

Invoice

North Dakota Public Service Commission - Tax ID 450309764
Testing and Safety Division
SFN 19242 (5/2002)

Invoice# **BW14210**

Operator# 6951
Shalom International Market
325 28th Ave SW
Minot ND 58701
Phone: 701-833-2005
Contact: Paul Nketia
E Mail:

Billed To: 6951
Shalom International Market
325 28th Ave SW
Minot ND 58701
Phone: 701-833-2005
Contact: Paul Nketia
E Mail:

Time In: 9/27/2022 4:41 pm Out: 5:03 pm
Approval Seals: 30209

Inspection Record					Device Comments		
	Status	Fee	Qty.	Fee Total		Serial Number:	Seal Number:
Counter/Computing	Tagged Not Seale	0.00	1	\$0.00	Counter/Computing	NA	T
				\$0.00	TAGGED NON-COMMERCIAL USE ONLY.		

Amount Due: \$0.00

Note: Not legal for trade scale. Tagged N/C.

brandon

Inspected By:

Accounts are due in thirty days. This account is due on October 27, 2022.

Please remit payment to : Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck ND 58505-0480

Invoice

North Dakota Public Service Commission - Tax ID 450309764

Invoice# **BW14235**

Testing and Safety Division

SFN 19242 (5/2002)

Operator# 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Billed To: 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Time In: 10/24/2022 2:27 pm Out: 3:54 pm

Approval Seals:

Inspection Record

Device Comments

Amount Due: \$0.00

Accounts are due in thirty days. This account is due on November 23, 2022.

Note: Stopped for a follow up. Witnessed them actively using a scale that was tagged Non-Commercial Sticker #30209. When asked why they were still using a not legal for trade scale, they stated to the effect, because they had not received a new one. This is a violation of NDCC 49-07-01 Violation of a Commission Order or Rule; Per 64-02-03 Commission Rule; Per 69-10-01-13 64-03-02 False weights-Unlawful for public use

Inspected By: **brandon**

Please remit payment to : Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck ND 58505-0480

Crockford, Konrad S.

From: Wahlfeldt, Brandon H.
Sent: Wednesday, October 26, 2022 16:51
To: Crockford, Konrad S.
Cc: Bauske, Shelly A.
Subject: Report on Shalom Market
Attachments: Shalom Market.docx

Hello,

Here is my write up on the Shalom Market incident. Please let me know if you want me to make changes.

Thanks
Brandon

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Investigation of Shalom Market

325 28th Ave SW

Minot ND 58701

Brandon Wahlfeldt

Quality Assurance Inspector

North Dakota Public Service Commission

Investigation of Shalom Market

On 27 Sept2022, I was instructed by Konrad Crockford, the Director of Compliance, to proceed to Shalom Market located at 325 28th Ave SW, in Minot ND. To stop and test a scale that was reported as not tested and approved, by David Slack, with the North Dakota Meat and Poultry Inspection Program.

Upon arrival I located an “ACS System Electronic Scale” on the counter, in the check out area. Upon inspection it was determined that the scale was not an NTEP approved device, and that the scale was not legal for trade. I then placed a North Dakota Non-Commercial Device tag number 30209 on the device. I explained to the staff working that the scale was not allowed to be used, because it was not legal for trade, and it did not meet North Dakota laws and rules.

The employee, then put the owner on the phone (unknown name) Phone number 701-721-7238, on the phone and I explained the situation to him. I informed him that the scale could not be used in commerce, because it was not legal for trade, and did not meet North Dakota laws and rules. He would need to call a registered service company and purchase one from them to avoid this situation. I did inform him that because Valley Store Supply, was no longer a registered service company, Capitol Scales from Bismarck was the closest. He was able to get their number from Google.

On 12Oct2022, I did a follow up with Capitol Scales, to see if the owner of the Shalom Market had made contact and purchased a scale. Megan the owner of Capitol Scales, stated to me that he did call, but did not want to pay the approximately \$400 for the scale that Capitol Scales quoted him.

