



County of Bucks

DEPARTMENT OF CONSUMER PROTECTION / WEIGHTS & MEASURES

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MEMO: REGULATIONS FOR THE SALE OF FIREWOOD IN BUCKS COUNTY

Extracts from the Pennsylvania Consolidated Weights and Measures Act 155 of 1996, and the National Institute of Standards and Technology Handbook 130 of 1998 are as follows:

SECTION 4128 of Act 155 of 1996 requires that commodities ordered by telephone or in some manner wherein the purchaser is not present at the time the commodities are weighed, measured or counted, a written memorandum of the same shall be delivered to the purchaser.

SECTION 4142 of Act 155 of 1996 makes it illegal to sell, offer or expose for sale less than the represented quantity of any commodity.

SECTION 2.4 of the method of sale regulations of NIST Handbook 130 of 1998 specifies:

2.4.1.1. Fireplace and Stove Wood. For the purpose of this regulation, this section shall apply to the sale of all wood, natural and processed, for use as fuel.

2.4.1 Definitions.

2.4.1.2 Cord. The amount of wood that is contained in a space of 128 cubic feet, when the wood is ranked and well stowed. For the purpose of this regulation, "ranked and well stowed" shall be construed to mean that pieces of wood are placed in a line or row, with individual pieces touching and parallel to each other, and stacked in a compact manner.

2.4.1.3 Representation. A "representation" shall be construed to mean any advertisement, offering, invoice, or the like that pertains to the sale of fireplace or stove wood.

2.4.2 Identity. A representation may include a declaration of identity that indicates the species group (Example: 50% hickory, 50% miscellaneous softwood). Such a representation shall indicate. Within 10 per cent accuracy, the percentages of each group.

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2.4.3 **Quantity.** Fireplace and stove wood shall be advertised, offered for sale, and sold only by measure, using the term “cord” and fractional parts of a cord, or the cubic meter; except that:

(a) **Packaged Natural Wood.** Natural wood offered for sale in packaged form in quantities less than 0.45 cubic meters (1/8 cord or 16 cubic feet) shall display the quantity in terms of cubic meters, to include decimal fractions of cubic meters; or cubic feet, to include fractions of cubic feet.

(b) **Artificial Compressed or Processed Logs.** A single fireplace log shall be sold by weight, and packages of such individual logs shall be sold by weight plus count.

(c) **Stove Wood Pellets or Chips.** Pellets or chips not greater than 15 cm (6 in) in any dimension shall be sold by weight. This requirement does not apply to flavoring chips.

2.4.4. **Prohibition of terms.** The terms “face cord,” “rack,” “pile,” “truckload,” or terms of similar import shall not be used when advertising, offering for sale, or selling wood for use as fuel.

2.4.5. **Delivery ticket or sales invoice.** A delivery ticket or sales invoice shall be presented by the seller to the purchaser whenever any non-packaged fireplace or stove wood is sold. The delivery ticket or sales invoice shall contain at least the following information:

- (a) the name and address of the vendor
- (b) the name and address of the purchaser
- (c) the date delivered
- (d) the quantity delivered and the quantity upon which the price is based, if this differs from the quantity
- (e) the price of the amount delivered
- (f) the identity in the most descriptive terms commercially practicable, including any quality representation made in connection with the sale

SUBSECTION F of Weights and Measures Act 155 of 1996 states the following penalties:

Criminal penalties:

- First or second offense commits a summary offense.
- Third or subsequent offense commits a misdemeanor of third degree.

Civil penalties: May be assessed not to exceed \$10,000.