

## **GENERAL PROCEDURES**

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## **PRICE VERIFICATION INSPECTION**

### **SCANNING SYSTEM, MANUAL ENTRY, AUTOMATED PRICE LOOK-UP (PLU), STOCK-KEEPING UNIT (SKU)**

#### A. Equipment

1. Sales Price Report, Form 49-007, original and two copies
2. Calculator
3. Calibrated one or two-pound weight (optional)
4. "Scanning Gun" (optional)
5. Digital Camera
6. Current copy of the California Business and Professions Code\*
7. Current copy of the California Code of Regulations\*
8. Current copy of the Price and Quantity Verification Program Manual\*
9. Notice of Violation (NOV), Form 40-033 (Rev. 11/01) or County NOV form

\*Available online at <http://www.cdfa.ca.gov/dms>

#### B. Special Notes

**Some stores have a policy that requires that a member of their staff be present during the inspection. If someone from the store accompanies you, make sure they understand that they are not to change any prices in the system or remove the expired or incorrect sales signs until the inspection is finished.**

**Before beginning price verification of the selected items, remember that the system can not be in "Training Mode" or "Manager's Price Checking Mode" as some systems use a different data base for pricing in these modes. The best evidence is a transaction receipt that is given to the customer. An "On-Demand Receipt", "Price Quote", "Inventory Data Sheet", etc, are not considered valid receipts.**

**In order to obtain a valid receipt for the inspection, ask store personnel to complete the transaction as if you were a regular customer, paying cash for the total amount. The store can do a "Post Void" of the transaction or void out items individually afterwards. Remind them that they will receive a copy of the inspection Report for their records to help explain what happened to the sale and that the receipt can be marked with the words "Price Verification Inspection, Receipt not valid for returns or exchanges" or words of similar import if they are worried about possible misuse of the evidence.**

**When using a scanning gun, take all items with a pricing discrepancy to a check-stand to be verified. A receipt must be obtained as proof of the price charged.**

1. This procedure may be used to check the accuracy of prices charged when the establishment represents prices in advertisements, on item displays, attached to items for sale, etc. Methods commonly employed include a device to interpret a code on the purchased item, an automated price look-up method where codes (PLU, Price Look-Up; SKU, Stock Keeping Unit; RF tags, Radio Frequency tags; Icons, etc.) are read or manually entered, or where a clerk “rings up” (manually keys in a price) the item price. It also allows for checking price extensions on multiples or bulk goods.
2. A separate inspection to verify that adequate tares are taken can be done for items weighed at the time of sale, see Test Purchase procedure, page 5-1.
3. A device designed to read a radio frequency tag or optical code and record or to print the bar code (scanning gun) may be used for the inspection in lieu of taking the items to a check-stand to be scanned. Use of a “reader” may not result in a receipt. Whatever method is used, a Subtotal Price Charged must be recorded on the inspection report. If violations are found, a receipt is needed for evidence that a violation occurred.
4. CRV redemption, core charges, appliance recycling charges, etc., associated with an item for sale, should be recorded as separate item and, if possible, should immediately follow the associated commodity. You may have to re-ring individual items to determine which of the charges are attributable to individual items. In California, items subject to CRV reimbursement charges must be so marked by the packager or they can not charge CRV for that item.

#### C. Definitions and Data Entry

Basic data such as the Business Name, Address, Date of inspection, Time of inspection, Date of the Sale Advertisements, and your County name should be filled out first. Additionally, if your County wants to track the Business Type (Department Store, Auto Parts Store, Grocery Store, etc) or the form is being used for survey purposes, there is a space for that information below the Business Name and Address. A space to write in a community’s sales tax is included to help document under- or overcharges due to charging the wrong sales tax. After putting a mark in the appropriate box to demonstrate the Inspection Type and Price Recall Method, document only those items that were improperly charged in the body of the form.

1. Inspection Type: Mark whether the inspection is Routine Initial, Special (Surveillance Requests, Surveys, etc), a complaint, or follow-up to your Routine Initial Inspection.
2. Price Recall method: Mark all that would apply when a store uses a Scanner, PLU (Price Look Up), SKU (Stock Keeping Units), Icons, or Manual entry.
3. Commodity: Description of the Item that is having its price verified. e.g. “Boys, Bifco, shorts-husky size”. The SKU or UPC numbers can be documented in this column or the column for “Other information”.
4. Sale Price, advertised (Adv.): The advertised price for a commodity taken from a newspaper, flyer, brochure, radio, television, internet or other media that is available outside of the store. (These are often additionally made available inside the store as well as via circulars, flyers, or mail). If the information is from a flyer or other printed media, write down the page number along with the offer, (e.g. All Towels, 50% off regular price, page 12), and take a copy of the advertisement to attach to your

Sales Price Report when the item incorrectly charges.

