A Guide to Fuel Dispenser Labeling in Arizona

Arizona Department of Agriculture
Weights and Measures Services Division

January 10, 2019

LABEL PLACEMENT & REQUIREMENTS

Unless otherwise stated, fuel dispenser labels must meet the following requirements. All labels must be placed on the upper 50% of the front panel of each motor fuel dispenser. Labels shall be clean, legible, and visible at all times. Dispenser labeling must meet the requirements in Arizona Administrative Code (A.A.C.) R3-7-705 and the automotive fuel rating posting requirements in 16 CFR Part 306. Examples of compliant labels are provided below. External street price signs (road signs) are optional, but if present must meet the requirements in A.A.C. R3-7-704.

GASOLINE OCTANE RATING

The following labels are required under A.A.C. R3-7-705(A)(4) and 16 CFR Part 306. They shall be yellow in color with black text and indicate the minimum octane rating of the gasoline grade offered for sale.

OXYGENATED GASOLINE

The following label is required under A.A.C. R3-7-705(B) if gasoline contains greater than 1.5% oxygen by weight or greater than 4.3% fuel ethanol by volume. The label must indicate the maximum percent by volume of fuel ethanol contained in the gasoline.

MAY CONTAIN UP TO 10 % ETHANOL

The following label is required under A.A.C. R3-7-705(B) if site is in the CBG-covered area (Maricopa County and Area A) or Area B (See A.A.C. R3-7-101 for definitions of Area A and Area B. Maps of these areas are also provided on our website).

MAY CONTAIN UP TO 10 % ETHANOL

THIS GASOLINE IS OXYGENATED WITH FUEL ETHANOL AND WILL REDUCE CARBON MONOXIDE EMISSIONS FROM MOTOR VEHICLES

In the CBG-covered area (Maricopa County and Area A) and Area B, the labels may also be displayed separately as shown below.

MAY CONTAIN UP TO 10 % ETHANOL

THIS GASOLINE IS OXYGENATED WITH FUEL ETHANOL AND WILL REDUCE CARBON MONOXIDE EMISSIONS FROM MOTOR VEHICLES

The following label is required under A.A.C. R3-7-705(B)(2) if gasoline contains greater than 1.5 % by weight of an oxygenate other than fuel ethanol. The label must indicate the type and maximum percentage by volume of oxygenate contained in the gasoline. The example shown below would be used if gasoline were blended with maximum of 12.5% isobutanol by volume.

MAY CONTAIN UP TO 12.5 % ISOBUTANOL

All oxygenated gasoline labels shall have black or white text on a contrasting background with lettering no smaller than ¼ inch in height.

NON-OXYGENATED GASOLINE

In order to make a statement that gasoline does not contain ethanol, the gasoline sold must have an ethanol content of 0.5% or less by volume of fuel ethanol per A.A.C. R3-7-705(B)(4). This label is not required under statute or rule, but if displayed, should appear with similar verbiage as shown below.

DOES NOT CONTAIN ETHANOL

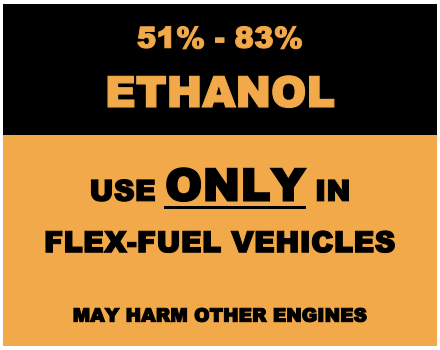
DIESEL FUEL

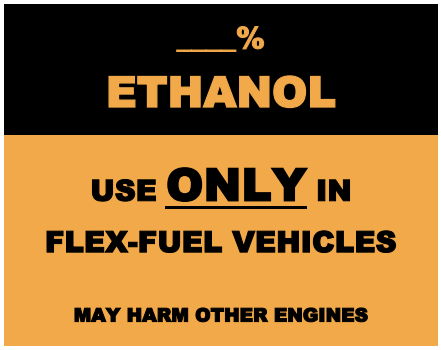
Diesel fuel shall be labeled as required under A.A.C. R3-7-705(A)(3) describing the fuel as No. 1 Diesel, #1 Diesel, No. 2 Diesel, #2 Diesel, or premium diesel. No. 2 Diesel/#2 Diesel may be labeled on dispensers solely as "Diesel" without indication of the fuel grade. In addition, diesel fuel containing no more than 5% by volume of biodiesel or biomass-based diesel is considered to be diesel fuel under ASTM D975 "Standard Specification for Diesel Fuel Oils" and is therefore subject to the labeling requirements in this section.

