

Fact Sheet

Report on a Reexamination of Pennsylvania's Weights and Measures Program

The LB&FC conducted studies of the Department of Agriculture's administration of Pennsylvania's weights and measures program in 1984, 1987, and again in 1995. Each of these studies found numerous operational, administrative, and compliance problems. This current study assessed the Department's response to the 1995 report recommendations as well as the program's staffing and funding in light of new requirements established by Act 1996-155, the Consolidated Weights and Measures Act.

Study Conclusions (pp. S-1 to S-4)

Weights and measures program operations have not changed dramatically since 1995, and the program is currently in a state of transition following passage of Act 1996-155. Many of the administrative and operational problems identified in past LB&FC studies are still present, and many tasks necessary to implement prior study recommendations remain uncompleted. In FY 1997-98, two key program measures--the number of inspections and number of prosecutions--declined to ten-year lows.

The Department has, however, expended considerable time and effort in attempting to begin to address program deficiencies and, in a number of areas, improvements have been made or are in process. These include design of a statewide inspection database and reporting system, improved training programs, and the development of draft program regulations. Also, the program is now served by a new metrology laboratory.

At the same time, Act 155 presents several new and formidable challenges for the Department in the form of provisions which (a) authorize certain inspections to be carried out by private sector inspectors; (b) expand inspection responsibilities to include electronic retail scanning systems (initial testing of all systems is to be completed by June 30, 1999); and (c) make the operation of a weights and measures program optional for counties and cities.

Under the option provision, an increasing number of counties and cities are deciding not to operate a weights and measures program. These provisions, as well as the certification of private inspectors, place significant additional workload and administrative demands on the state program. Compounding the challenges facing the Department are program staffing and funding levels which do not appear sufficient to establish and maintain the comprehensive weights and measures program envisioned by the General Assembly. Legislation currently under consideration would add yet another responsibility--motor fuels octane testing--to the program.

Although nearly three years have passed since the LB&FC last studied this program, it is too soon to tell if the Department will be able to successfully bring about the program changes and redirection which were recommended in the prior studies and mandated by the Consolidated Weights and Measures Act of 1996. The scope and complexity of this task appear overwhelming, however, for a Bureau and program which does not have either adequate resources or a strong track record of effective program implementation.

The report also includes information on the status of prior findings and recommendations related to the weights and measures fine structure, farm bulk milk tank inspections, program policies and procedures, public and industry input, taximeter inspections, records retention practices, and consumer education activities.

Recommendations (p. S-4)

1. The Department of Agriculture should develop a long-term weights and measures strategic plan to fully implement prior report recommendations and guide the implementation of the Consolidated Weights and Measures Act; this plan should include specific implementation activities and tasks, associated timetables, and estimated fiscal and staffing resource needs.
2. The General Assembly should consider establishing a separate line-item appropriation for the Department to use to administer the weights and measures program.
3. If assigned responsibility for motor fuels quality testing, the Department should contact the Federal Trade Commission (FTC) to obtain information on available program start-up assistance.