

Virginia Department of Agriculture and Consumer Services
Division of Consumer Protection - Office of Weights and Measures

102 Governor Street, Richmond VA 23219 • www.vdacs.virginia.gov

TECHNICAL BULLETIN

Bulletin number: 2011-01 (This bulletin supersedes all versions of bulletin 2008-01)

Subject: Labeling of motor fuel dispensers outside Reformulated Gasoline Areas

Issue date: June 1, 2011

Expiration date: In effect until otherwise rescinded

Purpose: The purpose of this bulletin is to provide guidance to retailers outside Virginia’s reformulated gasoline (RFG) areas regarding the labeling of motor fuel pumps that dispense unblended conventional gasoline, ethanol-blended gasoline, or a mixture of both. This bulletin applies to retailers located outside of the jurisdictions listed below:

Virginia Reformulated Gasoline Jurisdictions

Hampton Roads Area	Richmond-Petersburg Area	Northern Virginia Area
Chesapeake City	Charles City County	Alexandria City
Hampton City	Chesterfield County	Arlington County
James City County	Colonial Heights City	Fairfax City
Newport News City	Hanover County	Fairfax County
Norfolk City	Henrico County	Falls Church City
Poquoson City	Hopewell City	Loudoun County
Portsmouth City	Richmond City	Manassas City
Suffolk City		Manassas Park City
Virginia Beach City		Prince William County
Williamsburg City		Stafford County
York County		

Background: The requirements of the federal Renewable Fuel Standard have resulted in a significant increase in the production and availability of gasoline that is blended with ethanol. However, due to market forces, the continued availability of blended gasoline having consistent ethanol content remains unpredictable. Consequently, retailers may find it difficult to comply with requirements that call for motor fuel dispensers to display labels indicating the ethanol content of the product being dispensed.

Interim Allowances: Given the prevailing market conditions, the Office of Weights and Measures (OWM) issues the following interim allowances:

1. If the supply of fuel is consistently reliable with respect to its ethanol content, the pumps must bear conspicuous labels that are definitive for the blends being offered for sale, as in "Contains X % Ethanol," where "X" represents the percentage of ethanol in the blend; for example, the label on pumps dispensing E-10 product must read "Contains 10% Ethanol."

2. If the supply of fuel is not consistently predictable with respect to its ethanol content, such that retailers would have to sell ethanol-blended fuels at some times and unblended gasoline at other times, or when the gasoline in the storage tank contains blended product, but the percentage of ethanol is not specifically known due to mixing of products, as in the case of conventional gasoline and E-10, the retailer may affix stick-on labels with the language “Contains Up To 10% Ethanol.”

Retailers are cautioned that all other labeling requirements regarding brand name, trademark or trade name, and octane rating are not impacted by these interim allowances, and will continue to be enforced in accordance with existing laws and regulations.

If you have questions or need additional information, please contact Mr. Dale Saunders, OWM Program Manager, at (804) 786-2476 or Dale.Saunders@vdacs.virginia.gov.