (FEE)	
TOWN Springville, NY 14141	A <input type="checkbox"/> Initial (Charge)	C <input checked="" type="checkbox"/> Required Inspection (No Charge)
	B <input type="checkbox"/> Retest (Charge)	D <input type="checkbox"/> Non-required Insp. (No Charge)

DEVICE TYPE	Toll Fee	Accuracy Within Tolerance	TEST RESULTS					ACTION TAKEN		FEE	
			Correct	Pos	Misc	Other	Device Replaced	Correct	ASMT. PER	TOTAL	
Computing Scale											
Pre-Pack Scale											
Customer Scale											
Vehicle Scale											
Monorail Scale											
Prescription Scale											
Hepper/Batch/Tank Scale											
Platform Scale											
Livestock Scale											
Miscellaneous Scale											
Petroleum Pump											
Petroleum Meter VTM											
Other Meter											
Rack Meter											
Liquid Measure											
Volumetric Measure											
Weights Pharmacy											
Weights Other											
Linear Measure											
Linear Measuring Device											
Timing Device											
Taximeter											
Miscellaneous Device											
LPG Meters											
Non-commercial Devices											

Device listed below require repair or adjustment

LOCATION	MANUF.	MODEL NO.	SERIAL NO.
Customer Use	DOBS	NOT WORK	
Customer	HOBART	WC30	DN 1000285

Yes No Customer Scale is within 30 ft. of retail prepacked display, with sign posted.

Price signs, posted on every pump or dispenser.

Security seals on all approved meters.

Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

Notify the Director of Weights and Measures when ready for retesting - 825-1310.

GALLONS/LITERS PUMPED			
NO LEAD	NL-Econ	NL Plus	
Regular	Diesel	Fuel Oil	
NL-Pr.	Kero		

PACKAGE CHECK	C O D E S 1/0	# PKGS In LOT	# PKGS ✓	# PKGS			L A B E L S	# OF LOTS	
				-	C	+		P	F
AUDIT	1	99	97	85	1	11	OK	1	15
WM - 57	0	54	53	32	1	20	OK	2	6
OFFICIAL TEST	1								
WM - 58	0								
	0								

Make Check Payable To: **ERIE COUNTY COMPTROLLER**

Mall To: Erie County Weights & Measurers
 PO Box 32518
 Hartford, CT 06150-2518

Payment due within 30 days from date of report.

FORMS **WM - 57 (4)**

TIME IN: **9:25** TIME OUT: **1:05**

All Commodities Weighed on **AND** Model **EK-12K1**
 Serial No. **EP-1840657** Certified as Correct on this date.

REMARKS: **Commodity inspection only. Business' "SCALE FOR CUSTOMER USE"**
Does NOT WORK (19063)- ORDERED RECALIB

Acknowledged By: *[Signature]* Inspector: *[Redacted]*

Copy Original: WHITE Treasurer: YELLOW Send with payment: PINK Establishment: GOLD



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G60128
 DATE 3/21/14

CODES

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER RILOT	NUMBER MEASURED	AVG. ERR	-	0	+	PF	L
1	I	R	COFFEE BEANS (S) ASST. ALMONDS (S)	TOPS MARKET WILLIAMSVILLE	MAR 05 14	ASST.	.05	10	10	.089	10			FP	OK
2	I	R	"	"	MAR 05 14	"	.05	10	10	.042	10			FP	OK
3	I	R	"	"	MAR 05 14	"	.05	10	10	.04	10			FP	OK
4	I	R	"	"	MAR 06 14	"	.03	8	8	.02	8			FP	OK
5	I	R	CANDY CHEERIES	"	MAR 03 14	"	.05	4	4	.02	3		1	FP	OK
6	I	S	SOFT AND CHEWY 34CT CHOC CHIP COOKIES	"	3-22-14	14oz	.06	9	9	.034	1		8	FP	OK
7	I	S	SOFT AND CHEWY 24 CT BEANitos BISCUIT COOKIES	"	3-30-14	14oz	.06	4	4	.027	4			FP	OK
8	I	S	FRENCH BEANS CLASSIC	"	3-22-14	16oz	.01	3	3	.083	3			FP	OK
9	I	S	GREEN BEANS	"	3-22-14	ASST	.02	2	2	.02	2			FP	OK
10	I	R	MARSH CROQUANTS MUSHY PASTA	"	3-28-14	ASST	.05	9	9	.04	9			FP	OK

PACKAGE ERRORS IN 10169 LBS. 69

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
2	4	4	2	5	1	4	1	2	4
3	5	4	2	5	2	3	10	2	4
4	4	2	2	1	3	4	4	1	4
4	5	4	2	3	4	1	1	1	4
4	4	5	2	1	2	1	1	1	4

Acknowledged by: [Signature] Inspector: [Redacted]



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# 60128
 DATE 3/21/14

CODES

EXCESS MAY

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	PF	L	
1	0	S	ORGANIC RED POTATOES	STERNA MACHINERY S. HAMBURG, PA 17901	1903P	3.0 8 LBS	.05	4	4	.035	3		1	OP	OK	
2	0	S	ORGANIC BUSHY POTATOES	"	110302	3.00 3.65	.05	7	7	.075	6		1	OP	OK	
3																
4																
5																
6																
7																
8																
9																
10																

PACKAGE ERRORS IN _____ LBS. 0.1 11 9 2

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
16	18	10							
13	16	11							
4	15								
17	14								
1	13								

Acknowledged by: [Signature] Inspector: [Redacted]

WMS7 (Rev. 8/04)

(2)

INS# G 60328
DATE 3/21/14



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

RECEIVED MAY

CODES

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR.	-	0	+	RF	L
1	0	S	CIEMENTINES	WIND FRESH FRUIT EXPORT, CAN.	-	5.00 5.65	.63	10	10	.12	6	4		P	OK
2	0	S	"	"	1	11	.63	11	10	.172	7	3		P	OK
3	0	S	LEMONS	DEE SWAGET CITRUS INC, FORT LAUDERDALE, FL 33425	058	2.00 2.65	.02	10	10	.029	5	5		P	OK
4	0	S	"	"	11	11	.02	5	5	.108		5		F	OF
5	0	S	STRAWBERRIES	WIND FRESH FRUIT EXPORT, CAN.	92164	1.00 1.60	.06	2	2	.02	1	1		F	OK
6	0	S	PASABERRIES	WIND FRESH FRUIT EXPORT, CAN.	-	6.02	.04	5	5	.02	4	1		P	OK
7														FP	
8														FP	
9														FP	
10														FP	

PACKAGE ERRORS IN 101 43 LBS. 44

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
28	33	21	1	3	4				
34	21	14	7	0					
41	15	10	3	1					
44	7	8	29	3					
52	15	10	4	2					

Acknowledged by: [Signature] Inspector: [Redacted]

WMSZ (REV. 8/04)



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G 60128
 DATE 3/21/14

CODES

EXCESS MAY

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	RIF	L
1	I	S	CHEESE CALZONE	TOPS ANDRY Lafayette, La	3.29.14	.80 .802	.06	5	5	.018	4	1		PP	OK
2	I	S	CHEESE STEAK CALZONE	"	3.30.14	.80 .802	.06	2	2	.045	2			PP	OK
3	I	S	MEATBALL CALZONE	"	3.29.14	.80 .802	.06	12	10	.032	10			PP	OK
4	F	S	10 CT BALS WINGS COLD	"	3.29.14	.92 .92	.08	6	6	.016	4	2		PP	OK
5	I	R	BONNETTS ALASKAN COB FILLET	"	3.24.14	ASSY	.66	3	3	.026	3			PP	OK
6	F	R	POKE SHOULDER BUTT ROAST TRIMMED (2.82.14)	"	3.19.14	"	.08	2	2	.07	2			PP	OK
7														FP	
8														FP	
9														FP	
10														FP	

PACKAGE ERRORS IN .01³⁰ LBS. 25 | 2 | 6

LOT	1	2	3	4	5	6	7	8	9	10
0	/	/	/	/	/	/	/	/	/	/
2	4	6	3	4	5	2	7			
2	5	3	3	5	3	3	7			
4	1	2	1	5	3	3	1			
1	1	3	2	7	1	1	1			

Acknowledged by: [Signature] Inspector: [Redacted]

FORM 107 (Rev. 6/04)



County of Erie

G 60123

BUREAU OF WEIGHTS AND MEASURES

2380 CLINTON STREET, BUFFALO, NY 14227

Phone: (716) 825-1310 Fax: (716) 823-7686

FIRM <i>TOPS MARKET # 41</i>	TYPE <i>SPKRT</i>	DATE <i>3/17/14</i>
ADDRESS <i>3980 MAPLE ROAD</i>	STATUS OF INSPECTIONS (FEE)	
TOWN <i>AMHERST NY 14226</i>	<input type="checkbox"/> Initial (Charge) <input checked="" type="checkbox"/> Required Inspection (No Charge) <input type="checkbox"/> Retest (Charge) <input type="checkbox"/> Non-required Insp. (No Charge)	

DEVICE TYPE	Total No.	Major Repairs	TEST RESULTS					ACTION TAKEN		FEE	
			Correct	Yes	Mean	Other	Customer Reported	Correct	AMT. PER	TOTAL	
Computing Scale											
Pre-Pack Scale											
Customer Scale											
Vehicle Scale											
Monorail Scale											
Prescription Scale											
Hopper/Batch/Tank Scale											
Platform Scale											
Livestock Scale											
Miscellaneous Scale											
Petroleum Pump											
Petroleum Meter VIM											
Other Meter											
Rack Meter											
Liquid Measure											
Volumetric Measure											
Weights Pharmacy											
Weights Other											
Linear Measure											
Linear Measuring Device											
Timing Device											
Taximeter											
Miscellaneous Device											
LPG Meters											
Non-commercial Devices											

Device listed below require repair or adjustment

LOCATION	MANUF.	MODEL NO.	SERIAL NO.

Yes No

Customer Scale is within 30 ft. of retail prepacked display, with sign posted.

Price signs, posted on every pump or dispenser.

Security seals on all approved meters.

Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

Notify the Director of Weights and Measures when ready for retesting - 825-1310.

GALLONS/LITERS PUMPED

NO LEAD	NL-Econ	NL Plus
Regular	Diesel	Fuel Oil
NL-Pr.	Kero	

PACKAGE CHECK	C O D E S	# PKGS In LOT	# PKGS ✓	# PKGS			L A B E L S	# OF LOTS	
				-	C	+		P	F
AUDIT WM - 57	I	95	93	23	9	OK	7	6	
	O	116	39	13	26	OK	4	4	
OFFICIAL TEST WM - 58	I								
	I								
	O								
	O								

Make Check Payable To: **ERIE COUNTY COMPTROLLER**

Mall To: Erie County Weights & Measures
PO Box 32518
Hartford, CT 06150-2518

Payment due within 30 days from date of report.

FORMS *WM-57 (3)*

TIME IN: *10:05* TIME OUT: *1:00*

All Commodities Weighed on *AND* Model *EK-12Ki*
Serial No. *EP-1840667* Certified as Correct on this date.

