



October 3, 2018

To: National Conference of Weights and Measures  
Submitted via email: [info@ncwm.net](mailto:info@ncwm.net)

cc: Northeastern Weights and Measures Association  
Southern Weights and Measures Association  
Central Weights and Measures Association

RE: Opposition to FLR-8 Section 3.2.5. Prohibition of Terms

We are writing to you today to state opposition to the proposal to restrict product terms for gasoline-ethanol blends, specifically FLR-8 Section 3.2.5 Prohibition of Terms submitted by the Petroleum Marketers Association of America. We have seen great success with our current dispenser labeling which meets or exceeds current labeling requirements. There have been more than 300,000 consumer purchases of Unleaded 88; consumers have driven over 5 billion miles with no issues. This is overwhelming evidence of the success of our marketing, education and consumer understanding.

We ask for the immediate withdraw of this item from consideration due to the lack of technical, regulatory or commercial justification for the prohibition of product terms for gasoline with greater than 10% ethanol.

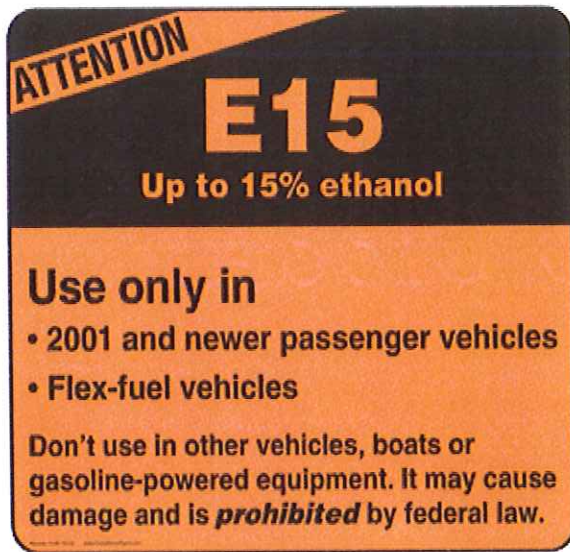
- There is no technical reason to prohibit or restrict the posting of octane for gasoline-ethanol blends. The Federal Trade Commission regulations, 16CFR306, for octane posting of motor fuels are sufficient and fulsome for gasoline ethanol blends.
  - The current dispenser configuration with clear price signage and fact- specific messaging at the Unleaded 88 dispensers help consumer recognition and understanding.
  - The posting of octane on gasoline containing up to 15% ethanol by volume is scientifically accurate; the ASTM Test Methods, D2699 and D2700, are applicable and contain precision statements for gasoline containing up to 25% ethanol by volume.
- There are no regulatory reasons to restrict product grade terms for gasoline blends with ethanol.
  - There have been no customer complaints regarding confusion or misfueling with “Unleaded 88” or similar product labeling.
  - In fact, we have seen great success in the common branding and usage of the product term “Unleaded 88” across our company station locations.

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- There are no commercial reasons for the prohibition of grade terms for gasoline blends with ethanol.
  - Our customers recognize the gasoline grades that we offer; there have been no misfueling events and no customer complaints.
- The U.S. Environmental Protection Agency already requires a label on every dispenser selling E15 to prohibit consumer misfueling. As you can see, the label clearly details the ethanol percentage as well as the vehicle fleet for which the fuel is approved.



Our customers demand fuel based on price and performance including octane posting, and we market those fuels accordingly. We are very satisfied with the new “Unleaded 88” offering; further consideration of this prohibition on pump labeling is unwarranted. Please feel free to contact us if you need further information.

Sincerely,

Michael Lorenz  
EVP of Petroleum Supply  
Sheetz, Inc.