

ALERT

REGULATORY

IMPORTANT INFORMATION - READ IMMEDIATELY

**Regulatory Alert No. 503
July 26, 2011**

Attention: Retail Operations

Texas Department of Agriculture Unveils New Fuel Dispenser Sticker and Weights & Measures Certificate

The Texas Department of Agriculture (TDA) is releasing a new Consumer Identification Sticker and Weights & Measures Certificate next week. The new stickers and certificates must be posted by September 1, 2011. Each fuel dispenser / meter registrant will receive a package from TDA containing a new Weights & Measures certificate and Consumer Identification Sticker in the mail. The package will contain enough stickers based on the type and number of devices registered at the facility. Please see the [attached memo from TDA](#) to view a copy of the new Consumer Identification Sticker.

The Consumer Identification Sticker (CIS) will replace current TDA inspection seals found on fuel dispensers and meters. The CIS must be placed on both sides of a dispenser, be in plain sight and be legible to the consumer accessing the device. The new CIS will be provided free of charge. Replacement fee for a page containing 8 stickers will be \$8. Unlike current TDA inspection seals, the CIS will not include an expiration date or reference to TDA inspections but will feature contact information for consumers to reach TDA.

As part of this process, TDA is also revamping its Weights and Measures certificate issued for each facility. Current law requires that the TDA Weights and Measures certificate be displayed in a conspicuous location at each facility. The new Weights and Measures Certificate must be prominently displayed and physically accessible to a consumer in order to allow the consumer to scan the certificate's new QR code. The QR code will enable consumers to access a facility's inspection information and/or file a complaint.

TDA's current website allows consumer to file an online complaint or review inspection history of a facility's fuel dispensers. Effective September 1, consumers who scan the code found on the Weights and Measures certificate will be taken to a website entitled "Fuel Pump Feedback". Like the current site, the new site will allow consumers to file a complaint, view TDA's information on the facility's fuel dispensers including registration, certificate expiration date and results of TDA inspections. TDA plans to eventually add information reported by licensed service



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companies regarding the facility's dispensers. See TPCA Regulatory Alert No. 502, 7/21/11 for more information regarding reporting by licensed service companies.

Information reported by licensed service companies and TDA inspections will be used by TDA to assign a risk value to each facility. Once these values are determined, TDA inspectors will utilize a risk-based approach to ensure their enforcement efforts are targeted at those facilities representing the greatest risk to consumers.

In response to comments from TPCA, TDA has exempted meters located on fuel transport vehicles from the new CIS requirements. These meters are not required to have a CIS and will not have a TDA inspection seal after September 1.

For more information or to ask questions, please contact Scott B. Fisher, Vice President of Policy and Public Affairs at 800-460-8662 or sfisher@tpca.org.



Regulation changes EFFECTIVE SEPTEMBER 1, 2011

Texas Administrative Code, Chapter 12.

Recent regulation changes require you to label a Weights and Measures device with a Consumer Information Sticker, and post a new technology enabled Weights and Measures Certificate. The new Consumer Information Sticker will notify the public that the business location must have a current registration certificate displayed in plain sight of, legible to, and physically accessible to the average consumer. Information on the sticker enables a consumer to report an expired registration or a problem with a pump or scale. New technology will allow a consumer to access a licensed location's inspection information and/or file a complaint.

By September 1, 2011 you are REQUIRED to:

- First, affix new Consumer Information Stickers as outlined below
- Then, remove current Texas Department of Agriculture Inspection Seals
- Post new Registration Certificates in an area accessible to consumers

Your Package Contains:*

"Fuel Feedback?" Stickers

- Must be in plain sight of and legible to the average consumer accessing the device.
- Must be affixed to each face of each motor fuel-dispensing unit used for commercial transactions.
- Must be affixed to, or placed near, bulk meters and LPG meters.

"Scale Complaint?" Stickers

- Must be in plain sight of and legible to the average consumer accessing the device.
- Must be affixed to, or placed near, each scale used for commercial transactions.