REMARKS: *KOSHER DELI IS SELLING ASSORTED FROZEN SOUPS w/o A DECLARATION OF QTY. ALSO REMOVED CHICKEN FAT / FROZEN w/o A DEC. OF QTY. - (221.5) ORDERED RESOLVED BUSINESS IS SELLING "CRAB CAKES" w/o LABEL "IMITATION" AND w/o A DECLARATION OF QTY. - (21.5) ORDERED RESOLVED (2/21/14)*

Acknowledged By: *[Signature]* Inspector: *[Redacted]*



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G60123
 DATE 3/17/14

CODES

LOT NO	BR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	P/F	L
1	S	Salt and Cream 4 1/2 oz. C. Mac. City, Coles	Tops, m by Coffmansville	3/21.14	.88 14.02	.06	9	9	.094	9			EP	OK
2	R	GIARDINO IMPROVED JERKIN ASINGO CHEESE 21	"	6/04.14	ASSY	.02	12	10	.02	10			EP	OK
3	R	BELG. 101550 DOMESTIC ASINGO	"	12.12.14	"	.02	10	10	.02	10			EP	OK
4	R	"	"	"	"	.02	5	5	.02	5			EP	OK
5													FP	
6													FP	
7													FP	
8													FP	
9													FP	
10													FP	

PACKAGE ERRORS IN .01 36 LBS. 34

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
8	2	2	2						
14	2	2	2						
6	2	2	2						
6	2	2	2						
10	2	2	2						

Authorized by: [Signature] Inspector: [Redacted]

AUDIT WORKSHEET

WN-57 (Rev. 8/04)



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G60123
 DATE 3/17/14

CODES

EXCESS MK V

LOT	NO	SIR	COMMODITY	PACKER	LOT CODE	NET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	R/F	L
1	0	S	STRAW BERRIES	GEO FRUIT FOODS RIVERVIEW, PA 21212	—	1.00 1600	.06	83	10	.002	4	6		FP	OK
2	0	S	CAROLINA GOLD LEMONS	Vict Family Foods, Inc 800-584	—	3.00 2 Lbs	.02	9	9	.016	6	3		FP	OK
3	0	S	FARM FRESH FRUIT POWDL	8 Biscuits Glenville, CA	—	40.00 40 Lbs	.02	13	10	.257	2	8		FP	OK
4	0	S	CORFLORA APPLES	Lowndes Apple Orchard, Inc	—	3.00 3 Lbs	.01	11	10	.045	1	9		FP	OK
5														FP	
6														FP	
7														FP	
8														FP	
9														FP	
10														FP	

PACKAGE ERRORS IN .01 116 LBS. 39

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
6	9	40	5	11					
2	10	37	31	12					
5	5	16	4	9					
4	2	2	75	6					
8	5	4	4	20					
4	5	1	20	5					
		10	3						

Acknowledged by: [Signature] Inspector: [Redacted]

WMS7 (Rev. 8/04)



COUNTY OF ERIE
BUREAU OF WEIGHTS AND MEASURES
 2380 CLINTON STREET • BUFFALO, NY 14227 • 825-1310

INS# G60123
 DATE 3/17/14

CODES

Excesses MAY.

LOT	NO	SR	COMMODITY	PACKER	LOT CODE	MET CONTENTS	TARE WEIGHT	NUMBER IN LOT	NUMBER MEASURED	AVG. ERR	-	0	+	RIF	L
1	I	R	TOPS ITALIAN PIZZA SAUCE	TOPS MARKET WILLIAMSBORO NY	3.22.14	ASST	.02	10	10	.01	10			FP	OK
2	I	S	MEAT CAN CALZONE	"	UNREMARKABLE	.50	.06	13	10	.013	5	3	2	FP	OK
3	I	S	CHEESE STENC CALZONE	"	"	.50	.06	9	9	.015	5	3	1	FP	OK
4	I	S	CHEESE CALZONE	"	3.29.14	.50	.06	11	10	.001	4	2	4	FP	OK
5	I	S	MARGHERITA Cup n CHEESE DEARBORN	"	3.23.14	ASST	.02	4	4	.012	3	1		FP	OK
6	F	R	MARAPONTI F CHEESE CAN	"	3.18.14	ASST	.05	5	5	.004	1	4		FP	OK
7	I	R	COLD MASHED POT. w/ BEEF GRavy	"	3.17.14	ASST	.05	3	3	.003	1	2		FP	OK
8	I	R	Queso filled Tostitos And	"	3.20.14	ASST.	.08	5	5	.08		5		FP	OK
9	F	S	CANPLIC SPREAD	"	4/25/14	.50	.02	5	6	.022		3	2	FP	OK
10														FP	

PACKAGE ERRORS IN _____ LBS. 61

LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10
1	3	0	1	2	1	1	0	0	0
1	3	3	0	3	0	0	0	1	0
1	5	4	1	2	1	0	0	0	0
1	2	0	2	0	0	0	0	0	0
1	4	3	1	2	1	1	0	0	0

Acknowledged by: _____ Inspector: _____

WM-27 (Rev. 2014)

Appendix II – NIST Guidelines



NIST Handbook 133

Checking the Net Contents of Packaged Goods

as adopted by the 95th National Conference on Weights and Measures 2010

Editors:

Linda Crown
David Sefcik
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U.S. Department of Commerce
Gary Locke, Secretary

**National Institute of
Standards and Technology**
Patrick D. Gallagher, Director

NIST Handbook 133
January 2011

Supersedes
Fourth Edition, January 2005

Comm. 12E-27
Page 62 of 103

Certain commercial entities, equipment, or materials may be identified in this document in order to describe an experimental procedure or concept adequately. Such identification is not intended to imply recommendation or endorsement by the National Institute of Standards and Technology, nor is it intended to imply that the entities, materials, or equipment are necessarily the best available for the purpose.

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WASHINGTON: 2011

Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800 Fax: (202) 512-2250 Mail: Stop SSOP,
Washington, DC 20402-0001 ISBN 0-16-051249-2

Chapter 1. General Information

1.1. Scope

Routine verification of the net contents of packages is an important part of any weights and measures program to facilitate value comparison and fair competition. Consumers have the right to expect packages to bear accurate net content information. Those manufacturers whose products are sold in such packages have the right to expect that their competitors will be required to adhere to the same laws and regulations.

The procedures in this handbook are recommended for use to verify the net quantity of contents of packages kept, offered, or exposed for sale, or sold by weight, measure (including volume, and dimensions), or count at any location (e.g., at the point-of-pack, in storage warehouses, retail stores, and wholesale outlets).

a) When and where to use package checking procedures?

An effective program will typically include testing at each of the following levels.

1. Point-of-pack

Testing packages at the “point-of-pack” has an immediate impact on the packaging process. Usually, a large number of packages of a single product are available for testing at one place. This allows the inspector to verify that the packer is following current good packaging practices. Inspection at the point-of-pack also provides the opportunity to educate the packer about the legal requirements that products must meet and may permit resolution of any net content issues or other problems that arise during the testing. Point-of-pack testing is not always possible because packing locations can be in other states or countries. Work with other state, county, and city jurisdictions to encourage point-of-pack inspection on products manufactured in their geographic jurisdictions. Point-of-pack inspections cannot entirely replace testing at wholesale or retail outlets, because this type of inspection does not include imported products or the possible effects of product distribution and moisture loss. Point-of-pack inspections only examine the manufacturing process. Therefore, an effective testing program will also include testing at wholesale and retail outlets.

2. Wholesale

Testing packages at a distribution warehouse is an alternative to testing at the point-of-pack with respect to being able to test large quantities of and a variety of products. Wholesale testing is a very good way to monitor products imported from other countries and to follow up on products

suspected of being underfilled or underweight based on consumer complaints or findings made during other inspections, including those done at retail outlets.

3. Retail

Testing packages at retail outlets evaluates the soundness of the manufacturing, distributing, and retailing processes of the widest variety of goods at a single location. It is acceptable and practical for weights and measures jurisdictions to monitor packaging procedures and to detect present or potential problems. Generally, retail package testing is not conducive to checking large quantities of individual products of any single production lot. Therefore, follow-up inspections of a particular brand or lot code number at a number of retail and wholesale outlets, and ultimately at the point-of-pack are extremely important aspects in any package-checking scheme. After the evaluation of an inspection lot is completed, the jurisdiction should consider what, if any, further investigation or follow-up is warranted. At the point-of-sale, a large number of processes may affect the quality or quantity of the product. Therefore, there may be many reasons for any inspection lot being out of compliance. A shortage in weight or measure may result from mishandling the product in the store, or the retailer's failure to rotate stock. Shortages may also be caused through mishandling by a distributor, or failure of some part of the packaging process. Shortages may also be caused by moisture loss (desiccation) if the product is packaged in permeable media. Therefore, being able to determine the cause of an error in order to correct defects is more difficult when retail testing is used.

(Amended 2010)

a) What products can be tested?

Any commodity sold by weight, measure, or count may be tested. The product to be tested may be chosen in several ways. The decision may be based on different factors, such as (1) marketplace surveys (e.g., jurisdiction-wide surveys of all soft drinks or breads), (2) surveys based on sales volume, or (3) audit testing (see Section 1.3. "Sampling Plans") to cover as large a product variety as possible at food, farm, drug, hardware stores, or specialty outlets, discount and department stores. Follow-up of possible problems detected in audit testing or in review of past performance tends to concentrate inspection resources on particular commodity types, brand names, retail or wholesale locations, or even particular neighborhoods. The expected benefits for the public must be balanced against the cost of testing. Expensive products should be tested because of their cost per unit. However, inexpensive items should also be tested because the overall cost to individual purchasers may be considerable over an extended period. Store packaged items, which are usually perishable and not subject to other official monitoring, should be routinely tested because they are offered for sale where they are packed. Products on sale and special products produced for local consumption should not be overlooked because these items sell quickly in large amounts.

Regardless of where the test occurs, remember that it is the inspector's presence in the marketplace through routine unannounced testing that ensures equity and fair competition in the manufacturing and distribution process. Finally, always follow-up on testing to ensure that the problems are corrected; otherwise, the initial testing may be ineffective.

1.2. Package Requirements

The net quantity of content statement must be “accurate,” but reasonable variations are permitted. Variations in package contents may be a result of deviations in filling. The limits for acceptable variations are based on current good manufacturing practices in the weighing, measuring, and packaging process. The first requirement is that accuracy is applied to the average net contents of the packages in the lot. The second requirement is applied to negative errors in individual packages. These requirements apply simultaneously to the inspection of all lots of packages except as specified in Section 1.2.(6) “Exceptions to the Average and Individual Package Requirements.”

1. Inspection Lot

An “inspection lot” (called a “lot” in this handbook) is defined as a collection of identically labeled (except for quantity or identity in the case of random packages) packages available for inspection at one time. The collection of packages will pass or fail as a whole based on the results of tests on a sample drawn from the lot. This handbook describes procedures to determine if the packages in an “inspection lot” contain the declared net quantity of contents and if the individual packages’ variations are within acceptable limits.

2. Average Requirement

In general, the average net quantity of contents of packages in a lot must at least equal the net quantity of contents declared on the label. Plus or minus variations from the declared net weight, measure, or count are permitted when they are caused by unavoidable variations in weighing, measuring, or counting the contents of individual packages that occur in current good manufacturing practice. Such variations must not be permitted to the extent that the average of the quantities in the packages of a particular commodity or a lot of the commodity that is kept, offered, exposed for sale, or sold, is below the stated quantity. (See Section 3.7. “Pressed and Blown Glass Tumblers and Stemware” and Section 4.3. “Packages Labeled with 50 Items or Fewer” for exceptions to this requirement.)