5. Sale Price, in store: The advertised price for a commodity taken from a separate sign (posted on walls, topper sign on display, manager special, etc), temporary shelf advertisement or any other representation that is found at the store other than copies of a mailer, circular, flyer, or other published advertisement insert defined in the instruction 4. A “sale” price indicates that there is some amount of reduction in the price when compared to the regular price.
6. Shelf Price: This can also be the regular price of an item. The shelf price is posted directly underneath or above the product.
7. Item Price: The price of the commodity that is attached to the item using a sticker, stamp, label or tag.
8. Regular Price: The regular selling price of an item. It does not include any represented discounts.
9. Tax Item: Check the appropriate box (“Y” for yes or “N” for no) to mark whether or not the item is taxable. Often the receipt will be of assistance, but be aware that price programming is not always correct at identifying items subject to tax. Improper charges can occur when a store charges or fails to charge tax.
10. Price Charged: The price displayed on the customer view screen and/or printed on the receipt, whether the item is scanned, entered then voided, or purchased.
11. Correct Price: The lowest of the advertised, quoted, posted, and/or marked price for which the buyer is qualified (i.e. for coupon or club card discounts, the buyer would need to present the required coupon or card to qualify). If there are no under or overcharges, this will be the same as the price charged. Be aware that store personnel may use this term with a different meaning.
12. Error/Undercharge: When the price charged for an item is less than the correct price. The dollar value is determined by subtracting the correct price from the price charged. Take time to look at sales circulars, other advertisements, and any additional evidence offered by the store to verify whether or not the item actually is an undercharge.
13. Error/Overcharge: When the price charged for an item is more than the correct price. The dollar value is determined by subtracting the correct price from the price charged.
14. Percent Overcharge (% over chrg): The dollar value of the overcharge divided by the correct price for that item then multiplied by 100:  
$$\frac{[(\text{price charged} - \text{correct price}) / \text{correct price}] \times 100}{1}$$

Do not do this calculation if the total Error is a net undercharge.
15. Item Count: The number of items on the shelf or available for sale.
16. Other Information: Use this column to write additional information that helps document the incorrectly charged item. Include information like explanations from store personnel as to what caused the item to charge incorrectly, the SKU or UPC code can be documented in this column or under the commodity description column, etc.

17. Subtotal: Document the subtotal taken from the store's generated receipt for the "Price Charged" column. Subtract or Add the Total Error, T.E. from the receipt's subtotal and put that in the "Correct Price" column.
18. Tax: Document the tax charged for the items verified in the "Price Charged" column. If the error for the tax was due to the incorrect price being charged for the items, leave the tax for the "Correct Price" column blank. If the store charged the wrong tax rate or taxed non-taxable items, then determine the proper amount of tax and write that in the "Correct Price" column. If a store charges too much tax, that is an overcharge and would be noted in the remarks.
19. Total: Document the total from the receipt, verifying that the store's system calculated the correct total.
20. Algebraic Error (Total Error): The difference between the total of all overcharges and the total of all undercharges. The total error may be either an overcharge (+) when the customer is asked to pay more than the correct price, or an undercharge (-) when the customer is asked to pay less than the correct price.
21. Percent Total Overcharge (% overchrg): When there is a total overcharge, this is the dollar value of the Algebraic Error (Total Error, TE) divided by the correct price subtotal, excluding sales tax, and then multiplied by 100.
22. Number Inspected (No. Inspected): This number represents the number of transactions checked, not necessarily the actual number of items rung up. When testing the price for purchasing multiples, all items are combined for one transaction, e.g. to test the price representation of "2 for \$5.00 or 1 for \$2.99", you would pick up two items to test the transaction. This is not necessary when only a single price representation is displayed since the price for multiples or for a single item must then be a true extension of the represented price, e.g. Items represented only as "2 for \$1.00" would have a price extension of \$0.50 each.
23. Number Overcharges (No. Overcharges): This number represents the number of transactions where an over charge occurred.
24. Number Undercharges (No. Undercharges): This number represents the number of transactions where an under charge occurred.
25. Remarks: In this box record a description of the appropriate California Business and Professions Code section violated and check the box below this section. Check the box as to whether or not the commodities were purchased, returned or held for evidence, and write in any other pertinent information. You may also use this area to not other important information (e.g. number of checkstands or number of sales items selected for your sample).
26. Owner/Agent: The owner or agent needs to sign in this box and print their name below.
27. Title: The store's owner or agent should print their official title in this box.

