

FORMS AND ROUTING

- A. Audit Form (see Section 7), Notice of Violation (see page 1-3), Sales Price Report (see Section 2)
1. Original for County records.
 2. Copy to your area Price and Quantity Verification Investigator.
 3. Copy to the person in possession.
- B. Package Inspection Report or PIR (see Section 8)
1. Original for County records.
 2. Copy to your area Price and Quantity Verification Investigator.
 3. Copy to the person in possession.
 4. Copy to the county where the packer or warehouse facility is located.
 5. If the lot has been ordered Off Sale and will be transported to another location:
 - a. Copy to the destination county.
 - b. Copy in the "Hold - Off Sale" card envelope.
- C. Test Purchase/Sale Report (see Section 5), Commodity Test Report (See Section 4), Legal Action Report (see Section 13)
1. Original for County records.
 2. Copy to your area Price and Quantity Verification Investigator.
- D. "Hold - Off Sale" Card (see Section 9)
- Attach the card to the lot, using the provided self-stick envelope. The Hold - Off Sale card is in a postcard format. The issuing agency is to place its name and address on the reverse side so that the card may be mailed back by the agency supervising the disposition of the lot. It is also recommended that you put your phone number on the side that describes the property.
- E. Official Property Receipt (see page 1-4)

Available from your area Price and Quantity Verification Investigator, this form is used as a receipt for, and record of, property that is being taken by the weights and measures official. The white copy is given to the person from whom the property was taken. The canary copy is retained by the weights and measures official now in possession of the property, and the pink copy is attached to the property. You do not need to send a copy of this form to your area specialist.

F. Labeling Violation Report and Inquiry (see Section 10)

1. Original for County records.
2. Copy to your area Price and Quantity Verification Investigator.
3. Copy to the person in possession.
4. If the packages have been ordered Off Sale and will be transported to another location:
 - a. Copy to the destination county.
 - b. Copy in the "Hold - Off Sale" card envelope.
5. If the violation will be referred to another county or agency, in or out-of-state, complete the "Inquiry" section and send copies according to the following section, "Label Violations, Label Violation Report: Procedure and Routing."

G. Out-of-State Correspondence

Except for labeling violations covered under the section, "Labeling Violations, Proper Handling" on the following page and Notices of Violation, matters involving out-of-state correspondence should be handled through the Division of Measurement Standards.

H. Inspection Reports

Whenever you are out, it is good to be in the habit of keeping field notes that include who you spoke with, answers to any questions you asked store personnel, observations regarding the condition or location of scales or other equipment used, changes or improvements made in response to a prior inspection, a summary of inspection results, etc.

It is good to be in the practice of asking questions of personnel at the location to help identify problems that exist at retail, wholesale, or point of pack. These questions help you answer: "Who is responsible for the violation?", "How long has the violation been occurring?", "Is it a local issue or statewide?", "Do I have enough information to prove a violation occurred?", and others.

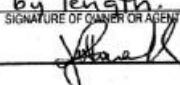
Your field notes along with pictures, inspection forms, and copies of any Notices of Violation can serve as a basis to a written report. Reports do not need to be long to be good. Often times a few short paragraphs can adequately summarize your observations. The report needs to answer the basic questions of who, what, when, where, why, and how. An inspection report should document and demonstrate that a violation occurred and accurately reflect the conditions at the location during the time of inspection.

NOTE: Please fill in all forms legibly, correctly, and completely. Mail copies of all Inspection Reports, Notices of Violation, and Legal Action Reports to your local Price and Quantity Verification Investigator weekly.

NOTICE OF VIOLATION

Anytime you observe a violation a Notice of Violation (NOV) form (40-033) should be filled out. The NOV serves as written document that states what law was violated, where the violation occurred, when it was observed, who was notified of the deficiency, who issued the violation and when it was issued.

The form should be filled out completely, taking special care to describe the violation. For example the statement, "Improper Computation of Value" tells you what the violation is but does not describe it. If there was improper computation of value resulting in an overcharge write down how many items overcharged, what items were they, how much was the dollar value of the overcharge. The example below shows a different violation of the law and a description of the violation.

STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE DIVISION OF MEASUREMENT STANDARDS				ORIGINAL TO COUNTY
NOTICE OF VIOLATION				YELLOW TO OWNER OR AGENT
				PINK TO STATE
COUNTY MISSION				
BUSINESS NAME Project Lumber Co,	ADDRESS 675 N. Wood St,	CITY Mills	ZIP 99550	PHONE 891 076 3245
NAME Lake Small	HOME ADDRESS	CITY	ZIP	PHONE
YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF SECTION(S)				
SECTION(S) 12024, 12603^(b), 12611	Check Appropriate Boxes		<input checked="" type="checkbox"/> BUSINESS AND PROFESSIONS CODE OF CALIFORNIA	
SECTION(S) 6.4			<input checked="" type="checkbox"/> CALIFORNIA CODE OF REGULATIONS	
SECTION(S)			<input type="checkbox"/> PENAL CODE OF CALIFORNIA	
DESCRIPTION OF OFFENSE(S) BP12024 - selling in less quantity than represented: 2 lots of fence materials were removed from sale for not making stated widths (OSOs 62-010908 A+B) BP 12603^(b) - Regulations established by Director net quantity shall be accurately stated BP 12611 - Unlawful to sell a product w/o correct label. Redwood rails only represent by length. Should have all three dimensions stated.				
SIGNATURE OF OWNER OR AGENT OF OWNER 	TITLE John May	DATE 01/29/08	TIME 1:35 pm	
THESE VIOLATIONS MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN DIVISION 5 OF THE BUSINESS AND PROFESSIONS CODE OF CALIFORNIA OR THE PENAL CODE OF CALIFORNIA.				
BY Emma Peels	TITLE Wts & Measures Inspector	PHONE 891-067-7077		

Usually the NOV form is filled out and signed by the person at the location where the violation was observed, but in some cases the company that caused the violation is not in your County or the State. When this occurs, the NOV form can be sent certified mail with a signature card to the company in violation. Put the number for the certified letter in the "Signature of Owner or Agent" box and write the day it is mailed for the "Date" box. Make sure to send a copy of all NOV's to your area Price and Quantity Verification Investigator.

OFFICIAL PROPERTY RECEIPTS

The Official Property Receipt form (49-009) can be requested from your area Price and Quantity Verification Investigator. This form is used as a receipt or record of property that has been taken by the weights and measures official for evidence, testing, or other purpose. Three copies are made from the form. The white copy is given to the person from whom the property was taken. The canary colored copy is retained by the weights and measures official who takes possession of the property and the pink copy is attached to the property. This form does not need to be sent to your area Price and Quantity Verification Investigator, unless requested.

Please fill out the form thoroughly so that evidence can be returned to the property owner when the case is completed. When property is returned the bottom line giving the "Date Returned", "Signature of Person" receiving the property, and the name of the "Investigator" who returned the property can be filled in. If the initial owner does not want the product back, dispose of the product appropriately and document the final disposition.

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

COUNTY MISSION	DATE 01/09/08	TIME 1:30	AM PM	NO. EP-1
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49 - 009 Rev. 11/92

OFFICIAL PROPERTY RECEIPT

RECEIVED FROM Jake Small	TITLE General Manager		
LOCATION Project Lumber Co.; 675 N Wood St; Mills, CA 99550			
DESCRIPTION OF PROPERTY 1 piece "1" x 4" x 42" 1 gate labeled 36" x 42"			
<input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOR TEST <input type="checkbox"/> OTHER			
SEALER Ken Lake	INVESTIGATOR Emma Peele		
DATE RETURNED	SIGNATURE OF PERSON	TITLE	INVESTIGATOR
OWNER MUST PRESENT THIS RECEIPT WHEN CLAIMING PROPERTY			
WHITE - OWNER	REMARKS:		
CANARY - STATE / COUNTY	_____		
PINK - ATTACH TO PROPERTY	_____		