3. Individual Package Requirement

The variation of individual package contents from the labeled quantity must not be “unreasonably large.” In this handbook, packages that are underfilled by more than the Maximum Allowable Variation specified for the package are considered unreasonable errors. Unreasonable shortages are not generally permitted, even when overages in other packages in the same lot, shipment or delivery compensate for such shortage. This handbook does not specify limits of overfilling (with the exception of textiles), which is usually controlled by the packer for economic, compliance, and other reasons.
(Amended 2010)

4. Maximum Allowable Variation

The limit of the “reasonable minus variation” for an underfilled package is called a “Maximum Allowable Variation” (MAV). An MAV is a deviation from the labeled weight, measure, or count of an individual package beyond which the deficiency is considered an unreasonable minus error. Each sampling plan limits the number of negative package errors permitted to be greater than the MAV.

(Amended 2010)

5. Deviations Caused by Moisture Loss or Gain

Deviations from the net quantity of contents caused by the loss or gain of moisture from the package are permitted when they are caused by ordinary and customary exposure to conditions that normally occur in good distribution practice and that unavoidably result in change of weight or measure. According to regulations adopted by the U.S. Environmental Protection Agency, no moisture loss is recognized on pesticides. (See Code of Federal Regulations 40 CFR Part 156.10.)

a) Why and when do we allow for moisture loss or gain?

Some packaged products may lose or gain moisture and, therefore, lose or gain weight or volume after packaging. The amount of moisture loss depends upon the nature of the product, the packaging material, the length of time it is in distribution, environmental conditions, and other factors. Moisture loss may occur even when manufacturers follow good distribution practices. Loss of weight “due to exposure” may include solvent evaporation, not just loss of water. For loss or gain of moisture, the moisture allowances may be applied before or after the package errors are determined.

To apply an allowance before determining package errors, adjust the Nominal Gross Weight (see Section 2.3.6. “Determine Nominal Gross Weight and Package Errors for Tare Sample”), so the package errors are increased by an amount equal to the moisture allowance. This approach is used to account for moisture loss in both the average and individual package errors.

It is also permissible to apply the moisture allowances after individual package errors and average errors are determined.

Example: *A sample of a product that could be subject to moisture loss might fail because the average error is minus or the error in several of the sample packages are found to be unreasonable errors (i.e., the package error is greater than the Maximum Allowable Variation (MAV) permitted for the package’s labeled quantity).*

You may apply a moisture allowance after determining the package errors by adding the allowance to the Sample Error Limit (SEL) and then, comparing the average error to the SEL to determine compliance. The moisture allowance must be added to the MAV before evaluating sample errors to identify unreasonable minus errors.

(Amended 2010)

This handbook provides “moisture allowances” for some meat and poultry products, flour, and dry pet food. (See Chapter 2, Table 2-3. “Moisture Allowances”) These allowances are based on the premise that when the average net weight of a sample is found to be less than the labeled weight, but not by an amount that exceeds the allowable limit, either the lot is declared to be within the moisture allowance or more information must be collected before deciding lot compliance or noncompliance.

Test procedures for flour, some meat, and poultry are based on the concept of a “moisture allowance” also known as a “gray area” or “no decision” area (see Section 2.3.9. “Calculations”). When the average net weight of a sample is found to be less than the labeled weight, but not more than the boundary of the “gray area,” the lot is said to be in the “gray” or “no decision” area. The gray area is not a tolerance. More information must be collected before lot compliance or noncompliance can be decided. Appropriate enforcement should be taken on packages found short weight and outside of the “moisture allowance” or “gray area.” (Amended 2002)

1. Exceptions to the Average and Individual Package Requirements

There is an exemption from the average requirement for packages labeled by count with 50 items or fewer. The reason for this exemption is that the package count does not follow a “normal” distribution even if the package is designed to hold the maximum count indicated by the label declaration (e.g., egg cartons and packages of chewing gum). Another exception permits an “allowable difference” in the capacity of glass tumblers and stemware because mold capacity doesn’t follow a normal distribution.

1.3. Sampling Plans

This handbook contains two sampling plans used to inspect packages: “Category A” and “Category B.” Use the “Category B” Sampling Plans to test meat and poultry products at point-of-pack locations that are subject to U.S. Department of Agriculture Food Safety and Inspection Service (FSIS) requirements. When testing all other packages, use the “Category A” Sampling Plan.

a) Why is sampling used to test packages?

Inspections by weights and measures officials must provide the public with the greatest benefit at the lowest possible cost. Sampling reduces the time to inspect a lot of packages, so a greater number of items can be inspected. Net content inspection, using sampling plans for marketplace surveillance, protects consumers who cannot verify the net quantity of contents. This ensures fair trade practices and maintains a competitive marketplace. It also encourages manufacturers, distributors, and retailers to follow good manufacturing and distribution practices.

a. Why is the test acceptance criteria statistically corrected and what are the confidence levels of the sampling plans?

Testing a “sample” of packages from a lot instead of every package is efficient, but the test results have a “sampling variability” that must be corrected before determining if the lot passes or fails. The “Category A” sampling plans give acceptable lots a 97.5 % probability of passing. An “acceptable” lot is defined as one in which the “average” net quantity of contents of the packages equals or exceeds the labeled quantity. The “Category B” sampling plans give acceptable lots at least a 50 % probability of passing. The sampling plans used in this handbook are statistically valid. That means the test acceptance criteria are statistically adjusted, so they are both valid and legally defensible. This handbook does not discuss the statistical basis, risk factors, or provide the operating characteristic curves for the sampling plans. For information on these subjects, see explanations on “acceptance sampling” in statistical reference books.

b. Why use random samples?

A randomly selected sample is necessary to ensure statistical validity and reliable data. This is accomplished by using random numbers to determine which packages are chosen for inspection. Improper collection of sample packages can lead to bias and unreliable results.

c. May audit tests and other shortcuts be used to identify potentially violative lots?

Shortcuts may be used to speed the process of detecting possible net content violations. These audit procedures may include:

- using smaller sample sizes;
- using tare lists provided by manufacturers to spot check; or
- selecting samples without collecting a random sample.

These and other shortcuts allow spot checking of more products than is possible with the more structured techniques, but do not take the place of “Category A” or “Category B” testing.

d. Can audit tests and other shortcuts be used to take enforcement action?

No. Do not take enforcement action using audit test results.

If, after an audit test, there is suspicion that the package lot is not in compliance, use the appropriate “Category A” or “Category B” sampling plan to determine if the lot complies with the package requirements.

1.4. Other Regulatory Agencies Responsible for Package Regulations and Applicable Requirements

In the United States, several federal agencies issue regulations regarding package labeling and net contents. The U.S. Department of Agriculture (USDA) regulates meat and poultry. The Food and Drug Administration (FDA) regulates food, drugs, cosmetic products, and medical devices under the Food, Drug, and Cosmetic Act (FDCA) and the Fair Packaging and Labeling Act (FPLA). The Federal Trade Commission (FTC) regulates most non-food consumer packaged products as part of the agency's responsibility under the FPLA. The Environmental Protection Agency (EPA) regulates pesticides. The Bureau of Alcohol and Tobacco Tax and Trade Bureau (TTB) in the U.S. Department of the Treasury promulgates regulations for packaged tobacco and alcoholic beverages as part of its responsibility under the Federal Alcohol Administration Act.

Packaged goods produced for distribution and sale also come under the jurisdiction of state and local weights and measures agencies that adopt their own legal requirements for packaged goods. Federal statutes set requirements that pre-empt state and local regulations that are or may be less stringent or not identical to federal regulation depending on the federal law that authorizes the federal regulation. The application of Handbook 133 procedures occurs in the context of the concurrent jurisdiction among federal, state, and local authorities. Therefore, all agencies using this handbook should keep abreast of the revisions to federal agency regulations that may contain sampling or testing information not in the regulations at the time of publication of this handbook. (See Appendix A, Table 1-1. "Agencies Responsible for Package Regulations and Applicable Requirements" for information on the responsible agencies for package regulations. The requirements of this handbook must be used when testing products concurrently subject to pre-emptive federal regulations.)

1.5. Assistance in Testing Operations

If the storage, display, or location of any lot of packages requires special equipment or an abnormal amount of labor for inspection, the owner or the operator of the business must supply the equipment and/or labor as required by the weights and measures official.

Table 2-1. Sampling Plans for Category A					
1	2	3	4	5	6
Inspection Lot Size	Sample Size	Sample Correction Factor	Number of Minus Package Errors Allowed to Exceed the MAV ¹	Initial Tare Sample Size ²	
				Glass and Aerosol Packages	All Other Packages
1	1	Apply MAV	0 ¹	2	2
2	2	8.985			
3	3	2.484			
4	4	1.591			
5	5	1.242			
6	6	1.049			
7	7	0.925			
8	8	0.836			
9	9	0.769			
10	10	0.715			
11	11	0.672			
12 to 250	12	0.635		1 ¹	3
251 to 3 200	24	0.422			
More than 3 200	48	0.290			

¹For mulch and soils packaged by volume, see Table 2-10. Exceptions to the Maximum Allowable Variations – 1 package may exceed the MAV for every 12 packages in the sample.

²If sample size is 11 or fewer, the initial tare sample size and the total tare sample size is 2 samples.

Table 2-2. Sampling Plans for Category B for Use in USDA-Inspected Meat and Poultry Plants Only

1	2	3	4
Inspection Lot Size	Sample Size	Initial Tare Sample Size	Number of Packages Allowed to Exceed the MAVs in Table 2-9
250 or Fewer	10	2	0
251 or More	30	5	

Table 2-3. Category A

Sample Size	Total Number of Packages in Tare Sample				
	12	24		48	
Initial Tare Sample Size	2	2	3	2	3
Ratio of R_c/R_t					
If range of tare equals "zero," use Initial Tare Sample Size. If the ratio is "zero" based on a "zero" range of net weight, open all of the packages in the sample.	2	2	3	2	3
If the ratio is greater than 0 but less than or equal to 0.2	12	24	24	48	48
0.21 to 0.60	12	24	24	48	48
0.61 to 0.70	12	24	24	47	47
0.71 to 0.80	12	23	23	47	47
0.81 to 1.00	12	23	23	46	46
1.01 to 1.10	11	23	23	46	46
1.11 to 1.20	11	23	23	45	45
1.21 to 1.30	11	22	22	45	45
1.31 to 1.50	11	22	22	44	44
1.51 to 1.60	11	22	22	43	43
1.61 to 1.70	11	21	21	42	42
1.71 to 1.80	10	21	21	42	42
1.81 to 1.90	10	21	21	41	41
1.91 to 2.00	10	20	20	41	41
2.01 to 2.10	10	20	20	40	40
2.11 to 2.20	10	20	20	39	39
2.21 to 2.30	10	19	19	39	39
2.31 to 2.40	9	19	19	38	38
2.41 to 2.50	9	19	19	37	37
2.51 to 2.60	9	18	18	37	37
2.61 to 2.70	9	18	18	36	36

Table 2-3. Category A

	Total Number of Packages in Tare Sample				
	Note: Total number of packages to be opened for tare determination. Numbers include those packages opened for initial tare sample.				
Sample Size	12	24		48	
Initial Tare Sample Size	2	2	3	2	3
Ratio of R_c/R_t					
2.71 to 2.80	9	18	18	35	35
2.81 to 2.90	9	17	17	34	34
2.91 to 3.00	8	17	17	34	34
3.01 to 3.10	8	17	17	33	33
3.11 to 3.30	8	16	16	32	32
3.31 to 3.40	8	16	16	31	31
3.41 to 3.50	8	15	15	30	30
3.51 to 3.60	7	15	15	30	30
3.61 to 3.70	7	15	15	29	29
3.71 to 3.90	7	14	14	28	28
3.91 to 4.00	7	14	14	27	27
4.01 to 4.10	7	13	13	27	27
4.11 to 4.20	7	13	13	26	26
4.21 to 4.30	6	13	13	25	25
4.31 to 4.40	6	12	12	25	25
4.41 to 4.60	6	12	12	24	24
4.61 to 4.70	6	12	12	23	23
4.71 to 4.80	6	11	11	23	23
4.81 to 4.90	6	11	11	22	22
4.91 to 5.00	5	11	11	22	22
5.01 to 5.10	5	11	11	21	21
5.01 to 5.10	5	11	11	21	21
5.11 to 5.20	5	10	10	21	21
5.21 to 5.40	5	10	10	20	20
5.41 to 5.60	5	10	10	19	19
5.61 to 5.70	5	9	9	19	19