May also read "Diesel"

ETHANOL FLEX FUEL

Ethanol Flex Fuel is defined as a fuel meeting the standards of ASTM D5798, containing between 51 and 83 volume percent ethanol. It shall be labeled in accordance with 16 CFR Part 306. The label may either state the range "51% - 83%" or may have the ethanol content rounded to the nearest 10%. These labels shall be printed in black on an orange background.





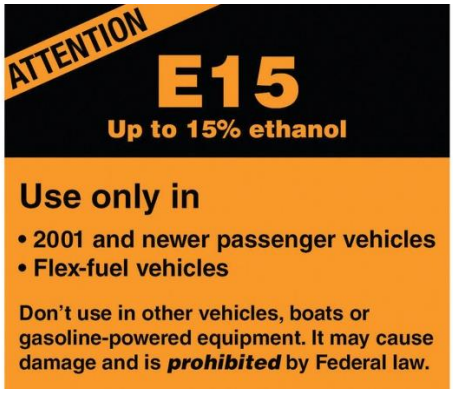
Contains the ethanol content rounded to the nearest 10%

NOTE: Under A.A.C. R3-7-704(A)(9), sites that sell Ethanol Flex Fuel previously labeled as "E85" shall update product labels and external price signs to reflect the sale of Ethanol Flex Fuel no later than January 1, 2018. In no case shall the incorrect ethanol content of the fuel be advertised at the motor fuel dispensing site.

16 CFR Part 306: **CLICK HERE**

E15

E15 is a gasoline/ethanol blend containing more than 10% by volume but no more than 15% by volume of fuel ethanol. This type of fuel is allowed to be sold outside of the CBG-covered area, and shall be labeled in accordance with 40 CFR 80.1501 (as it existed on July 18, 2014). These labels must be printed in black on an orange background.



More information about E15: **CLICK HERE**

40 CFR Part 80.1501: **CLICK HERE**

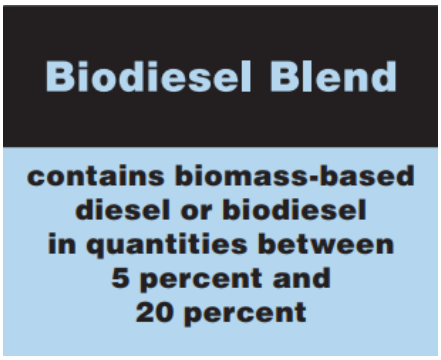
BIODIESEL, BIOMASS-BASED DIESEL, & BLENDS

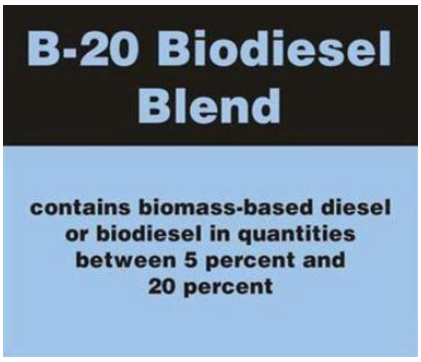
All biodiesel and biodiesel blend labels must comply with Federal Trade Commission (FTC) requirements under 16 CFR Part 306. The following label descriptions were copied from the FTC webpage "Complying with the FTC Fuel Rating Rule." **CLICK HERE** to access the FTC webpage.

Labels for biodiesel and biomass-based diesel and their blends must be printed in black on a light blue background.

For biodiesel blends above 5%, but no more than 20%, the label must disclose the percentage volume of biodiesel followed by the term "Biodiesel Blend," for example, "B-20 Biodiesel Blend," **or** simply state "Biodiesel Blend." Either way, the label also must state "contains biomass-based diesel or biodiesel in quantities between 5 and 20%."

