



Measurement Canada compliance and enforcement fact sheet

Measurement Canada (MC), an agency of Innovation, Science and Economic Development Canada, is responsible for ensuring the integrity and accuracy of measurement-based trade transactions in Canada, thereby protecting the marketplace interests of businesses and consumers alike. This is done through the effective administration and enforcement of the *Weights and Measures Act (WMA)* and its regulations, and the *Electricity and Gas Inspection Act (EGIA)* and its regulations.



Businesses and energy service providers must ensure that:

- scales, gas pumps, electricity and gas meters, and other measuring devices used in measurement-based trade transactions comply with the applicable acts, regulations and specifications; and
- goods or services bought or sold on the basis of measure meet all applicable accuracy and labelling requirements outlined in the WMA and its regulations.

Depending on the trade sector in which your measuring device is used, as well as the measuring device type, you will need to have your device inspected [regular intervals](#).

Weighing and measuring devices used for trade in the:

- fishing, forestry, and grain and field crops (in the case of weighing machines used in a grain elevator licensed by the Canadian Grain Commission) sectors must be inspected **every year**;
- dairy, downstream petroleum, grain and field crops (in the case of a device other than a weighing machine used in a grain elevator licensed by the Canadian Grain Commission) and mining sectors must be inspected every **2 years**;
- retail petroleum sector must be inspected every **2 years** (with the exception of propane meters, which must be inspected **every year**);
- retail food sector must be inspected every **5 years**.

MC will take corrective action for issues such as the following:

- measuring devices that measure inaccurately

- measuring devices not used correctly
- measuring devices overdue for inspection
- businesses or energy service providers that use an unapproved or uncertified measuring device
- inaccurate stated quantity of a measured product
- MC inspectors not given access or reasonable assistance to carry out an inspection

MC uses a graduated enforcement approach that includes the following tools to resolve instances of measurement inaccuracy and to ensure that the stated quantity of measured products is accurate:

Notice of non-compliance: Issued when a scale, gas pump or other measuring device does not meet the requirements of the WMA, its regulations or related specifications, but the device does not need to be removed from service. The device must be brought into compliance and in some cases recertified within 14 days from the date the notice is received.

Device removal from service (seizure): If the notice of non-compliance is not acted upon or the measurement error is significant and results in consumers receiving inaccurate measure, the device may be removed from service. The device must be repaired and approval must be obtained from MC to have it returned for use in measurement-based trade transactions.

Product seizure: Groups of packaged products (commodities) can be placed under seizure if the stated quantity is not accurate.

Notice of infraction: Issued when a scale, gas pump or other measuring device is measuring accurately, but is used incorrectly, or when an MC inspector is not given access or reasonable assistance to conduct an inspection. A notice of infraction may be accompanied by an information letter or a warning letter.

Information letter: Issued when there is an issue with a device or measured product (commodity). The addressee of the letter is asked to fix the issue.

Warning letter: Issued as a reminder to fix the issue with a measuring device and to request that an action plan be submitted to MC showing how the issue will be corrected. Should the problem remain uncorrected, MC will take more severe enforcement actions such as having the device removed from service, issuing an administrative monetary penalty (AMP) or prosecution.

Violation warning: Issued when a violation under the WMA, EGIA or associated regulations was committed to warn that an AMP could be imposed. The AMP may be avoided if the violation is corrected by the indicated date.

Notice of violation: Issued when an inspector has reasonable grounds to believe that a violation of specific provisions of the WMA or EGIA, or their associated regulations has been committed.

Administrative monetary penalties: Penalties ranging from \$250 to a maximum of \$2,000 per violation can be imposed.

Prosecution: Court-imposed fines under the WMA and the EGIA up to \$10,000 for minor offences, up to \$25,000 for major offences, and up to \$50,000 for repeated offences may be imposed.