Table 2-3. Category A

	Total Number of Packages in Tare Sample				
	Note: Total number of packages to be opened for tare determination. Numbers include those packages opened for initial tare sample.				
Sample Size	12	24		48	
Initial Tare Sample Size	2	2	3	2	3
Ratio of R_c/R_t					
5.71 to 5.80	5	9	9	18	18
5.81 to 5.90	4	9	9	18	18
5.91 to 6.10	4	9	9	17	17
6.11 to 6.20	4	8	8	17	17
6.21 to 6.50	4	8	8	16	16
6.51 to 6.70	4	8	8	15	15
6.71 to 6.80	4	7	7	15	15
6.81 to 7.00	4	7	7	14	14
7.01 to 7.20	3	7	7	14	14
7.21 to 7.40	3	7	7	13	13
7.41 to 7.60	3	6	6	13	13
7.61 to 8.00	3	6	6	12	12
8.01 to 8.20	3	6	6	11	11
8.21 to 8.50	3	5	5	11	11
8.51 to 8.80	3	5	5	10	10
8.81 to 9.00	2	5	5	10	10
9.01 to 9.30	2	5	5	9	9
9.31 to 9.70	2	4	4	9	9
9.71 to 10.40	2	4	4	8	8
10.41 to 10.90	2	4	4	7	7
10.91 to 11.30	2	3	3	7	7
11.31 to 12.50	2	3	3	6	6
12.51 to 13.20	2	3	3	5	5
13.21 to 13.90	2	2	3	5	5
13.91 to 16.00	2	2	3	4	4
16.01 to 19.10	2	2	3	3	3

Table 2-3. Category A

Table 2-3. Category A					
	Total Number of Packages in Tare Sample				
	Note: Total number of packages to be opened for tare determination. Numbers include those packages opened for initial tare sample.				
Sample Size	12	24		48	
Initial Tare Sample Size	2	2	3	2	3
Ratio of R_v/R_t					
19.11 to 19.20	2	2	3	2	3
Initial Tare Sample Size	2	2	3	2	3

Table 2-4. Category B		
	Total Number of Packages in Tare Sample	
	Note: Total number of packages to be opened for tare determination. Numbers include those packages opened for initial tare sample.	
Sample Size	10	30
Initial Tare Sample Size	2	5
Ratio of R_c/R_t		
If the ratio is zero, based on a “zero” range of tare, use Initial Tare Sample Size.		
If the ratio is “zero” based on a “zero” range of net weight, open all the packages in the sample.	2	5
If the ratio is greater than 0 but less than or equal to 0.2	10	30
0.21 to 0.40	10	29
0.41 to 0.60	10	28
0.61 to 0.80	9	26
0.81 to 1.00	8	24
1.01 to 1.20	8	23
1.21 to 1.40	7	21
1.41 to 1.60	7	19
1.61 to 1.80	6	17
1.81 to 2.00	5	15
2.01 to 2.20	5	14
2.21 to 2.40	5	13
2.41 to 2.60	4	12
2.61 to 2.80	4	11
2.81 to 3.00	4	10
3.01 to 3.20	3	9
3.21 to 3.60	3	8
3.61 to 3.80	3	7
3.81 to 4.40	2	6

Table 2-4. Category B		
	Total Number of Packages in Tare Sample	
	Note: Total number of packages to be opened for tare determination. Numbers include those packages opened for initial tare sample.	
Sample Size	10	30
Initial Tare Sample Size	2	5
Ratio of R_c/R_t		
If the ratio is greater than 4.40, use the Initial Tare Sample Size	2	5

Table 2-5. Maximum Allowable Variations (MAVs) for Packages Labeled by Weight

Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations – Use Table 2-9.
For Polyethylene Sheeting and Film, see Table 2-10. Exceptions to the MAVs.

Labeled Quantity	Maximum Allowable Variations
Less than 36 g, 0.08 lb, or 1.28 oz	10 % of labeled quantity
36 g or more to 54 g 0.08 lb or more to 0.12 lb 1.28 oz or more to 1.92 oz	3.6 g 0.008 lb $\frac{1}{8}$ oz
More than 54 g to 81 g More than 0.12 lb to 0.18 lb More than 1.92 oz to 2.88 oz	5.4 g 0.012 lb $\frac{3}{16}$ oz
More than 81 g to 117 g More than 0.18 lb to 0.26 lb More than 2.88 oz to 4.16 oz	7.2 g 0.016 lb $\frac{1}{4}$ oz
More than 117 g to 154 g More than 0.26 lb to 0.34 lb More than 4.16 oz to 5.44 oz	9.0 g 0.020 lb $\frac{5}{16}$ oz
More than 154 g to 208 g More than 0.34 lb to 0.46 lb More than 5.44 oz to 7.36 oz	10.8 g 0.024 lb $\frac{3}{8}$ oz
More than 208 g to 263 g More than 0.46 lb to 0.58 lb More than 7.36 oz to 9.28 oz	12.7 g 0.028 lb $\frac{7}{16}$ oz
More than 263 g to 317 g More than 0.58 lb to 0.70 lb More than 9.28 oz to 11.20 oz	14.5 g 0.032 lb $\frac{1}{2}$ oz
More than 317 g to 381 g More than 0.70 lb to 0.84 lb More than 11.20 oz to 13.44 oz	16.3 g 0.036 lb $\frac{9}{16}$ oz
More than 381 g to 426 g More than 0.84 lb to 0.94 lb More than 13.44 oz to 15.04 oz	18.1 g 0.040 lb $\frac{5}{8}$ oz
More than 426 g to 489 g More than 0.94 lb to 1.08 lb More than 15.04 oz to 17.28 oz	19.9 g 0.044 lb $\frac{11}{16}$ oz
More than 489 g to 571 g More than 1.08 lb to 1.26 lb	21.7 g 0.048 lb
More than 571 g to 635 g More than 1.26 lb to 1.40 lb	23.5 g 0.052 lb
More than 635 g to 698 g	25.4 g

Table 2-5. Maximum Allowable Variations (MAVs) for Packages Labeled by Weight

Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations – Use Table 2-9.
 For Polyethylene Sheeting and Film, see Table 2-10. Exceptions to the MAVs.

Labeled Quantity	Maximum Allowable Variations
More than 1.40 lb to 1.54 lb	0.056 lb
More than 698 g to 771 g More than 1.54 lb to 1.70 lb	27.2 g 0.060 lb
More than 771 g to 852 g More than 1.70 lb to 1.88 lb	29.0 g 0.064 lb
More than 852 g to 970 g More than 1.88 lb to 2.14 lb	31.7 g 0.070 lb
More than 970 g to 1.12 kg More than 2.14 lb to 2.48 lb	35.3 g 0.078 lb
More than 1.12 kg to 1.25 kg More than 2.48 lb to 2.76 lb	39.0 g 0.086 lb
More than 1.25 kg to 1.45 kg More than 2.76 lb to 3.20 lb	42.6 g 0.094 lb
More than 1.45 kg to 1.76 kg More than 3.20 lb to 3.90 lb	49 g 0.11 lb
More than 1.76 kg to 2.13 kg More than 3.90 lb to 4.70 lb	54 g 0.12 lb
More than 2.13 kg to 2.63 kg More than 4.70 lb to 5.80 lb	63 g 0.14 lb
More than 2.63 kg to 3.08 kg More than 5.80 lb to 6.80 lb	68 g 0.15 lb
More than 3.08 kg to 3.58 kg More than 6.80 lb to 7.90 lb	77 g 0.17 lb
More than 3.58 kg to 4.26 kg More than 7.90 lb to 9.40 lb	86 g 0.19 lb
More than 4.26 kg to 5.30 kg More than 9.40 lb to 11.70 lb	99 g 0.22 lb
More than 5.30 kg to 6.48 kg More than 11.70 lb to 14.30 lb	113 g 0.25 lb
More than 6.48 kg to 8.02 kg More than 14.30 lb to 17.70 lb	127 g 0.28 lb
More than 8.02 kg to 10.52 kg More than 17.70 lb to 23.20 lb	140 g 0.31 lb
More than 10.52 kg to 14.33 kg	167 g

Table 2-5. Maximum Allowable Variations (MAVs) for Packages Labeled by Weight	
Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations – Use Table 2-9. For Polyethylene Sheeting and Film, see Table 2-10. Exceptions to the MAVs.	
Labeled Quantity	Maximum Allowable Variations
More than 23.20 lb to 31.60 lb	0.37 lb
More than 14.33 kg to 19.23 kg More than 31.60 lb to 42.40 lb	199 g 0.44 lb
More than 19.23 kg to 24.67 kg More than 42.40 lb to 54.40 lb	226 g 0.50 lb
More than 24.67 kg More than 54.40 lb	2 % of labeled quantity

(Amended 2004)

Table 2-6. Maximum Allowable Variations for Packages Labeled by Liquid and Dry Volume	
Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations For Mulch, see Table 2-10. Exceptions to the Maximum Allowable Variations, Use Table 2-9 for USDA –Regulated Products.	
Labeled Quantity	Maximum Allowable Variations (MAVs)
3 mL or less 0.50 fl oz or less 0.18 in ³ or less	0.5 mL 0.02 fl oz 0.03 in ³
More than 3 mL to 8 mL More than 0.18 in ³ to 0.49 in ³	1.0 mL 0.06 in ³
More than 8 mL to 14 mL More than 0.49 in ³ to 0.92 in ³	1.5 mL 0.09 in ³
More than 14 mL to 22 mL More than 0.50 fl oz to 0.75 fl oz More than 0.92 in ³ to 1.35 in ³	1.7 mL 0.06 fl oz 0.10 in ³
More than 22 mL to 66 mL More than 0.75 fl oz to 2.25 fl oz More than 1.35 in ³ to 4.06 in ³	3.8 mL 0.13 fl oz 0.23 in ³
More than 66 mL to 125 mL More than 2.25 fl oz to 4.25 fl oz More than 4.06 in ³ to 7.66 in ³	5.6 mL 0.19 fl oz 0.34 in ³
More than 125 mL to 170 mL More than 4.25 fl oz to 5.75 fl oz More than 7.66 in ³ to 10.37 in ³	7.3 mL 0.25 fl oz 0.45 in ³

Table 2-6. Maximum Allowable Variations for Packages Labeled by Liquid and Dry Volume

Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations
 For Mulch, see Table 2-10. Exceptions to the Maximum Allowable Variations,
 Use Table 2-9 for USDA –Regulated Products.

