

Overview of the Massachusetts Price Disclosure Law

Bill No. 04089 - The Commonwealth of Massachusetts, effective date: January 1, 2013

Converting to a “consumer price scanner system”

Section 184E. (a) A food store or food department seeking to convert from an individual item pricing system to a consumer price scanner system shall seek a waiver from the division. The waiver shall be granted by the division provided that the food store or food department has no outstanding fines under sections 184B to 184D, inclusive, or section 56D of chapter 98 and pays a \$250 fee annually to the division if the retail space is less than 15,000 square feet, \$500 fee if the retail space is 15,000 square feet up to 30,000 square feet, or a \$1,000 fee if the retail space is 30,000 square feet or more.

“no job Loss” affidavit

(b) Pursuant to the regulations promulgated under this chapter, the division shall require each applicant to complete a “no job loss” affidavit which shall include, but not limited to, the number of people employed at the time of the application process and the establishment of a complaint process, so that full and part time employees will not suffer any wage or benefit loss due to said transfer.

Number of consumer price scanners required

(d) Each food store or food department with more than 5,000 square feet of retail space that employs a consumer price scanner system shall have at least 1 fully operational consumer price scanner for every 5,000 square feet of retail space or part thereof.

Number of consumer price scanners capable of printing individual price tag

..... A food store or food department with more than 5,000 square feet shall have at least 1 fully operational consumer price scanner capable of producing an individual item pricing tag. At all such scanner locations, the food store or food department shall provide the consumer with a means by which such pricing tag may be affixed or appended to the item or its packaging, such as tape or an adhesive price tag.

Handheld or shopping cart scanners

..... The deputy director may, by regulation, authorize new technologies in lieu of required consumer price scanners which further the intent of this section, including, but not limited to, hand held or shopping cart attached scanners which retain in memory and itemize all scanned items. Such technologies may reduce the required number of consumer scanners by no more than 50 per cent.

Location & Signage

... The location of a consumer price scanner shall be disclosed via 1 clear and conspicuous sign at eye-level and 1 clear and conspicuous sign above eye level Consumer price scanners shall be equally spaced throughout the store in fixed locations. A sign containing contact information for the division shall be posted by each consumer price scanner so that consumers may report broken consumer price scanners. Such consumer price scanners shall be in compliance with the Americans with Disabilities Act Accessibility Guidelines, 28 CFR Part 36, Appendix A and the Massachusetts architectural access board regulations 521 CMR 1.00, et. seq.

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Compliance with the new law can be challenging, and that's where Optical Phusion (OPI) can help. Not only does our Consumer Price Scanner System simplify compliance with consumer protection laws, it can increase sales, improve customer satisfaction and loyalty, and strengthen your brand—all while reducing operating costs.

**Source of information <http://www.malegislature.gov/Bills/187/House/H04089>

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