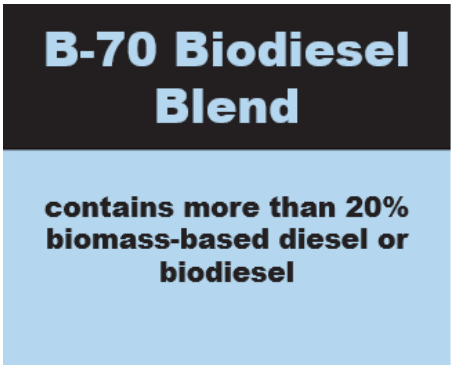
Label examples:

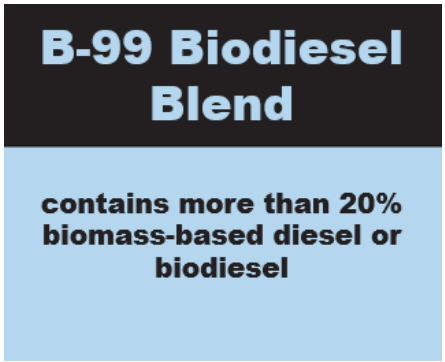




For biodiesel blends above 20%, the label must disclose the percentage volume of biodiesel followed by the term "Biodiesel Blend," for example, "B-70 Biodiesel Blend." The label also must state "contains more than 20% biomass-based diesel or biodiesel."

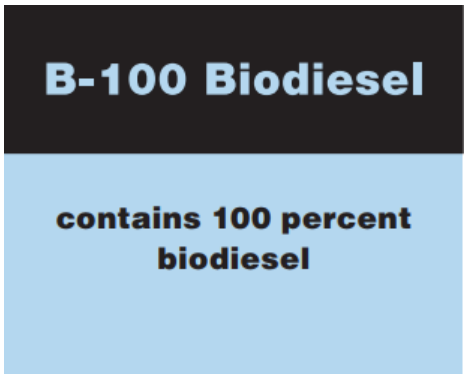
Label examples:





For 100% Biodiesel, the label must state “B-100 Biodiesel” or “contains 100% biodiesel.”

Label example:

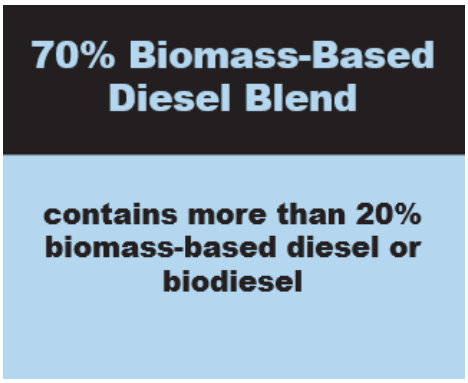


For biomass-based diesel blends above 5% but no greater than 20%, the label must disclose the volume percentage of the biomass-based diesel followed by the term “Biomass-Based Diesel Blend,” for example, “20% Biomass-Based Diesel Blend,” **or** simply state “Biomass-Based Diesel Blend.” Either way, the label must also state “contains biomass-based diesel or biodiesel in quantities between 5 and 20%.”

Label example:

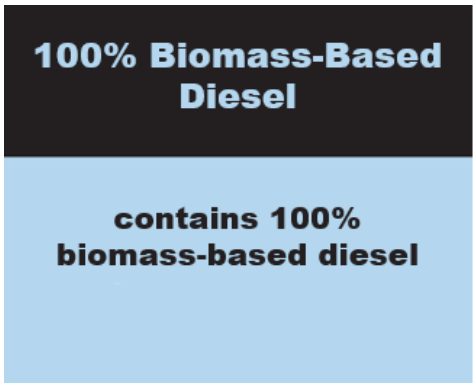
For biomass-based diesel blends above 20%, the label must state the percentage volume of biomass-based diesel followed by the term "Biomass-Based Blend," for example, "70% Biomass-Based Diesel Blend." The label also must state "contains more than 20% biomass-based diesel or biodiesel."

Label example:



For 100% Biomass-Based Diesel Blends, the label must state "100% Biomass-Based Diesel" **and** "Contains 100% biomass-based diesel."

Label example:



NOTE: Diesel fuel containing no more than 5% by volume of biodiesel or biomass-based diesel is only required to comply with the labeling requirements listed under A.A.C. R3-7-705(A)(3) for diesel fuels as it meets the requirements of ASTM D975 "Standard Specification for Diesel Fuel Oils"..

16 CFR Part 306: **CLICK HERE**

GASOLINE EXCISE TAX

A label explaining the federal, state, and underground storage tank excise taxes is required on all **gasoline** dispensers under A.R.S. 3-3431(K). A template of this label is available on the Arizona Department of Agriculture website and is also available from many fuel dispenser service companies.