Labeled Quantity	Maximum Allowable Variations (MAVs)
More than 170 mL to 221 mL More than 5.75 fl oz to 7.50 fl oz More than 10.37 in ³ to 13.53 in ³	9.1 mL 0.31 fl oz 0.55 in ³
More than 221 mL to 347 mL More than 7.50 fl oz to 11.75 fl oz More than 13.53 in ³ to 21.20 in ³	11.2 mL 0.38 fl oz 0.68 in ³
More than 347 mL to 502 mL More than 11.75 fl oz to 17.00 fl oz More than 21.20 in ³ to 30.67 in ³	14.7 mL 0.5 fl oz 0.90 in ³
More than 502 mL to 621 mL More than 17 fl oz to 21 fl oz More than 30.67 in ³ to 37.89 in ³	18.6 mL 0.63 fl oz 1.13 in ³
More than 621 mL to 798 mL More than 21 fl oz to 27 fl oz More than 37.89 in ³ to 48.72 in ³	22.1 mL 0.75 fl oz 1.35 in ³
More than 798 mL to 916 mL More than 27 fl oz to 31 fl oz More than 48.72 in ³ to 55.94 in ³	26.0 mL 0.88 fl oz 1.58 in ³
More than 916 mL to 1.15 L More than 31 fl oz to 39 fl oz More than 55.94 in ³ to 70.38 in ³	29 mL 1 fl oz 1.80 in ³
More than 1.15 L to 1.62 L More than 39 fl oz to 55 fl oz More than 70.38 in ³ to 99.25 in ³	36 mL 1.25 fl oz 2.25 in ³
More than 1.62 L to 2.04 L More than 55 fl oz to 69 fl oz More than 99.25 in ³ to 124.5 in ³	44 mL 1.5 fl oz 2.70 in ³
More than 2.04 L to 2.51 L More than 69 fl oz to 85 fl oz More than 124.5 in ³ to 153.3 in ³	51 mL 1.75 fl oz 3.1 in ³
More than 2.51 L to 3.04 L More than 85 fl oz to 103 fl oz More than 153.3 in ³ to 185.8 in ³	59 mL 2 fl oz 3.6 in ³

Table 2-6. Maximum Allowable Variations for Packages Labeled by Liquid and Dry Volume

Do Not Use this Table for Meat and Poultry Products Subject to USDA Regulations
 For Mulch, see Table 2-10. Exceptions to the Maximum Allowable Variations,
 Use Table 2-9 for USDA –Regulated Products.

Labeled Quantity	Maximum Allowable Variations (MAVs)
More than 3.04 L to 4.73 L More than 103 fl oz to 160 fl oz More than 185.8 in ³ to 288.7 in ³	73 mL 2.5 fl oz 4.5 in ³
More than 4.73 L to 5.48 L More than 160 fl oz to 185.6 fl oz More than 288.7 in ³ to 334.9 in ³	88 mL 3 fl oz 5.4 in ³
More than 5.48 L to 7.09 L More than 185.6 fl oz to 240 fl oz More than 334.9 in ³ to 443.1 in ³	103 mL 3.5 fl oz 6.3 in ³
More than 7.09 L to 8.04 L More than 240 fl oz to 272 fl oz More than 443.1 in ³ to 490.8 in ³	118 mL 4 fl oz 7.2 in ³
More than 8.04 L to 10.17 L More than 272 fl oz to 344 fl oz More than 490.8 in ³ to 620.8 in ³	133 mL 4.5 fl oz 8.1 in ³
More than 10.17 L to 11.59 L More than 344 fl oz to 392 fl oz More than 620.8 in ³ to 707.4 in ³	147 mL 5 fl oz 9.0 in ³
More than 11.59 L to 16.56 L More than 392 fl oz to 560 fl oz More than 707.4 in ³ to 1 010 in ³	177 mL 6 fl oz 10.8 in ³
More than 16.56 L to 18.92 L More than 560 fl oz to 640 fl oz (5 gal) More than 1 010 in ³ into 1 155 in ³	207 mL 7 fl oz 12.6 in ³
More than 18.92 L to 23.65 L More than 640 fl oz to 800 fl oz More than 1 155 in ³ to 1 443 in ³	236 mL 8 fl oz 14.4 in ³
More than 23.65 L to 26.73 L More than 800 fl oz to 904 fl oz More than 1 443 in ³ to 1 631 in ³	266 mL 9 fl oz 16.2 in ³
More than 26.73 L More than 904 fl oz More than 1 631 in ³	1 % of labeled quantity

(Amended 2004)

Table 2-7. Maximum Allowable Variations (MAVs) for Packages Labeled by Count	
Labeled Quantity	Maximum Allowable Variations (MAVs)
17 or less	0
18 to 50	1
51 to 83	2
84 to 116	3
117 to 150	4
151 to 200	5
201 to 240	6
241 to 290	7
291 to 345	8
346 to 400	9
401 to 465	10
466 to 540	11
541 to 625	12
626 to 725	13
726 to 815	14
816 to 900	15
901 to 990	16
991 to 1075	17
1076 to 1165	18
1166 to 1250	19
1251 to 1333	20
1334 or more	1.5 % of labeled count rounded off to the nearest whole number

Table 2-8. Maximum Allowable Variations for Packages Labeled by Length, (Width), or Area For Textiles, Polyethylene Sheeting and Film – Use Table 2-10.	
Labeled Quantity	Maximum Allowable Variations (MAVs) of Labeled Quantity
1 m or less 1 yd or less	3 %
More than 1 m to 43 m More than 1 yd to 48 yd	1.5 %
More than 43 m to 87 m More than 48 yd to 96 yd	2 %
More than 87 m to 140 m More than 96 yd to 154 yd	2.5 %
More than 140 m to 301 m More than 154 yd to 330 yd	3 %
More than 301 m to 1 005 m More than 330 yd to 1 100 yd	4 %
More than 1 005 m or 1 100 yd	5 %
Maximum Allowable Variations for Packages Labeled by Area	
The MAV for packages labeled by area is 3 % of labeled quantity.	
For Textiles, Polyethylene Sheeting and Film, see Table 2-10. Exceptions to the MAVs.	

(Amended 2004)

Table 2-9. U.S. Department of Agriculture, Meat and Poultry Groups and Lower Limits for Individual Packages (Maximum Allowable Variations)		
Definition of Group and Labeled Quantity		Lower Limit for Individual Weights (MAVs)
Homogenous Fluid When Filled (e.g., baby food or containers of lard)	All Other Products	
Less than 85 g or 3 oz		10 % of labeled quantity
85 g or more to 453 g 3 oz or more to 16 oz		7.1 g 0.016 lb (0.25 oz)
More than 453 g More than 16 oz	85 g or more to 198 g 3 oz to 7 oz	14.2 g 0.031 lb (0.5 oz)
	More than 198 g to 1.36 kg 7 oz to 48 oz	28.3 g 0.062 lb (1 oz)
	More than 1.36 kg to 4.53 kg More than 48 oz to 160 oz	42.5 g 0.094 lb (1.5 oz)
	More than 4.53 kg More than 160 oz	1 % of labeled quantity

Table 2-10. Exceptions to the Maximum Allowable Variations for Textiles, Polyethylene Sheeting and Film, Mulch and Soil Labeled by Volume, Packaged Firewood, and Packages Labeled by Count with 50 Items or Fewer, and Specific Agricultural Seeds Labeled by Count.

	Maximum Allowable Variations (MAVs)
Polyethylene Sheeting and Film	<p>Thickness</p> <p>When the labeled thickness is 25 μm (1 mil or 0.001 in) or less, any individual thickness measurement of polyethylene film may be up to 35 % below the labeled thickness.</p> <p>When the labeled thickness is greater than 25 μm (1 mil or 0.001 in), individual thickness measurements of polyethylene sheeting may be up to 20 % less than the labeled thickness.</p> <p>The average thickness of a single package of polyethylene sheeting may be up to 4 % less than the labeled thickness.</p> <p>Weight</p> <p>The MAV for individual packages of polyethylene sheeting and film shall be 4 % of the labeled quantity.</p>
Textiles	<p>The MAVs are:</p> <p>For packages labeled with dimensions of 60 cm (24 in) or more:</p> <p>Three percent of the labeled quantity for negative errors and 6 % of the labeled quantity for plus errors.</p> <p>For packages labeled with dimensions less than 60 cm (24 in):</p> <p>6 % of the labeled quantity for negative errors and 12 % for plus errors.</p>
Mulch And Soil Labeled By Volume	<p>The MAVs are:</p> <p>For individual packages: 5 % of the labeled volume.</p> <p>For example: One package may exceed the MAV for every 12 packages in the sample (e.g., when the sample size is 12 or fewer, 1 package may exceed the MAV and when the sample size is 48 packages, 4 packages may exceed the MAV).</p>

Table 2-10. Exceptions to the Maximum Allowable Variations for Textiles, Polyethylene Sheeting and Film, Mulch and Soil Labeled by Volume, Packaged Firewood, and Packages Labeled by Count with 50 Items or Fewer, and Specific Agricultural Seeds Labeled by Count.	
	Maximum Allowable Variations (MAVs)
Packaged Firewood and Packages Labeled by Count with 50 Items or Fewer	MAVs are not applied to these packages.
Specific Agricultural Seeds Labeled By Count	The MAVS are: For corn seed: 2 % of the labeled count For soybean seed: 4 % of the labeled count For field bean seed: 5 % of the labeled count For wheat seed: 3 % of the labeled count

(Amended 2010)

Table 2-11. Accuracy Requirements for Packages Labeled by Low Count (50 or Fewer) and Packages Given Tolerances (Glass and Stemware)			
	1	2	3
Inspection Lot Size	Sample Size	For Packages Labeled by Low Count (50 or Fewer)	For Packages Given Tolerances (Glasses and Stemware)
		Number of Packages Allowed to Contain Less than the Labeled Count	Number of Package Errors that May Exceed the Allowable Difference
1 - 11	1-11	1	0
12 - 250	12	1	0
251 – 3200	24	2	1
More than 3200	48	3	2

(Amended 2004)

Appendix B. Random Number Tables

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All of the sampling plans presented in this handbook are based on the assumption that the packages constituting the sample are chosen at random from the inspection lot. Randomness in this instance means that every package in the lot has an equal chance of being selected as part of the sample. It does not matter what other packages have already been chosen, what the package net contents are, or where the package is located in the lot.

To obtain a random sample, two steps are necessary. First it is necessary to identify each package in the lot of packages with a specific number whether on the shelf, in the warehouse, or coming off the packaging line. Then it is necessary to obtain a series of random numbers. These random numbers indicate exactly which packages in the lot shall be taken for the sample.

The Random Number Table

The random number tables in Appendix B are composed of the digits from 0 through 9, with approximately equal frequency of occurrence. This appendix consists of 8 pages. On each page digits are printed in blocks of columns and blocks of rows. The printing of the table in blocks is intended only to make it easier to locate specific columns and rows.

Random Starting Place

Starting Page. The Random Digit pages are numbered B-2 through B-8. You can use the day of the week to determine the starting page or use the first page for the first lot you test in a location, the second page for the second lot, and so on, moving to the following page for each new lot.

Starting Column and Row. You may choose a starting page in the random number table and with eyes closed, drop a pencil anywhere on the page to indicate a starting place in the table.

For example, assume that testing takes place on the 3rd day of the week. Start with Table 3 of Appendix B. Assume you dropped your pencil on the page and it has indicated a starting place at column 22, row 45. That number is 1.

If one-digit random numbers are needed, record them, going down the column to the bottom of the page and then to the top of the next column, and so on. Ignore duplicates and record zero (0) as ten (10). Following on from the last example, these numbers are 3, 2, 9, 8, etc. If two-digit random numbers are needed, rule off the pages, and further pages if necessary, in columns of two digits each. If there is a single column left on the page, ignore this column, and rule the next page in columns of two. Again, ignore duplicate numbers and record 00 as 100. For example, using the same starting place as in the last example (Table 3, column 22, row 45), the recorded two-digit numbers would be 11, 34, 26, 95, etc. When three-digit numbers are needed, rule the

page in columns of three. Record 000 as 1000. Starting on Table 3, column 22, row 45, the recorded numbers would be 119, 346, 269, 959, etc.

