

Report Highlights

Measurement Standards Program

Department of Agriculture

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C O L O R A D O

Key Concern

The Inspection and Consumer Services Division (Division) within the Department of Agriculture (Department) could improve its management of data collected on licensed devices and inspections under the Measurement Standards Act (Act). It can also improve processes around its scale inspections and price verification inspections, taking enforcement action when inspections identify violations of laws, rules, and requirements by licensees, and responding to complaints it receives from the public.

Key Findings

- The Division could not identify the number of licensed devices or licensed locations that need to be inspected each year due to a lack of controls in its database.
- In Calendar Year 2023, there were at least 3,434 licensed devices across 636 businesses in the state that were not inspected. Statute requires that licensed devices are inspected at least once every 12 months.
- From Calendar Year 2019 through 2023, the Division did not have data or documentation verifying that 23 of 39 (59 percent) businesses in our sample had repaired or removed scales from commercial use following an inspection that identified a failed device.
- The Division did not issue civil penalties to any of the 40 businesses in our sample that failed inspections.
- For 28 of the 40 (70 percent) inspection reports in our sample, the reports did not include complete or consistent information on why a business failed an inspection, and whether the nature or degree of the failure warranted an enforcement action.
- For 7 of 35 complaints (20 percent) received in Calendar Years 2022 and 2023, the Division did not have documentation to show that the Division conducted a routine or complaint investigation at the associated businesses after the complaints were filed.
- The Division conducted inspections for 21 complaints it received. However, 16 of the 21 inspections (76 percent) did not occur until between 31 days and 425 days after the complaint was received.

Background

- The Division is responsible for licensing and inspecting devices used to weigh and measure products available for retail purchase as well as conducting inspections to ensure the accuracy of retail prices.
- The Division has 5 programs consisting of 13 different inspection types, including weights and measures, egg, feed and fertilizer, and others. However, weights and measures are the only inspections that are statutorily required on an annual basis [Section 35-14-127(3), C.R.S.].
- The Division uses a database system called AgLicense to store licensing, inspection, and payment data. Businesses submit their applications and license renewals through AgLicense, and Division staff can update license information and create inspection records in the AgLicense system.

Recommendations Made

11

Responses

Agree: **11**

Partially Agree: **0**

Disagree: **0**