NOTICE

EACH GALLON OF GASOLINE CONTAINS

THE FOLLOWING EXCISE TAXES:

United States Federal Tax: 18.4 cents per gallon

Arizona State Tax: 18 cents per gallon

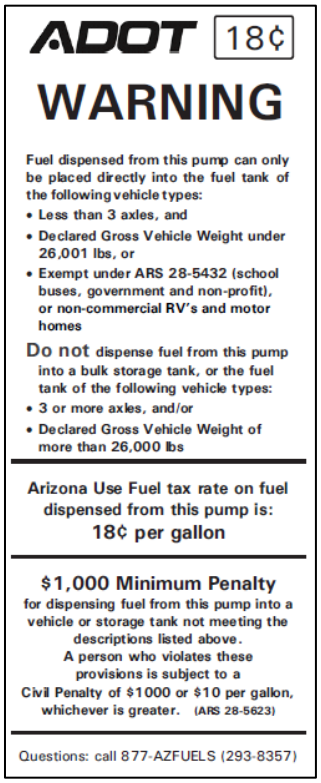
State Underground Storage Tank Tax: 1 cent per gallon

Excise tax label template: **CLICK HERE**

USE FUEL TAX

All **diesel** fuel dispensers are required to display labels notifying customers of the tax rate that is collected per gallon at that specific dispenser. Light Class diesel fuel dispensers have a $0.18 tax per gallon. Use Class diesel fuel dispensers have a $0.26 tax per gallon. The labels explain the type of vehicles that apply to each tax rate. These labels are regulated by the Arizona Department of Transportation (ADOT) and are required under A.R.S. 28-5605. This statute specifies that ADOT shall provide the use fuel dispenser labels to vendors. Contact ADOT at (877) 293-8357 to find out how you can obtain these labels for your dispensers. Provided below are examples of the Light Class and Use Class labels.

Light Class label


ADOT 18¢

WARNING

Fuel dispensed from this pump can only be placed directly into the fuel tank of the following vehicle types:

- Less than 3 axles, and
- Declared Gross Vehicle Weight under 26,001 lbs, or
- Exempt under ARS 28-5432 (school buses, government and non-profit), or non-commercial RV's and motor homes

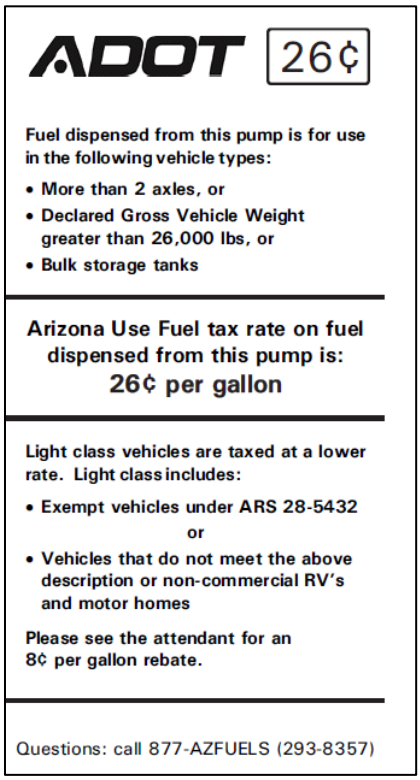
Do not dispense fuel from this pump into a bulk storage tank, or the fuel tank of the following vehicle types:

- 3 or more axles, and/or
- Declared Gross Vehicle Weight of more than 26,000 lbs

Arizona Use Fuel tax rate on fuel dispensed from this pump is:
18¢ per gallon

$1,000 Minimum Penalty
for dispensing fuel from this pump into a vehicle or storage tank not meeting the descriptions listed above.
A person who violates these provisions is subject to a Civil Penalty of $1000 or $10 per gallon, whichever is greater. (ARS 28-5623)

Questions: call 877-AZFUELS (293-8357)


ADOT 26¢

Fuel dispensed from this pump is for use in the following vehicle types:

- More than 2 axles, or
- Declared Gross Vehicle Weight greater than 26,000 lbs, or
- Bulk storage tanks

Arizona Use Fuel tax rate on fuel dispensed from this pump is:
26¢ per gallon

Light class vehicles are taxed at a lower rate. Light class includes:

- Exempt vehicles under ARS 28-5432
  or
- Vehicles that do not meet the above description or non-commercial RV's and motor homes

Please see the attendant for an 8¢ per gallon rebate.

