



## Are Your Dispensers Labeled Correctly?

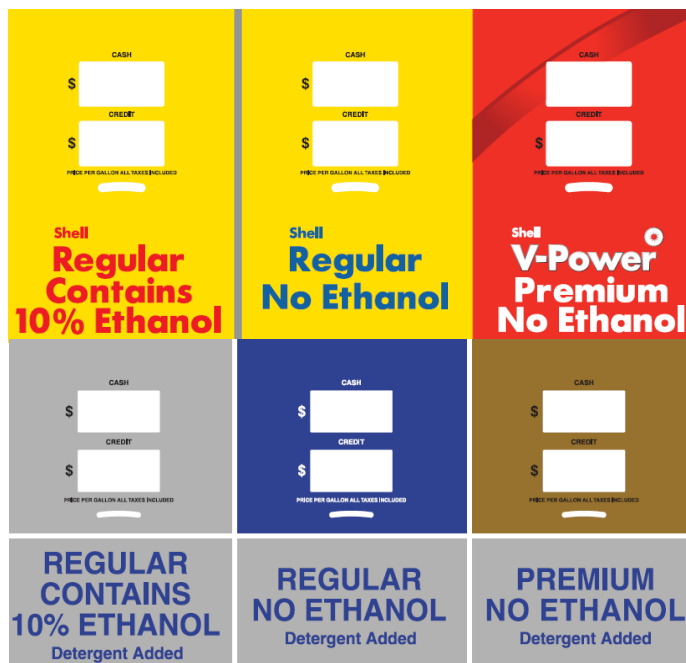
Violating the ND Century Code is a class B misdemeanor

Labeling on product dispensers must follow the [Fuel Product Posting Rules](#).

### Octane Labeling Requirements

The North Dakota Petroleum and Fuel Product Rules require specific labeling for the different octane grades of gasoline. According to the ND Administrative Code [article 33-34-01-02](#) Labeling specifications, the following paragraphs state the labeling requirements for the different octane grades:

- 1a. The posted octane rating must be conspicuously placed on the dispenser's front panel in a type **not less than one inch** high.
- 1b. Only gasoline or alcohol-blended gasoline with a posted **octane rating greater than or equal to ninety-one** may be labeled “premium”, “supreme”, or “high test”.
- 1c. Only gasoline or alcohol-blended gasoline with a posted **octane rating greater than or equal to eighty-nine** may be labeled “super”, “plus”, or “midgrade”.
- 1d. Octane of unleaded and leaded gasoline or alcohol-blended gasoline must be at least “**eighty-seven**”.



**CONTAINS  
10% ETHANOL**



Labeled Octane	Minimum Requirement	Posted (labeled)
87	86.3	Unleaded
88	87.3	
89	88.3	Super Plus Midgrade
89.5	88.8	
90	89.3	
91	90.3	Premium Supreme High test
92	91.3	
93	92.3	



### Questions Contact

ND Dept of Environmental Quality

701-328-5166

[deq.nd.gov/wm](http://deq.nd.gov/wm)



Valued NDPMA Members:

We are once again sharing with you important information on how to properly label your dispensers. It appears the **ND Department of Health has received numerous complaints lately from consumers who are claiming dispensers not properly labeled** are confusing them and, in some cases, leading to the misfuelling of vehicles. The last thing we want to see happen to any NDPMA member is for their retail outlets to be accused of deceptive sales practices. **Please take the time to make sure your dispensers and price signs have the correct information on them. This includes any c-stores selling ethanol blended gas greater than E10.**

## Retail sale of alcohol-blended gasoline - Label requirements

North Dakota Century Code [23.1-13-04](#)

A dealer **may not sell at retail alcohol-blended gasoline unless the dispensing unit and any price advertising bear the name of the alcohol blended with the gasoline if the alcohol-blended gasoline consists of one percent or more by volume of any alcohol.** The disclosure must be in letters at least the same size as those used for the label of the basic grade of gasoline and must be next to the gasoline grade label. A producer of alcohol-blended gasoline may provide a retailer with a label promoting the benefits of alcohol-blended gasoline, if the label at least meets the requirements of this section.

23.1-13-06. **Retail sale of alternative fuels** - Notice required. A dealer may not sell at retail alternative fuel unless the dispensing unit and price advertising

contains the name and main components of the alternative fuel or alternative fuel blend. The disclosure must follow the same labeling specifications that apply for petroleum-based fuels. The department shall adopt rules under chapter 28-32 for labeling of petroleum products and alternative fuels. A producer of alternative fuels or alternative fuel blends may provide a retailer with a label promoting the benefits of the alternative fuel if the label meets the requirements of this section

23.1-13-20. **Penalties.** A person violating or failing to comply with any of the provisions of this chapter, or with any rule issued under this chapter, is, unless another penalty is specifically provided, guilty of a class B misdemeanor.

## Street Sign Posting



Consumer Protection & Antitrust Division  
**Office of the Attorney General**

The Attorney General's Consumer Protection Division suggests that stations **post** on street signs the **highest price for gas**, rather than the lower cash price. Posting a lower price on the street sign with a higher price posted on the pump **could be considered misleading** and could result in consumer complaints.

To avoid confusion and consumer complaints the Consumer Protection Division suggests that street signs listing a **lower price** contain an **indication** or advertisement on the sign that it is a **"cash price"**.

The following is provided for informational purposes only and is not legal advice by the Attorney General.

If you have questions, you may contact the Consumer Protection Division at 1-800-472-2600 or 701-328-3404.