28. Sealer: Write in the name of your jurisdiction's Sealer.
29. By: Name/s of Investigator/s documenting the inspection results.

D. General Procedures (Counties without an Ordinance)

1. For a typical supermarket, drug and variety store, or department store, approximately 30 items from throughout the store should be selected. Fewer items may be selected for smaller stores and more for larger establishments. About half of these should be represented as on-sale, price reduced, or be indicated in some manner that they are "special buys". These should include in-store specials, markdowns, or close-outs. Advertised items may be pre-selected using flyers or newspaper advertisements.

Section 12024.2 of the California Business and Professions Code states that representations such as "5 for a \$1.00" or "1/2 pound for \$5.99" require that price extensions be true when not represented as a condition (i.e. \$0.20 each and \$11.98 per pound). A sign that states both "5 for \$1.00 or \$0.25 each" expresses a condition for receiving the discount for the purchase of 5 items. Unless a pricing condition is expressed for multi-buy items, the sample should not include more than one of the same item. No deliberate effort should be made to select mismarked or mispriced items. Multi-buy discount items are considered to be one item.

If the establishment uses equipment to print a bar code on packages weighed and labeled on the premises (e.g., meat, deli, bakery), select an additional five or more of these packages for price verification. Do not overlook items that use Icons, PLUs, or RF tags instead of barcodes. Also look for reduced-price aged or day-old items that require the clerk to properly update the barcode to match the reduced prices.

2. When, in addition to conducting an inspection of the store, you are investigating a complaint, following-up on a suspect item, or questioning an item not part of the sample, these specific items should be selected and evaluated separately from the rest of the sample. Fill out a separate Sales Price Report to document the results of those items.
- If you are going to identify yourself before having the prices computed or scanned, proceed with Section E - Disclosure Procedure. If you are conducting an undercover inspection, skip to Section F - Undercover Procedure, on page 2-8.

E. Disclosure Procedure

1. Place the sample items in a market basket if available. Make sure you select items with PLUs (for example fruits, vegetables or bulk items). You may place the item in your basket or record the identity, product code, and price per pound for later use. Take one of each type and size of produce bags or containers available for the customer's use. These will be used to verify the tare taken at the check-stand.
2. Contact the store management, explain the nature of the price inspection, and request the items in the basket be scanned, or entered in a manner that will give a regular

customer receipt showing a description of each item and/or price charged, subtotal for the items, tax charged, and the total price. **Do not conduct the test in “Training Mode” or the “Manager’s price checking mode.” Some systems use a different database for pricing in these modes. Do not operate the equipment or scan the items yourself; store personnel must do this.**

3. After the items have been entered and returned to the basket, consecutively place the calibrated weight, along with each of the bags or containers on the scale. Ask the checker to charge for this as if it were one of the selected bulk items. Check for entry of the correct item code, weight, price per pound, computed price, and tare deduction. Continue with the remainder of the produce codes and containers. Note: this does not permit evaluation of clerk training for elements such as placing two or three items on the scale while deducting tare for only one container (cluster weighing).
4. Taking the receipt tape, return the items to the display shelves. As each item is replaced, check for agreement between the receipt, item price, shelf price, and “special” price. Record any overcharges or undercharges. It is an overcharge, if the scanned or entered price on the receipt is greater than the lowest of the posted, marked, or advertised price. If the CRV, deposit, core charge, recycling fee is incorrectly charged it should be shown on a separate line immediately below the product entry whether or not the associated item incurred a separate pricing error. This will make it clear what errors occurred. ***Since it is not possible to purchase an item without paying associated fees such as CRV, Core Charges, or sales tax, this would be considered one overcharge for that item even though it is possible to have the item, the CRV or associated charge, and/or the tax all incorrectly charge in the one transaction. If any part of the transaction overcharges, it would be considered an overcharge.*** An undercharge occurs if the receipt charge is less than the lowest of the above. Carefully note all critical information, such as the number of displays and the approximate number of overcharged or undercharged items on display. Take pictures of the display, price representations, the overcharge item and its bar code to document the violation. ***If the store charges the incorrect sales tax, simply note that in the comments box and put the correct calculated sales tax in the column marked “correct price” and in the appropriate box.***
5. Record on the Sale Price Report all available information for each item with any difference between the advertised, item or shelf prices, and the price charged.
6. Discuss the results of the inspection with the person in charge and have that person sign the form along with his or her title. Leave a copy with the store. Attach the receipt tape to your copy. Mail one copy, with a copy of the receipt attached and any pictures taken during the inspection, to the local DMS office.