TABLE 1 – RANDOM NUMBER TABLES

11164	36318	75061	37674	26320	75100	10431	20418	19228	91792
21215	91791	76831	58678	87054	31687	93205	43685	19732	08468
10438	44482	66558	37649	08882	90870	12462	41810	01806	02977
36792	26236	33266	66583	60881	97395	20461	36742	02852	50564
73944	04773	12032	51414	82384	38370	00249	80709	72605	67497
49563	12872	14063	93104	78483	72717	68714	18048	25005	04151
64208	48237	41701	73117	33242	42314	83049	21933	92813	04763
51486	72875	38605	29341	80749	80151	33835	52602	79147	08868
99756	26360	64516	17971	48478	09610	04638	17141	09227	10606
71325	55217	13015	72907	00431	45117	33827	92873	02953	85474
65285	97198	12138	53010	94601	15838	16805	61004	43516	17020
17264	57327	38224	29301	31381	38109	34976	65692	98566	29550
95639	99754	31199	92558	68368	04985	51092	37780	40261	14479
61555	76404	86210	11808	12841	45147	97438	60022	12645	62000
78137	98768	04689	87130	79225	08153	84967	64539	79493	74917
62490	99215	84987	28759	19177	14733	24550	28067	68894	38490
24216	63444	21283	07044	92729	37284	13211	37485	10415	36457
16975	95428	33226	55903	31605	43817	22250	03918	46999	98501
59138	39542	71168	57609	91510	77904	74244	50940	31553	62562
29478	59652	50414	31966	87912	87154	12944	49862	96566	48825
96155	95009	27429	72918	08457	78134	48407	26061	58754	05326
29621	66583	62966	12468	20245	14015	04014	35713	03980	03024
12639	75291	71020	17265	41598	64074	64629	63293	53307	48766
14544	37134	54714	02401	63228	26831	19386	15457	17999	18306
83403	88827	09834	11333	68431	31706	26652	04711	34593	22561
67642	05204	30697	44806	96989	68403	85621	45556	35434	09532
64041	99011	14610	40273	09482	62864	01573	82274	81446	32477
17048	94523	97444	59904	16936	39384	97551	09620	63932	03091
93039	89416	52795	10631	09728	68202	20963	02477	55494	39563
82244	34392	96607	17220	51984	10753	76272	50985	97593	34320
96990	55244	70693	25255	40029	23289	48819	07159	60172	81697
09119	74803	97303	88701	51380	73143	98251	78635	27556	20712
57666	41204	47589	78364	38266	94393	70713	53388	79865	92069
46492	61594	26729	58272	81754	14648	77210	12923	53712	87771
08433	19172	08320	20839	13715	10597	17234	39355	74816	03363
10011	75004	86054	41190	10061	19660	03500	68412	57812	57929
92420	65431	16530	05547	10683	88102	30176	84750	10115	69220
35542	55865	07304	47010	43233	57022	52161	82976	47981	46588
86595	26247	18552	29491	33712	32285	64844	69395	41387	87195
72115	34985	58036	99137	47482	06204	24138	24272	16196	04393
07428	58863	96023	88936	51343	70958	96768	74317	27176	29600
35379	27922	28906	55013	26937	48174	04197	36074	65315	12537
10982	22807	10920	26299	23593	64629	57801	10437	43965	15344
90127	33341	77806	12446	15444	49244	47277	11346	15884	28131
63002	12990	23510	68774	48983	20481	59815	67248	17076	78910
40779	86382	48454	65269	91239	45989	45389	54847	77919	41105
43216	12608	18167	84631	94058	82458	15139	76856	86019	47928
96167	64375	74108	93643	09204	98855	59051	56492	11933	64958
70975	62693	35684	72607	23026	37004	32989	24843	01128	74658
85812	61875	23570	75754	29090	40264	80399	47254	40135	69916

TABLE 2 – RANDOM DIGITS

40603	16152	83235	37361	98783	24838	39793	80954	76865	32713
40941	53585	69958	60916	71018	90561	84505	53980	64735	85140
73505	83472	55953	17957	11446	22618	34771	25777	27064	13526
39412	16013	11442	89320	11307	49396	39805	12249	57656	88686
57994	76748	54627	48511	78646	33287	35524	54522	08795	56273
61834	59199	15469	82285	84164	91333	90954	87186	31598	25942
91402	77227	79516	21007	58602	81418	87838	18443	76162	51146
58299	83880	20125	10794	37780	61705	18276	99041	78135	99661
40684	99948	33880	76413	63839	71371	32392	51812	48248	96419
75978	64298	08074	62055	73864	01926	78374	15741	74452	49954
34556	39861	88267	76068	62445	64361	78685	24246	27027	48239
65990	57048	25067	77571	77974	37634	81564	98608	37224	49848
16381	15069	25416	87875	90374	86203	29677	82543	37554	89179
52458	88880	78352	67913	09245	47773	51272	06976	99571	33365
33007	85607	92008	44897	24964	50559	79549	85658	96865	24186
38712	31512	08588	61490	72294	42862	87334	05866	66269	43158
58722	03678	19186	69602	34625	75958	56869	17907	81867	11535
26188	69497	51351	47799	20477	71786	52560	66827	79419	70886
12893	54048	07255	86149	99090	70958	50775	31768	52903	27645
33186	81346	85095	37282	85536	72661	32180	40229	19209	74939
79893	29448	88392	54211	61708	83452	61227	81690	42265	20310
48449	15102	44126	19438	23382	14985	37538	30120	82443	11152
94205	04259	68983	50561	06902	10269	22216	70210	60736	58772
38648	09278	81313	77400	41126	52614	93613	27263	99381	49500
04292	46028	75666	26954	34979	68381	45154	09314	81009	05114
17026	49737	85875	12139	59391	81830	30185	83095	78752	40899
48070	76848	02531	97737	10151	18169	31709	74842	85522	74092
30159	95450	83778	46115	99178	97718	98440	15076	21199	20492
12148	92231	31361	60650	54695	30035	22765	91386	70399	79270
73838	77067	24863	97576	01139	54219	02959	45696	98103	78867
73547	43759	95632	39555	74391	07579	69491	02647	17050	49869
07277	93217	79421	21769	83572	48019	17327	99638	87035	89300
65128	48334	07493	28098	52087	55519	83718	60904	48721	17522
38716	61380	60212	05099	21210	22052	01780	36813	19528	07727
31921	76458	73720	08657	74922	61335	41690	41967	50691	30508
57238	27464	61487	52329	26150	79991	64398	91273	26824	94827
24219	41090	08531	61578	08236	41140	76335	91189	66312	44000
31309	49387	02330	02476	96074	33256	48554	95401	02642	29119
20750	97024	72619	66628	66509	31206	55293	24249	02266	39010
28537	84395	26654	37851	80590	53446	34385	86893	87713	26842
97929	41220	86431	94485	28778	44997	38802	56594	61363	04206
40568	33222	40486	91122	43294	94541	40988	02929	83190	74247
41483	92935	17061	78252	40498	43164	68646	33023	64333	64083
93040	66476	24990	41099	65135	37641	97613	87282	63693	55299
76869	39300	84978	07504	36835	72748	47644	48542	25076	68626
02982	57991	50765	91930	21375	35604	29963	13738	03155	59914
94479	76500	39170	06629	10031	48724	49822	44021	44335	26474
52291	75822	95966	90947	65031	75913	52654	63377	70664	60082
03684	03600	52831	55381	97013	19993	41295	29118	18710	64851
58939	28366	86765	67465	45421	74228	01095	50987	83833	37216

TABLE 3 – RANDOM DIGITS

37100	62492	63642	47638	13925	80113	88067	42575	44078	62703
53406	13855	38519	29500	62479	01036	87964	44498	07793	21599
55172	81556	18856	59043	64315	38270	25677	01965	21310	28115
40353	84807	47767	46890	16053	32415	60259	99788	55924	22077
18899	09612	77541	57675	70153	41179	97535	82889	27214	03482
68141	25340	92551	11326	60939	79355	41544	88926	09111	86431
51559	91159	81310	63251	91799	41215	87412	35317	74271	11603
92214	33386	73459	79359	65867	39269	57527	69551	17495	91456
15089	50557	33166	87094	52425	21211	41876	42525	36625	63964
96461	00604	11120	22254	16763	19206	67790	88362	01880	37911
28177	44111	15705	73835	69399	33602	13660	84342	97667	80847
66953	44737	81127	07493	07861	12666	85077	95972	96556	80108
19712	27263	84575	49820	19837	69985	34931	67935	71903	82560
68756	64757	19987	92222	11691	42502	00952	47981	97579	93408
75022	65332	98606	29451	57349	39219	08585	31502	96936	96356
11323	70069	90269	89266	46413	61615	66447	49751	15836	97343
55208	63470	18158	25283	19335	53893	87746	72531	16826	52605
11474	08786	05594	67045	13231	51186	71500	50498	59487	48677
81422	86842	60997	79669	43804	78690	58358	87639	24427	66799
21771	75963	23151	90274	08275	50677	99384	94022	84888	80139
42278	12160	32576	14278	34231	20724	27908	02657	19023	07190
17697	60114	63247	32096	32503	04923	17570	73243	76181	99343
05686	30243	34124	02936	71749	03031	72259	26351	77511	00850
52992	46650	89910	57395	39502	49738	87854	71066	84596	33115
94518	93984	81478	67750	89354	01080	25988	84359	31088	13655
00184	72186	78906	75480	71140	15199	69002	08374	22126	23555
87462	63165	79816	61630	50140	95319	79205	79202	67414	60805
88692	58716	12273	48176	86038	78474	76730	82931	51595	20747
20094	42962	41382	16768	13261	13510	04822	96354	72001	68642
60935	81504	50520	82153	27892	18029	79663	44146	72876	67843
51392	85936	43898	50596	81121	98122	69196	54271	12059	62539
54239	41918	79526	46274	24853	67165	12010	04923	20273	89405
57892	73394	07160	90262	48731	46648	70977	58262	78359	50436
02330	74736	53274	44468	53616	35794	54838	39114	68302	26855
76115	29247	55342	51299	79908	36613	68361	18864	13419	34950
63312	81886	29085	20101	38037	34742	78364	39356	40006	49800
27632	21570	34274	56426	00330	07117	86673	46455	66866	76374
06335	62111	44014	52567	79480	45886	92585	87828	17376	35254
64142	87676	21358	88773	10604	62834	63971	03989	21421	76086
28436	25468	75235	75370	63543	76266	27745	31714	04219	00699
09522	83855	85973	15888	29554	17995	37443	11461	42909	32634
93714	15414	93712	02742	34395	21929	38928	31205	01838	60000
15681	53599	58185	73840	88758	10618	98725	23146	13521	47905
77712	23914	08907	43768	10304	61405	53986	61116	76164	54958
78453	54844	61509	01245	91199	07482	02534	08189	62978	55516
24860	68284	19367	29073	93464	06714	45268	60678	58506	23700
37284	06844	78887	57276	42695	03682	83240	09744	63025	60997
35488	52473	37634	32569	39590	27379	23520	29714	03743	08444
51595	59909	35223	44991	29830	56614	59661	83397	38421	17503
90660	35171	30021	91120	78793	16827	89320	08260	09181	53616