Questions: call 877-AZFUELS (293-8357)

Use Class label

A.R.S. 28-5605: **CLICK HERE**

ADOT fuel tax website: **CLICK HERE**

UNATTENDED RETAIL MOTOR FUEL DISPENSERS

Sites with unattended retail motor fuel dispensers must display a label in accordance with A.A.C. R3-7-705(C). This label shall be in public view and list the following information for that specific location:

OWNER OR OPERATOR NAME

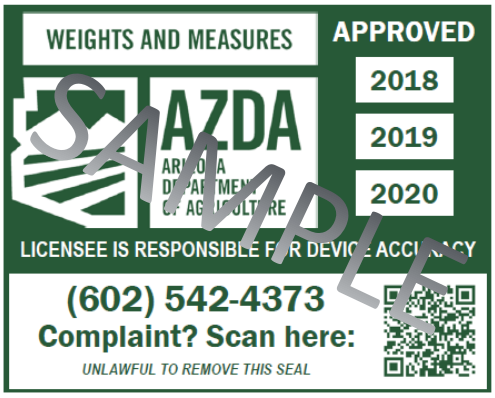
OPERATOR ADDRESS

OPERATOR PHONE NUMBER

WEIGHTS AND MEASURES CONTACT INFORMATION

Contact information for the Weights and Measures Services Division is required to be displayed on all fuel dispensers under A.A.C. R3-7-705(D). Approval seals placed by the Division (shown top left) under A.R.S. 3-3414(A)(13) satisfy this requirement. If no approval seals are present on the dispenser however, the contact information shall be displayed on the dispenser face on a separate label (shown bottom right).

OR....



OR....

Problems with this dispenser?
Call the Arizona Department of Agriculture,
Weights and Measures Services Division
(602) 542-4373

Division Information Label Template: **CLICK HERE**

PRICE AND GRADE POSTING ON EXTERNAL SIGNS

Consistent product descriptions are required on external or street price signs installed at a motor fuel dispensing site. Allowable product descriptions for diesel fuel, biodiesel, biodiesel blends, gasoline, gasoline-oxygenate blends, and ethanol flex fuel are listed under A.A.C. R3-7-704.

The allowable product descriptions for diesel fuel are:

- **No. 1 Diesel**
- **#1 Diesel**
- **No. 2 Diesel**
- **#2 Diesel**
- **Diesel No. 2 may be labeled as "Diesel"**
- **Premium Diesel**

The allowable product descriptions of other fuels intended for use in compression ignition engines are:

- **Biodiesel**
- **Biodiesel blend**

The allowable product descriptions for gasoline or gasoline-oxygenate blends are:

For fuel with a minimum antiknock index of 87:

- **Regular, Reg, Unleaded, UNL, or UL**

For fuel with a minimum antiknock index of 89:

- **Midgrade, Mid, or Plus**

For fuel with a minimum antiknock index of 91:

- **Premium, Prem, Super, Supreme, High, or High Performance**

NOTE: A person may use an alternative product description for gasoline or gasoline-oxygenate blends upon written approval by the associate director of the Division.

The allowable product description for a motor fuel with an ethanol concentration of 51% to 83% by volume is:

- **Ethanol Flex Fuel**

In addition to the product descriptions, external or street price signs shall also:

- Identify whether the price differs depending on whether the payment is cash, credit, or debit.
- Identify the self-service and full-service prices, if different.
- Disclose the full price of a motor fuel including fractions of a cent and all federal and state taxes, if the sign displays the motor fuel price. A decimal point shall be used in the displayed price when a dollar sign precedes the posted price.
- Display lettering at a height of at least 1/5 of the letter height of the motor fuel price displayed on the external sign or 2 ½", whichever is larger.
- State the terms of any condition if the displayed price is conditional upon the sale of another product or service (e.g. car wash, oil change, etc.). The terms of any condition shall comply with the letter height requirement described above.
- Identify the unit of measure of the price, if it is other than per gallon.

If you have questions about fuel dispenser labeling or external street price sign requirements within the State of Arizona, please contact the Weights and Measures Services Division at **602-542-4373** or send us an e-mail at **dwm@azda.gov**.

WEIGHTS AND MEASURES

AZDA
ARIZONA DEPARTMENT OF AGRICULTURE