On 24Oct2022, while working in the Minot area, I stopped in at the Shalom Market, on a follow up to see if they had purchased a new scale, and if it was legal for trade. Upon entering

the store, I immediately caught the staff actively using the same scale as before and with the orange non-commercial sticker still in place. I asked the staff, “why are you using that scale, in a commercial transaction?” The staff explained, to the effect, that they had not received a new scale yet. I once again, explained that the scale was not legal for trade, and that actively using it, is illegal. The employee, put the owner on the phone again, and he explained that he ordered a scale from Capitol Scales, but he has not received it. I informed him as well that, that they cannot use the current scale, because it is still not legal for trade. The owner, asked if he could use it until the new one arrived, and I stated no. He then said to the effect, that he would call Capitol Scale and get a delivery date.

On 26Oct2022, I followed up with Megan from Capitol Scales, and as of this date, they have not ordered a scale from them. It is possible that a scale was ordered from a different party, but per the owner of Shalom Market, he states he ordered from Capitol Scale.

Violations

69-10-01-13. Enforcement.

An operator of a commercial weighing and measuring device shall ensure that the device is designed, constructed, operated, and maintained to meet applicable standards in the North Dakota Century Code and the North Dakota Administrative Code. The commission may require proof of compliance. The commission may file a complaint for noncompliance, and, in addition to other appropriate sanctions, assess civil penalties under North Dakota Century Code chapter 49-07 after notice and opportunity for hearing on the complaint.

49-07-01. Violation of commission order or rule - Penalty.

Any person who violates or fails to comply with any provision of this title, or who fails, omits, or neglects to obey, observe, or comply with any order, decision, decree, rule, direction, demand, or requirement of the commission, or any part or provision thereof, in a case in which no other penalty has been provided, shall be guilty of a class A misdemeanor.

49-07-01.1. Violation of statute, commission order, or commission rule - Assessment of civil penalty.

Any person who violates any statute, commission order, or commission rule which applies to matters within the authority of the commission under chapters 8-08, 8-09, 8-10, 24-09, 32-25, and 51-05.1, titles 60 and 64, and title 49 except for chapters 49-22, 49-22.1, and 49-23, in addition to any other penalty provided, is subject to a civil penalty of not to exceed five thousand dollars. A violation occurring under chapter 49-23, in addition to any other penalty, is subject to a civil penalty not to exceed twenty-five thousand dollars. The commission shall develop policies for the assessment of penalties under chapter 49-23 which will take into consideration the severity of damages and the conduct of the offender. The civil penalty may be compromised by the commission. The amount of the penalty when finally determined or agreed upon in compromise, if not paid, may be recovered in a civil action in the courts of this state.

64-03-02. False weights - Unlawful for public use.

It is unlawful for any person to knowingly and fraudulently use a weighing or measuring device, or keep a device for public use, which does not conform to the legal standard of weights and measures of the state, or to alter a weighing or measuring device after it has been tested or calibrated and sealed so that it does not conform to the standard.

Exhibits







Invoice

North Dakota Public Service Commission - Tax ID 450309764

Invoice# **BW14255**

Testing and Safety Division

SFN 19242 (5/2002)

Operator# 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Billed To: 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Time In: 11/9/2022 9:41 am Out: 11:28 am

Approval Seals:

Inspection Record					Device Comments		
	Status	Fee	Qty.	Fee Total		Serial Number:	Seal Number:
Counter/Computing	30 Day Caution	20.00	1	\$20.00	Counter/Computing	22060008	C
				\$20.00			

REJECTED: YELLOW TAGGED. Out of tolerance 1 D.
60 Days to Repair. Did not meet acceptance tolerance

Amount Due: \$20.00

Accounts are due in thirty days. This account is due on December 9, 2022.

Note: New scale, did not meet acceptance tolerance 60 days to repair.

brandon

Inspected By:

Please remit payment to : Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck ND 58505-0480

Scale Test Report

North Dakota Public Service Commission
Testing and Safety Division
SFN 19243 (5/2002)

Invoice# **BW 14255**

Operator# 6951 Inspected Date: 11/9/2022 11:10:32 Date Last Tested: 9/27/2022

Shalom International Market
325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Variance Posted:

Contact: Paul Nketia

E Mail:

Item Code: 11 1

Location Of Device: inside

Manufacturer: Shanghai DB Scale

Indicating Element: Digital Capacity: 30x.01/60x.02

Serial #: **22060008** Class: III

Lever System/Weighing Elements: LC

Platform Size: NA Pit Depth: NA

Approaches: NA

Printer: NA Printer SN: NA

Environmental Conditions: NA

Test Results

Initial Zero Test: 0

Distributed Test

Section Test

Section	Test Weight	Error
1	N/A	N/A

Balance Check: NA

Sensitivity Response OR Discrimination Test

ZeroLoad	NA
Loaded	NA

Shift Test

Load Pt.	Test Weight	Error
1	15	.01
2	15	.02
3	15	.01
4	15	.01

Balance Check: NA

Remarks: **REJECTED: YELLOW TAGGED. Out of tolerance 1 D. 60 Days to Repair. Did not meet acceptance tolerance**

30 Day Caution

Scale is:

Inspected By **brandon**

Test Weight	Error	Test Weight	Error
0	0	5	0
10	.01	15	.02
20	.02	25	.02
30	.02		

Crockford, Konrad S.

From: Wahlfeldt, Brandon H.
Sent: Wednesday, November 9, 2022 11:09
To: Crockford, Konrad S.; Bauske, Shelly A.
Subject: Shalom Market Minot
Attachments: 17-054.pdf; IMG_1361.jpg; IMG_1362.jpg; IMG_1363.jpg

Hello,

I was able to test the scale at Shalom Market. It is an NTEP approved device. However, the scale was yellow tagged for not meeting acceptance tolerance. It failed in corner 2, at 20lbs and at 30lbs.

I explained to the staff working that they can still use the scale for 60 days. However, if it is not recalibrated by a registered service company by that time it will be made noncommercial. I asked the staff working if they wanted to call Paul the owner so I could explain and she stated he was not available, but texted him a picture of the yellow tag.

Thanks
Brandon

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NATIONAL TYPE EVALUATION PROGRAM

Certificate of Conformance

for Weighing and Measuring Devices

For:

Computing Scale
Digital Electronic
Model: DLP-300
 n_{\max} : 3000
 e_{\min} : 0.005 lb/0.01 lb or 0.01 lb/0.02 lb
Capacity: 15/30 lb or 30/60 lb
Platform: 14.3 in x 11.1 in
Accuracy Class: III

***Submitted By: Contact Info. Updated October 2020**

SHANGHI DB SCALE CO., LTD
100 Temple Avenue
Hackensack, NJ 07601
Tel: 201-679-7793
Contact: Joe Kim
Email: kijpys@hotmail.com

Standard Features and Options

- Multi-Interval Scale
- Automatic Zero Tracking (AZT)
- Initial Zero Setting Mechanism (IZSM)
- Semi-Automatic (Push Button) Zero
- Keyboard Tare
- Programmable Tare
- Tare Save Key
- AC Power (Nominal 120 VAC)
- Customer Display
- Gross/Net Display
- Liquid Crystal Display (LCD)
- Unit of Measure: lb

Temperature Range: -10 °C to 40 °C (14 °F to 104 °F)

This device was evaluated under the National Type Evaluation Program and was found to comply with the applicable technical requirements of "NIST Handbook 44: Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices." Evaluation results and device characteristics necessary for inspection and use in commerce are on the following pages.

Kristin Macey
Chairman, NCWM, Inc.

Jerry Buendel
Committee Chair, National Type Evaluation Program Committee
Issued: May 4, 2017

1135 M Street, Suite 110 / Lincoln, Nebraska 68508

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SHANGHI DB SCALE CO., LTD
Computing Scale / DLP-300

Application: This is a computing scale used in general purpose weighing for direct sale, or prepacking. There are two DLP-300 models covered by this certificate (15/30 lb x 0.005/0.01 lb Multi-Interval or 30/60 lb x 0.01/0.02 lb Multi-Interval)

Identification: The required marking information is on a metal ID tag riveted to the side of the scale, or on the post mounted display.

Sealing: On the bottom of the scale there is a plate that is secured by a wire seal threaded through two drilled head screws preventing access to the calibration switch. (See picture below)

Operation: Near the bottom of the weight display on the right side there are a series of annunciators (R, X, S, Z) Below is a brief description of what the annunciators represent.

R Mode : R mode is used to perform most daily operations such as weighing commodities, recalling programmed commodities and issuing labels. After normal power on procedures the scale will be in the R mode.

X Mode : X mode is used to perform Sales Reports using information obtained during normal daily operations of the scale.

S Mode : S mode is where most of the programmed information used during daily operations is directly entered at the scale.