TABLE 4 – RANDOM DIGITS

54723	56527	53076	38235	42780	22716	36400	48028	78196	92985
84828	81248	25548	34075	43459	44628	21866	90350	82264	20478
65799	01914	81363	05173	23674	41774	25154	73003	87031	94368
87917	38549	48213	71708	92035	92527	55484	32274	87918	22455
26907	88173	71189	28377	13785	87469	35647	19695	33401	51998
68052	65422	88460	06352	42379	55499	60469	76931	83430	24560
42587	68149	88147	99700	56124	53239	38726	63652	36644	50876
97176	55416	67642	05051	89931	19482	80720	48977	70004	03664
53295	87133	38264	94708	00703	35991	76404	82249	22942	49659
23011	94108	29196	65187	69974	01970	31667	54307	40032	30031
75768	49549	24543	63285	32803	18301	80851	89301	02398	99891
86668	70341	66460	75648	78678	27770	30245	44775	56120	44235
56727	72036	50347	33521	05068	47248	67832	30960	95465	32217
27936	78010	09617	04408	18954	61862	64547	52453	83213	47833
31994	69072	37354	93025	38934	90219	91148	62757	51703	84040
02985	95303	15182	50166	11755	56256	89546	31170	87221	63267
89965	10206	95830	95406	33845	87588	70237	84360	19629	72568
45587	29611	98579	42481	05359	36578	56047	68114	58583	16313
01071	08530	74305	77509	16270	20889	99753	88035	55643	18291
90209	68521	14293	39194	68803	32052	39413	26883	83119	69623
04982	68470	27875	15480	13206	44784	83601	03172	07817	01520
19740	24637	97377	32112	74283	69384	49768	64141	02024	85380
50197	79869	86497	68709	42073	28498	82750	43571	77075	07123
46954	67536	28968	81936	95999	04319	09932	66223	45491	69503
82549	62676	31123	49899	70512	95288	15517	85352	21987	08669
61798	81600	80018	84742	06103	60786	01408	75967	29948	21454
57666	29055	46518	01487	30136	14349	56159	47408	78311	25896
29805	64994	66872	62230	41385	58066	96600	99301	85976	84194
06711	34939	19599	76247	87879	97114	74314	39599	43544	36255
13934	46885	58315	88366	06138	37923	11192	90757	10831	01580
28549	98327	99943	25377	17628	65468	07875	16728	22602	33892
40871	61803	25767	55484	90997	86941	64027	01020	39518	34693
47704	38355	71708	80117	11361	88875	22315	38048	42891	87885
62611	19698	09304	29265	07636	08508	23773	56545	08015	28891
03047	83981	11916	09267	67316	87952	27045	62536	32180	60936
26460	50501	31731	18938	11025	18515	31747	96828	58258	97107
01764	25959	69293	89875	72710	49659	66632	25314	95260	22146
11762	54806	02651	52912	32770	64507	59090	01275	47624	16124
31736	31695	11523	64213	91190	10145	34231	36405	65860	48771
97155	48706	52239	21831	49043	18650	72246	43729	63368	53822
31181	49672	17237	04024	65324	32460	01566	67342	94986	36106
32115	82683	67182	89030	41370	50266	19505	57724	93358	49445
07068	75947	71743	69285	30395	81818	36125	52055	20289	16911
26622	74184	75166	96748	34729	61289	36908	73686	84641	45130
02805	52676	22519	47848	68210	23954	63085	87729	14176	45410
32301	58701	04193	30142	99779	21697	05059	26684	63516	75925
26339	56909	39331	42101	01031	01947	02257	47236	19913	90371
95274	09508	81012	42413	11278	19354	68661	04192	36878	84366
24275	39632	09777	98800	48027	96908	08177	15364	02317	89548
36116	42128	65401	94199	51058	10759	47244	99830	64255	40516

TABLE 5 – RANDOM DIGITS

47505	02008	20300	87188	42505	40294	04404	59286	95914	07191
13350	08414	64049	94377	91059	74531	56228	12307	87871	97064
33006	92690	69248	97443	38841	05051	33756	24736	43508	53566
55216	63886	06804	11861	30968	74515	40112	40432	18682	02845
21991	26228	14801	19192	45110	39937	81966	23258	99348	61219
71025	28212	10474	27522	16356	78456	46814	28975	01014	91458
65522	15242	84554	74560	26206	49520	65702	54193	25583	54745
27975	54923	90650	06170	99006	75651	77622	20491	53329	12452
07300	09704	36099	61577	34632	55176	87366	19968	33986	46445
54357	13689	19569	03814	47873	34086	28474	05131	46619	41499
00977	04481	42044	08649	83107	02423	46919	59586	58337	32280
13920	78761	12311	92808	71581	85251	11417	85252	61312	10266
08395	37043	37880	34172	80411	05181	58091	41269	22626	64799
46166	67206	01619	43769	91727	06149	17924	42628	57647	76936
87767	77607	03742	01613	83528	66251	75822	83058	97584	45401
29880	95288	21644	46587	11576	30568	56687	83239	76388	17857
36248	36666	14894	59273	04518	11307	67655	08566	51759	41795
12386	29656	30474	25964	10006	86382	46680	93060	52337	56034
52068	73801	52188	19491	76221	45685	95189	78577	36250	36082
41727	52171	56719	06054	34898	93990	89263	79180	39917	16122
49319	74580	57470	14600	22224	49028	93024	21414	90150	15686
88786	76963	12127	25014	91593	98208	27991	12539	14357	69512
84866	95202	43983	72655	89684	79005	85932	41627	87381	38832
11849	26482	20461	99450	21636	13337	55407	01897	75422	05205
54966	17594	57393	73267	87106	26849	68667	45791	87226	74412
10959	33349	80719	96751	25752	17133	32786	34368	77600	41809
22784	07783	35903	00091	73954	48706	83423	96286	90373	23372
86037	61791	33815	63968	70437	33124	50025	44367	98637	40870
80037	65089	85919	74391	36170	82988	52311	59180	37846	98028
72751	84359	15769	13615	70866	37007	74565	92781	37770	76451
18532	03874	66220	79050	66814	76341	42452	65365	07167	90134
22936	22058	49171	11027	07066	14606	11759	19942	21909	15031
66397	76510	81150	00704	94990	68204	07242	82922	65745	51503
89730	23272	65420	35091	16227	87024	56662	59110	11158	67508
81821	75323	96068	91724	94679	88062	13729	94152	59343	07352
94377	82554	53586	11432	08788	74053	98312	61732	91248	23673
68485	49991	53165	19865	30288	00467	98105	91483	89389	61991
07330	07184	86788	64577	47692	45031	36325	47029	27914	24905
10993	14930	35072	36429	26176	66205	07758	07982	33721	81319
20801	15178	64453	83357	21589	23153	60375	63305	37995	66275
79241	35347	66851	79247	57462	23893	16542	55775	06813	63512
43593	39555	97345	58494	52892	55080	19056	96192	61508	23165
29522	62713	33701	17186	15721	95018	76571	58615	35836	66260
88836	47290	67274	78362	84457	39181	17295	39626	82373	10883
65905	66253	91482	30689	81313	01343	37188	37756	04182	19376
44798	69371	07865	91756	42318	63601	53872	93610	44142	89830
35510	99139	32031	27925	03560	33806	85092	70436	94777	57963
50125	93223	64209	49714	73379	89975	38567	44316	60262	10777
25173	90038	63871	40418	23818	63250	05118	52700	92327	55449
68459	90094	44995	93718	83654	79311	18107	12557	09179	28416

