

Accurate Weights and Measures "Is" Good Business

When was the last time you checked the accuracy of your deli, produce, fish, or meat packing scale? Are you giving product away? Or, even worse, are you risking your good firm's reputation by selling less than the quantity represented?

Accurate weights and measures is good business for operators, and it is the responsibility of the Michigan Department of Agriculture & Rural Development's Weights and Measures Program to ensure that an equitable and fair marketplace exists across the state. MDARD Weights and Measures utilizes a proactive educational and compliance assistance approach to assist businesses and their customers with their weights and measures questions, concerns and needs.

MDARD Weights and Measures is working with the Associated Food Dealers of Michigan to disseminate important information to its membership related to recent amendments to the Weights and Measures Act, P.A. 283 of 1964, as amended. In April of 2002, following a cooperative effort with the service industry – those who install and calibrate commercial devices – Michigan's Legislature provided rules by which to administer a "Voluntary Registration Program for Servicepersons and Agencies". What does that mean for members of Michigan's food and beverage industry? It means you now have an opportunity and a method by which to better select and control your equipment selection and service needs. Registrants in this program must possess certified standards with which to calibrate, enact repairs, or install new equipment. Technicians must demonstrate their competence and by scoring an 80% or higher on Weights and Measures administered exams on P.A. 283; National Institute of Standards and Technology (NIST) Handbook 44 – General Code; and Handbook 44 specific device codes (i.e. retail computing scales). Those applicants that satisfy all of the requirements for registration are held accountable to the requirements of P.A. 283, thus promoting uniformity in device selection, service, and utilization. For example, an operator uses a non-registered serviceperson to install a new meat packing scale. If tare information is programmed incorrectly, resulting in short weight packages, under Michigan Law, only the operator can be held accountable. However, if a registered serviceperson is employed, the service agent can be held accountable either in whole or in part. This registration program is designed to help promote the service industry while at the same time improving an operator's quality assurance program. A list of Michigan's registered servicepersons and companies is available [here](#).

The following Q&A's deal with owner/operator responsibilities and seek to dispel some common misconceptions.

As an owner, am I still responsible for any violations that occur in my business?

An individual or corporation that utilizes a weighing or measuring device to sell a commodity by weight, measure, or count is liable for any prohibited act under the law. This includes violations involving employees acting on behalf or in concert with the operator.

What can I do to increase my quality control and improve my compliance rate?

First, review your maintenance schedule to ensure that your weighing and measuring devices are operating properly and within legal limits.

Second, you must ensure that your managers and their staff are properly trained to conduct your business. Can they properly operate your packaging equipment? Does everyone know what, how and why "tare" is used? The failure to properly account for tare weight when packaging an item (both pre-pack or over-the-counter) accounts for the vast majority of weights and measures complaints received, and violations documented within the food and beverage industry.

Finally, don't just leave the motor running! Operators, managers, and employees must work together to conduct "internal" reviews of the operation. Have the tare values changed? Are the net weights indicated on packages correct? Are new devices programmed properly and confirmed to be accurate? Are the devices being properly maintained? Good communication is vital to any operation; a problem can't be fixed if no one knows about it.

Please contact the Weights and Measures Program at 517-655-8202, for more information regarding the law, the serviceperson registration program, or any compliance assistance needs you may have.