

901:6-9-01

Minimum training requirements for weights and measures inspector personnel.

(A) As used in this rule:

- (1) "Inspector personnel" and "inspector" means an individual either employed by the Ohio department of agriculture's division of weights and measures, or appointed by a county or city sealer, to inspect weights and measures, and commodities in package form;
- (2) "Weights and measures" means all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories associated with any such instruments and devices, except that "weights and measures" shall not be construed to include meters for the measurement of electricity, gas, whether natural or manufactured, or water when the same are operated in a public utility system. Such electricity, gas, and water meters, and appliances or accessories associated therewith, are specifically excluded from the purview of the weights and measures laws;
- (3) "Commodity in package form" means any commodity put up or package in any manner in advance of sale in units suitable for either wholesale or retail sale;
- (4) "Ohio training program" means the two part self-study program, two comprehensive examinations and annual continuing education prescribed and administered by the Ohio department of agriculture.

(B) All inspector personnel shall participate in the Ohio training program within thirty days after the inspector is appointed. Inspector personnel shall provide the Ohio department of agriculture with ~~their~~current contact information including email within thirty days of appointment.

(C) Ohio training program curriculum:

- (1) Part one of the Ohio training program shall consist of twelve individual lessons covering the following subjects:
 - (a) Lesson one - "history of weights and measures";
 - (b) Lesson two - "Ohio weights and measures laws and structure";
 - (c) Lesson three - "introduction to weights and measures ~~enforcement~~";

- (d) Lesson four - "[national institute of standards and technology \(NIST\) handbook 44, introduction, fundamental considerations and units, and systems of weights and measures](#)";
 - (e) Lesson five - "[NIST handbook 44, weights and measures terms and definitions](#)";
 - (f) Lesson six - "[NIST handbook 44, general code](#)";
 - (g) Lesson seven - "[NIST handbook 44, inspecting and testing small capacity scales](#)";
 - (h) Lesson eight - "[NIST handbook 44, inspecting and testing vehicle scales](#)";
 - (i) Lesson nine - "[NIST handbook 44, inspecting and testing liquid measuring devices](#)";
 - (j) Lesson ten - "[NIST handbook 44, inspecting and testing vehicle tank meters and LPG meters](#)";
 - (k) Lesson eleven - "[NIST handbook 44, inspecting and testing hopper scales](#)";
 - (l) Lesson twelve - "[NIST handbook 44, inspecting and testing animal and livestock scales](#)".
- (2) Part two of the Ohio training program shall consist of eight individual lessons covering the following subjects:
- (a) Lesson thirteen - "[introduction to commodity requirements enforcement](#)";
 - (b) Lesson fourteen - "[NIST handbook 133, checking the net contents of packages labeled by weight](#)";
 - (c) Lesson fifteen - "[NIST handbook 133, checking the net contents of packages labeled by volume](#)";
 - (d) Lesson sixteen - "[NIST handbook 133, checking the net contents of packages labeled by count](#)";

- (e) Lesson seventeen - "[NIST handbook 133](#), checking the net contents of packages labeled by area, length, thickness";
- (f) Lesson eighteen - "[NIST handbook 44](#), inspecting and testing timing devices";
- (g) Lesson nineteen - "[NIST handbook 44](#), inspecting and testing length and distance measuring devices";
- (h) Lesson twenty - "[NIST handbook 44](#), inspecting and testing farm milk tanks".

(D) Ohio training program administration:

- (1) Upon enrollment, each inspector will be sent a set of lessons. Each set of lessons is to be completed and returned within thirty days of receipt. A grade of eighty per cent is required to pass each lesson and if a lesson is failed, the lesson must be retaken and passed before another set of lessons may be sent. All twenty lessons must be completed within eighteen months of enrollment.
- (2) Each inspector shall take a comprehensive examination covering part one of the Ohio training program. A comprehensive examination shall also be taken after completion of part two of the Ohio training program. Examinations shall be completed within eighteen months of enrollment of the Ohio training program. Examinations shall reflect the material covered in the respective lessons. ~~The examinations shall be administered and graded by an examiner who is knowledgeable in the field of weights and measures and designated by the director of agriculture; the~~The passing grade for the examinations shall be eighty per cent.
- (3) Upon successful completion of ~~part~~parts one and two of the Ohio training program, and ~~the comprehensive examination covering part one~~receiving a passing score of the examinations as required in ~~paragraph~~paragraphs (D)(1) and (D)(2) of this rule, inspector personnel will receive a certificate and a registration number. ~~Upon successful completion of part two and the comprehensive examination covering part two required in paragraph (D)(2) of this rule, inspector personnel will receive a certificate, and an identification card~~ attesting to ~~their~~the inspectors' successful completion of ~~part one and part two of~~ the Ohio training program.

(E) Continuing education:

- (1) All inspector personnel who have successfully completed ~~part one and part two~~ of the Ohio training program shall, exclusive of the year in which ~~they~~the inspector completed the Ohio training program, ~~attend~~complete a minimum of eight hours per calendar year of training in weights and measures which have been approved by the Ohio department of agriculture.
 - (2) The ~~chief of the~~ division of weights and measures shall publish a list of the dates and times the approved training programs on the Ohio department of agriculture's website www.agri.ohio.gov.
- (F) Upon written request, and for good cause shown, the director of agriculture may adjust the number of hours of continuing education required for a calendar year.
- (G) For failure to meet or maintain minimum training requirements, the director may take any appropriate legal action authorized by law, including seeking an injunction to enjoin the inspector personnel or other public official from marking devices found to be correct.