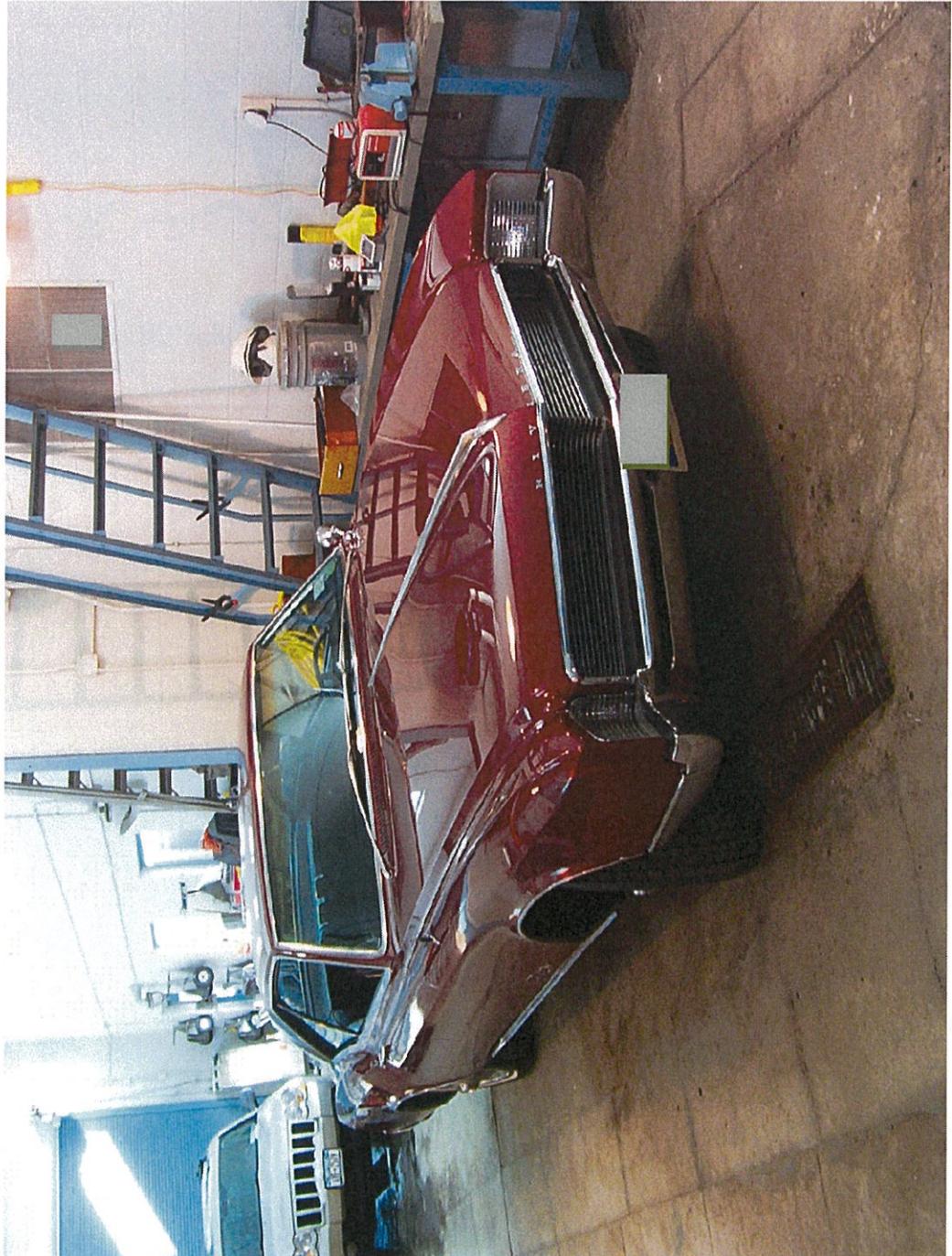
TABLE 6 – RANDOM DIGITS

96195	07059	13266	31389	87612	88004	31843	83469	22793	14312
22408	94958	19095	58035	43831	32354	83946	57964	70404	32017
53896	23508	16227	56929	74329	12264	26047	66844	47383	42202
22565	02475	00258	79018	70090	37914	27755	00872	71553	56684
49438	20772	60846	69732	07612	70474	46483	21053	95475	53448
65620	34684	00210	04863	01373	19978	61682	69315	46766	83768
20246	26941	41298	04763	19769	25865	95937	03545	93561	73871
09433	09167	35166	32731	73299	41137	37328	28301	61629	05040
95552	73456	16578	88140	80059	50296	07656	01396	83099	09718
76053	05150	69125	69442	16509	03495	26427	58780	27576	31342
34822	35843	78468	82380	52313	71070	71273	10768	86101	51474
07753	04073	58520	80022	28185	16432	86909	82347	10548	83929
04204	94434	62798	81902	29977	57258	87826	35003	46449	76636
96770	19440	29700	42093	64369	69176	29732	37389	34054	28680
65989	62843	10917	34458	81936	84775	39415	10622	36102	16753
06644	94784	66995	61812	54215	01336	75887	57685	66114	76984
88950	46077	34651	12038	87914	20785	39705	73898	12318	78334
21482	95422	02002	33671	46764	50527	46276	77570	68457	62199
55137	61039	02006	69913	11291	87215	89991	26003	55271	08153
98441	81529	59607	65225	49051	28328	85535	37003	87211	10204
57168	30458	23892	07825	53447	53511	09315	42552	43135	57892
71886	65334	38013	09379	83976	42441	14086	33197	82671	05037
40418	59504	52383	07232	14179	59693	37668	26689	93865	78925
28833	76661	47277	92935	63193	94862	60560	72484	29755	40894
37883	62124	62199	49542	55083	20575	44636	92282	52105	77664
44882	33592	66234	13821	86342	00135	87938	57995	34157	99858
19082	13873	07184	21566	95320	28968	31911	06288	77271	76171
45316	29283	89318	55806	89338	79231	91545	55477	19552	03471
22788	55433	31188	74882	44858	69655	08096	70982	61300	23792
08293	86193	05026	21255	63082	92946	28748	25423	45282	57821
29223	70541	67115	84584	10100	33854	26466	77796	70698	99393
22681	80110	31595	09246	39147	11158	43298	36220	88841	11271
74580	90354	43744	22178	38084	60027	24201	71686	59767	33274
69093	71364	08107	96952	50005	30297	97417	89575	04676	35616
40456	91234	58090	65342	95002	28447	21700	43137	13746	85959
72927	67349	83962	58912	59734	76323	02913	46306	53956	38936
61869	33093	81129	06481	89281	83629	81960	63704	56329	10357
40048	16520	07638	10797	22270	57350	72214	36410	95526	87614
68773	97669	28656	89938	12917	25630	08068	19445	76250	24727
09774	30751	49740	11385	91468	28900	76804	52460	52320	70493
46139	36689	82587	13586	35061	76128	38568	62300	43439	53434
26566	95323	32993	89988	12152	01862	93113	33875	31730	62941
06765	57141	48617	18282	13086	76064	83334	70192	15972	80429
35384	90380	12317	89702	33091	68835	62960	38010	52710	87604
49333	78482	36199	11355	86044	88760	03724	22927	91716	92332
45595	14044	56806	99126	85584	87750	78149	22723	48245	78126
79819	15054	76174	12206	06886	06814	43285	20008	75345	19779
11971	62234	74857	46401	20817	57591	41189	49604	29604	30660
11452	89318	53084	21993	62471	74101	61217	76536	58393	63718
38746	81271	96260	98137	60275	22647	33103	50090	29395	10016

TABLE 7 – RANDOM DIGITS

93369	13044	69686	78162	29132	51544	17925	56738	32683	83153
19360	55049	94951	76341	38159	31008	41476	05278	03909	02299
47798	89890	06893	65483	97658	74884	38611	27264	26956	83504
69223	32007	03513	61149	66270	73087	16795	76845	44645	44552
34511	50721	84850	34159	38985	75384	22965	55366	81632	78872
54031	59329	58963	52220	76806	98715	67452	78741	58128	00077
66722	85515	04723	92411	03834	12109	85185	37350	93614	15351
71059	07496	38404	18126	37894	44991	45777	02070	38159	23930
45478	86066	31135	33243	01190	47277	55146	56130	70117	83203
97246	91121	89437	20393	76598	99458	76665	83793	37448	32664
22982	25936	96417	34845	28942	65569	38253	77182	12996	19505
48243	62993	47132	85248	79160	90981	71696	79609	33809	60839
93514	14915	67960	82203	22598	94802	75332	95585	69542	79924
69707	98303	93069	16216	01542	51771	16833	20922	94415	27617
87467	91794	70814	12743	17543	04057	71231	11309	32780	83270
81006	81498	59375	30502	44868	81279	23585	49678	70014	10523
15458	83481	50187	43375	56644	72076	59403	65469	74760	69509
33469	12510	23095	48016	22064	39774	07373	10555	33345	21787
67198	07176	65996	18317	83083	11921	06254	68437	59481	54778
58037	92261	85504	55690	63488	26451	43223	38009	50567	09191
84983	68312	25519	56158	22390	12823	92390	28947	36708	25393
35554	02935	72889	68772	79774	14336	50716	63003	86391	94074
04368	17632	50962	71908	13105	76285	31819	16884	11665	16594
81311	60479	69985	30952	93067	70056	55229	83226	22555	66447
03823	89887	55828	74452	21692	55847	15960	47521	27784	25728
80422	65437	38797	56261	88300	35980	56656	45662	29219	49257
61307	49468	43344	43700	14074	19739	03275	99444	62545	23720
83873	82557	10002	80093	74645	33109	15281	38759	09342	69408
38110	16855	28922	93758	22885	36706	92542	60270	99599	17983
43892	91189	87226	56935	99836	85489	89693	49475	31941	78065
93683	09664	53927	49885	94979	88848	42642	93218	80305	49428
32748	02121	11972	96914	83264	89016	45140	20362	63242	86255
49211	92963	38625	65312	52156	36400	67050	64058	45489	24165
63365	64224	69475	57512	85097	05054	88673	96593	00902	53320
63576	26373	44610	43748	90399	06770	71609	90916	69002	57180
41078	47036	65524	68466	77613	20076	71969	47706	22506	81053
70846	89558	64173	15381	67322	70097	82363	90767	17879	32697
68800	64492	20162	32707	69510	82465	26821	79917	34615	35820
44977	89525	51269	63747	30997	97213	53016	65909	05723	50168
79354	63847	24395	53679	07667	67993	24634	78867	78516	00448
14954	22299	40156	52685	19093	06090	23800	06739	76836	19050
01711	98439	09446	33937	98956	85676	89493	05132	45886	49379
62328	55328	45738	93940	15772	81975	91017	21387	57949	13992
73004	62109	81907	71077	50322	66093	79921	61412	18347	21115
34218	89445	03609	52336	19005	15179	94958	99448	11612	76981
99159	01968	45886	86875	05196	64297	59339	39878	61548	56442
92858	29949	15817	93372	34732	61584	72007	58597	43802	51066
27396	97477	65554	71601	01540	26509	19487	39684	18676	41219
37103	45309	30129	43380	66638	10841	77292	40288	25826	61431
57347	97012	48428	20606	54138	75716	23741	50462	13221	47216

Appendix III – Vehicle Stored



Appendix VI – Comparative Storage Pricing

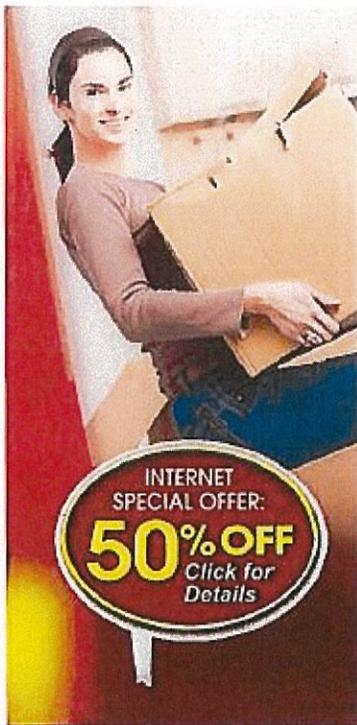
Our Rental Specials



Secure, 24/7 Climate-Controlled Storage

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Pricing



Climate Controlled Storage Pricing

Dimensions	Size Description	Monthly Rental
5 x 5	<u>Small Closet</u> Holds several boxes and small items	\$60
	<u>Walk-in Closet</u> One or two rooms of furniture	
5 x 10	Lots of boxes	\$80
	Motorcycle	
10 x 10	<u>Average Size Bedroom</u> Contents of a 15 ft moving van	
	Small 2 bedroom apartment plus refrigerator or washer and dryer Store some 30 to 50 boxes plus extras	\$120
10 x 15	<u>Large Bedroom</u> Contents of a 20 ft moving van	
	3 to 4 rooms of furniture	
	Large two bedroom apartment	\$135
	Small house with refrigerator, washer, and dryer Store 50 to 70 boxes plus extras	
10 x 20	<u>Small One Car Garage</u> Contents of a 24 ft moving van	
	Store the contents of a 3 to 4 bedroom house with major appliances	\$160
	Store your watercraft in the winter Mid-size car or truck	



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 Bowmansville, NY 14026
 Telephone: 716-684-6727
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Make a Payment

Personal Storage

Moving from your home? Is your new home not ready yet? Renovating your home? Relocating abroad? Can't get your car in your garage due to too much garden equipment, hobby supplies, or sports equipment? Or do you just feel like having a big clear out, to make yourself extra room? There are dozens of reasons why you might need somewhere to store your personal possessions, and Lancaster Self Storage has an answer for all of them.

<u>Unit Size</u>	<u>Sq.Ft</u>	<u>Unit rate per month</u>
5x5	25	\$45.00
5x10 (2 rooms / furn)	50	\$65.00
5x15	75	\$75.00
10x10 (4 rooms/ furn.)	100	\$100.00
10x15	150	\$115.00
10x20	200	\$140.00
10x25 (3 bed room house)	250	\$165.00
10x30 (4 bedroom house)	300	\$195.00
10x30 (outside parking)	300	\$65.00

*Rates are subject to change
 *Administrative fee \$10.00
 Locks available for \$15.00
 24 hr. access \$15.00 extra a month
 Access hours are 7:00am to 7:00pm 7 days a week

You'll need to know...

- How soon do I need to store?
- How long will I be storing?
- How many boxes will I be storing?
- How many rooms of furniture will I be storing?

Uncle Bob's Self Storage of Buffalo (#819)

(4.8) Based on 24 ratings

290 Ellicott St.
Buffalo, NY 14203

Climate Controlled
Storage Units

Hours Features Coupons

Store Office Hours

Monday	9:00am–6:00pm
Tuesday	9:00am–6:00pm
Wednesday	9:00am–6:00pm
Thursday	9:00am–6:00pm
Friday	9:00am–6:00pm
Saturday	9:00am–6:00pm
Sunday	9:00am–1:00pm

Office typically closes for lunch 1:00 pm to 2:00 pm, Mon-Sat.



Compare Spaces



SHOW

W. Moh
15 Jan.

Find U

5 x 10	5 x 15	10 x 10	10 x 15	10 x 20	20 x 20	Really Big	Pa
starting at	sta						
\$ 69	\$ 85	\$ 99	\$ 155	\$ 187	\$ 285	\$ 329	\$

18 x 10*



Climate Controlled
Storage Unit

Space features include:

- Indoor access
- 3rd Floor
- Elevator access
- 3' Roll Up Door
- 8' Ceiling

Sorry, nor
or call 877
we'll dout