**ALL PRICING ERRORS MUST BE CORRECTED BEFORE LEAVING THE STORE.  
SEE CITATION PROCEDURE MANUAL FOR APPROPRIATE ENFORCEMENT  
ACTION.**

STATE OF CALIFORNIA  
DEPARTMENT OF FOOD AND AGRICULTURE  
DIVISION OF MEASUREMENT STANDARDS

BUSINESS NAME: Super Duper Discount Center  
ADDRESS: 109 So. Main St.  
Rock Ridge, CA

Date: June 9, 2008  
Time: 1:20 PM  
Sale Adv. Date: 6/7/2009  
Tax Rate: 7.50%

**SALES PRICE REPORT**

BUSINESS TYPE: Department & Variety Store

COUNTY: Mission

INSPECTION TYPE:

Routine Initial  Special  Complaint

Follow-up

PRICE RECALL METHOD:

Scanner

PLU

SKU

Icons

Manual

Commodity	Sale Price		Shelf Price	Item Price	Regular Price	Tax		Price Charged	Correct Price	Error		% over chng	Item Count	Other Information
	Adv.	In store				Y	N			under charge	over charge			
Batman Cap; Item # 612-612	Pg. 9, \$4.99		none	none	\$ 5.99	X		\$ 5.99	\$ 4.99			20.0	16	Copy of Ad over Cap Display.
Micromachine 4 x 4 Pick-up; UPC 0657890555590				\$ 3.19	\$ 2.49	X		\$ 3.19	\$ 2.49			28.1	5	Recent Price Increase. No corrections made to Item Price.
Never Die Marine Battery; Item # 654-657	Pg. 16, \$49.95			\$ 49.95	none	X		\$ 69.95	\$ 49.95			40.0	3	expired shelf tag, sale price not in system.
Century House Paint; Item # 675-675		Special- \$15.97	none	none	uk	X		\$ 13.97	\$ 15.97	\$2.00		-	25	price wrong in computer
Mixed Nuts- Economy Pack, UPC 135790086421		40% off Reg. Price	40% off	\$ 19.95	\$ 19.95	X		\$ 19.95	\$ 11.97			66.6	10	Marked as Clearance Item.
Everone's Water (23.7 fl oz) UPC 01359787215		2/1.00 Hill 7/4/08	\$ 1.00	none	\$ 1.00	X		\$ 1.00	\$ 0.50			100.0	38	Cashier did not take discount
CRV on Water								\$ 0.10	\$ 0.05			100.0		wrong CRV/rate used
Remarks: Complainant was overcharged on 6/7/08 for Batman Cap. toy truck, marine battery, mixed nuts & Water (Sale price as well as CRV). Complainant was refunded by manager after bringing it to store's attention. No correction, continuing overcharges.														
Subtotal \$ 177.05    \$ 148.82    \$ 2.00    \$30.23 Tax \$ 12.39    Total Error \$28.23 Total \$ 189.44    % overchng 18.9%														
Violations of California B&P Code: <input checked="" type="checkbox"/> 12024.2 <input type="checkbox"/> 12024.6 <input type="checkbox"/> 13300 I have reviewed and received a copy of this report. (Owner/Agent) Title: Store Director Manny Marshall    Sealers: J. Goodman    By: J. Steed														