Weights & Measures Certificate

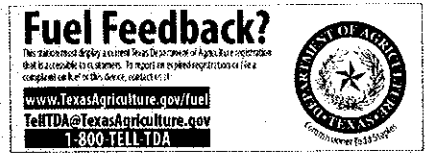
- NEW Weights & Measures Certificates of Registration (RWM-700c) must be prominently displayed in plain sight of, legible to, and physically accessible to the average consumer. Copies of the certificate must be displayed at satellite locations.
- You are not required to post the Certificate of Registration for Weights and Measures sent to you in a previous mailing. (This certificate may be retained in your records.)

TDA Inspection Seals

- Facility owners/operators must remove any TDA inspection seals previously placed on a device, only after affixing a new consumer information sticker.
- Once removed, seals should be destroyed.

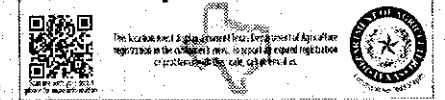
Replacement Consumer Information Stickers

- To obtain replacement stickers, complete a Consumer Information Sticker Replacement Order Form (RWM-707) and submit to TDA. You can download the form by going to www.TexasAgriculture.gov.
- Your initial stickers are provided free of charge, and the replacement fee for a page containing eight stickers is \$8.



Fuel Feedback?
This is a new technology enabled sticker that is accessible to customers. To report an expired registration or file a complaint on this device, contact us at:
www.TexasAgriculture.gov/fuel
TellTDA@TexasAgriculture.gov
1-800-TELL-TDA

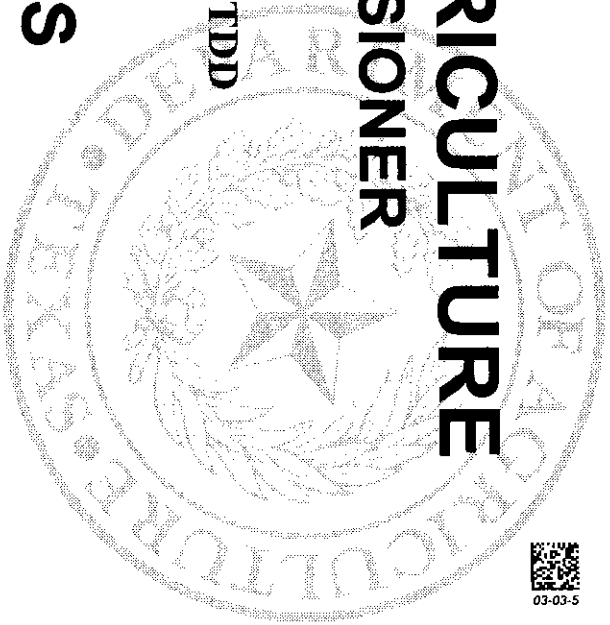
Scale Complaint? 1-800-TELL-TDA
TellTDA@TexasAgriculture.gov



For more detailed information regarding the regulations and changes, visit our website at www.TexasAgriculture.gov or call (800)-835-5832. You may also email Regulatory@TexasAgriculture.gov.

*Not all packets will contain both Fuel and Scale stickers. Fuel and/or Scale stickers will be included based on the number and type of devices registered to your location. Please contact TDA to report changes regarding the number or type of stickers needed.





TEXAS DEPARTMENT OF AGRICULTURE

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WEIGHTS & MEASURES CERTIFICATE OF REGISTRATION

This is to certify that the person listed below has registered weighing or measuring devices in accordance with Texas Agriculture Code Chapter 13.

Certificate Number: 0515754

TPG #554 07
2926 NORTH FWY
HOUSTON, TX 77009

EXPIRES ON: 07/31/2012

For Fuel
Information
Scan Me



For Scale
Information
Scan Me



THIS CERTIFICATE MUST BE PROMINENTLY DISPLAYED SO AS TO DURING REGULAR BUSINESS HOURS,
BE IN PLAIN SIGHT OF LEGIBLE TO, AND PHYSICALLY ACCESSIBLE TO THE AVERAGE CONSUMER
OF WEIGHED OR MEASURED PRODUCTS SOLD OR OFFERED FOR SALE AT THE REGISTERED LOCATION.
THIS CERTIFICATE IS NON-TRANSFERABLE