Z Mode : Z mode is used to reset information in the scale back to a factory default configuration or clearing the programmed information out of memory.

Test Conditions: The emphasis of this evaluation was on device design, marking requirements, operation, performance, and compliance with influence factors. Two DLP-300 scales were submitted for evaluation (15/30 lb x 0.005/0.01 lb and 30/60 lb x 0.01/0.02 lb). Several increasing/decreasing load and shift test were performed. A zone or uncertainty/ discrimination test, warm up test, power interruption test, and suitability of level indicator test were also performed. Both scales were tested over a temperature range of -10 °C to 40 °C (14 °F to 104 °F). A load of approximately ½ of the scale capacity was applied more than 100 000 times. The scale was tested periodically during this time. Additionally, tests were conducted using 102 VAC and 132 VAC power supplies. The checklist from Pub 14 was used to ensure the scales met zero, tare, price computing, marking, motion, and all other requirements.

Evaluated By: T. Buck (OH)

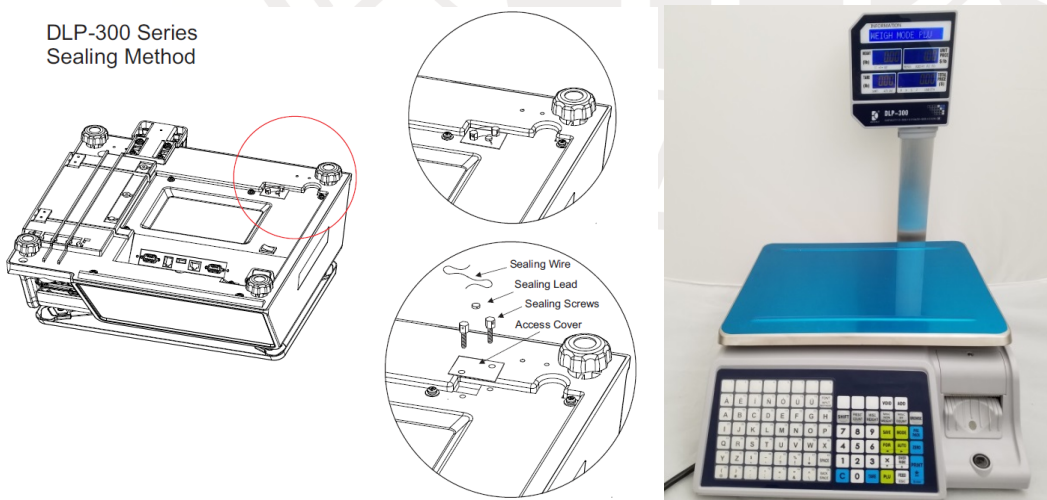
Type Evaluation Criteria Used: *NIST Handbook 44 Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices, 2017 Edition. NCWM Publication 14 Weighing Devices, 2017 Edition.*

Conclusion: The results of the evaluation and information provided by the manufacturer indicate the device complies with applicable requirements.

Information Reviewed By: J. Truex (NCWM)

Examples of Device:

DLP-300 Series
Sealing Method



MODEL: DLP-300

Max: 30/60 lb Min: 0.2 lb
e=d= 0.01/0.02 lb T= -29.99 lb

POWER: Ac120 V~ 60Hz, 2.0A

MANUFACTURED BY SHANGHAI DB SCALE CO.,LTD

APPROVAL NO. 17-054

POWER CONSUMPTION: 90W

SERIAL NUMBER 22060006

DATE: 06. 2022

III MADE IN CHINA





INFORMATION

02:38:40

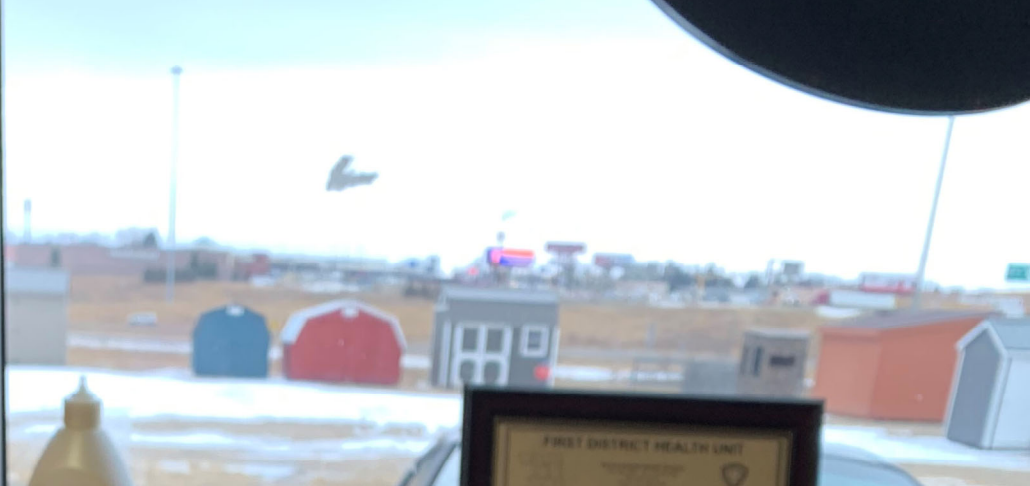
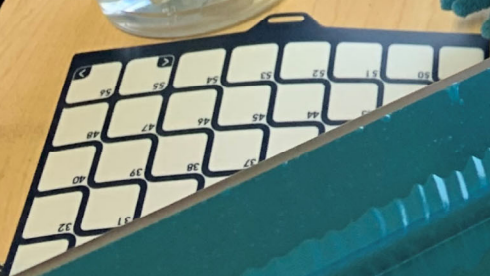
WEIGHT (lb)	1502	UNIT PRICE \$/lb	000
TARE (lb)	000	TOTAL PRICE (\$)	000

VISION TECH SHOP

DLP-300

DB SCALE

CAPACITY: 0-30lb x 0.01lb/30-60lb x 0.02lb



Invoice

North Dakota Public Service Commission - Tax ID 450309764

Invoice# **TR12289**

Testing and Safety Division

SFN 19242 (5/2002)

Operator# 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Billed To: 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Time In: 2/6/2023 3:09 pm Out: 3:35 pm

Approval Seals:

Inspection Record					Device Comments		
	Status	Fee	Qty.	Fee Total		Serial Number:	Seal Number:
Counter/Computing	Tagged Not Seale	0.00	1	\$0.00	Counter/Computing	22060008	T 30468
				\$0.00		TAGGED NON-COMMERCIAL USE ONLY. NC TAG 30468	

Amount Due: \$0.00

Accounts are due in thirty days. This account is due on March 8, 2023.

Note: Scale cannot be used in commere until calibrated by a registered service company. Thank You any questions call the PSC 701-328-2400 Paul is not here however I talked to him on the phone. The Employee will sign off on this invoice.

Inspected By: **tracy**

Please remit payment to : Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck ND 58505-0480

Public Service Commission
Testing and Safety Division
Statement - Account Receivable

Please return this statement with your payment or write your account and invoice numbers on your check. Your account number is 6951. Thank you.

Paul Nketia
Shalom International Market
325 28th Ave SW
Minot ND 58701

6951

Debit# -9657	11/9/2022	Invoice#	BW14255	Invoice Amount	\$20.00
Charged To ID	6951				
Inspected ID	6951	Shalom International Market			
		325 28th Ave SW			
		Minot	ND 58701		

			Quantity	Fee
30 Day Caution	11	Counter/Computing	1	\$20.00
Please pay this amount				\$20.00

Invoice

North Dakota Public Service Commission - Tax ID 450309764

Invoice# **BW14255**

Testing and Safety Division

SFN 19242 (5/2002)

Operator# 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Billed To: 6951

Shalom International Market

325 28th Ave SW

Minot ND 58701

Phone: 701-833-2005

Contact: Paul Nketia

E Mail:

Time In: 11/9/2022 9:41 am Out: 11:28 am

Approval Seals:

Inspection Record					Device Comments		
	Status	Fee	Qty.	Fee Total		Serial Number:	Seal Number:
Counter/Computing	30 Day Caution	20.00	1	\$20.00	Counter/Computing	22060008	C
				\$20.00		REJECTED: YELLOW TAGGED. Out of tolerance 1 D. 60 Days to Repair. Did not meet acceptance tolerance	

Amount Due: \$20.00

Accounts are due in thirty days. This account is due on December 9, 2022.

Note: New scale, did not meet acceptance tolerance 60 days to repair.

brandon

Inspected By:

Please remit payment to : Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck ND 58505-0480