#### F. Undercover Procedure

1. Place the sample items in a market basket. Inconspicuously record shelf prices or “special” prices. Items from bulk displays should also be considered for testing.
2. Proceed through the check-stand as a normal customer. When a payment amount is announced by the clerk you may identify yourself, ask that store management be contacted and proceed as in Disclosure Procedure, Step E6. If you wish to maintain undercover identity, purchase the items and keep the receipt.
3. Leave the store to check weigh any produce or bulk items and complete the report. Compare the purchase price on the receipt with the advertised, item, or shelf prices recorded earlier. Record any overcharges or undercharges. It is an overcharge if the price charged is greater than the lowest of the posted, marked, or advertised price, excluding sales tax and CRV which are considered separately. If the CRV, deposit, core charge, recycling fee is incorrectly charged it should be shown on a separate line immediately below the product entry whether or not the associated item incurred a separate pricing error. This will make it clear what errors occurred. ***Since it is not possible to purchase an item without paying associated fees such as CRV, Core Charges, or sales tax, this would be considered one overcharge for that item even though it is possible to have the item, the CRV or associated charge, and/or the tax all incorrectly charge in the one transaction. If any part of the transaction overcharges, it would be considered an overcharge.*** An undercharge occurs if the charge is less than the lowest of the above, excluding sales tax and CRV value.
4. Return to the store, or if undercover identity is to be maintained, have a different official go into the store. Review displays and any placards, representations, advertisements or flyers for items having a difference between the advertised, item or shelf prices, and the price charged. Record on the Sale Price Report all available information about items with differences.
5. Request that the person in charge meet with you. Review the results of the inspection and have that person sign the form along with his or her title. If the items are not to be purchased, have the sale voided and return the items to the shelf. Keep the receipt or a copy and attach it to your copy of the Sales Price Report. Leave a copy with the store. Mail one copy, with a copy of the receipt attached, to the local DMS office.

**ALL PRICING ERRORS MUST BE CORRECTED BEFORE LEAVING THE STORE.  
SEE PAGE 16 OF THE CITATION PROCEDURE MANUAL FOR APPROPRIATE  
ENFORCEMENT ACTION**



G. General Procedures (Counties with an Ordinance see B&P Code 13350-13357)

Inspections in ordinance counties require these additional considerations:

1. Initial Standard Inspections:

Areas to be inspected: 1. A single department of a retail store, 2. Multiple areas of a retail store, or 3. The entire store.

Sample sizes:

Number of Check Stands	Minimum Sample Size
1 to 3 POS checkout registers	10 items
4 to 9 POS checkout registers	25 items
10 or more POS checkout registers	50 items

NO MORE THAN HALF OF THE ITEMS CAN BE SALE ITEMS.

The minimum random sample size shall not apply to inspections of any establishment at which fewer items than the number specified as the minimum sample size are marked or displayed with a posted or advertised item price. If this happens document it in the remarks section.

The maximum percentage of sale item restriction does not apply in establishments where marketing or promotional practices do not allow the inspector to sample the minimum required percentage of nonsale items, such as "Everything in Store 50 percent off" or the like. If this happens document it in the remarks section.

Random Sample: means the selection process shall be modeled after National Institute of Standards and Technology Handbook 130, 2005 Edition (HB130) Examination Procedures for Price Verification, randomized sample collection; stratified sample collection. Note: If you see an item that is in violation, you can take action on it, just don't consider it as part of your random sample for determining compliance for your initial standard inspection. Document the violation as you would a complaint item (see section D.2.)

2. Special Inspections:

These may include follow-up re-inspections (for stores with compliance rates of less than 98 percent), surveillance inspections, complaint inspections, and special surveys. Special inspections do not require you to follow the same procedure as the Initial Standard Inspection and sample sizes and selection may be based on other criteria.

Note: you have up to six months to do a follow-up re-inspection.

Sections 13350-13357 are in effect until January 1, 2014.

STATE OF CALIFORNIA  
DEPARTMENT OF FOOD AND AGRICULTURE  
DIVISION OF MEASUREMENT STANDARDS

BUSINESS NAME: La Comida Rica  
ADDRESS: 673 Pleasant Rd.  
Mountain Top, CA 98991

Date: December 12, 2007  
Time: 10:00 AM  
Sale Adv. Date: One day sale 12/12/08  
Tax Rate: 7.50%

SALES PRICE REPORT

CC - 49 - 007C (Rev. 2007)  
COUNTY: Hume INSPECTION TYPE:  Routine Initial  Special  Complaint  Follow-up PRICE RECALL METHOD:  Scanner  PLU  SKU  Icons  Manual

Commodity	Sale Price Adv.	In store	Shelf Price	Item Price	Regular Price	Tax		Price Charged	Correct Price	Error		% over chrg	Item Count	Other Information	
						Y	N			- under charge	+ over charge				
Castaneda's Peppers (4 oz); upc 789654123258			\$ 2.19	none	\$ 2.19		X	\$ 1.89	\$ 2.19	\$0.30			8	Old shelf tag	
Nelson's 100 % Apple Juice (64 fl oz); upc 2568941325			\$ 2.39	none	\$ 2.39		X	\$ 2.39	\$ 2.39				15		
Nelson's Juice CRV								\$ 0.10	-					not a CRV item.	
Lilly's Salad Mix (6 oz) upc 25698741365	Pg. 12; BOGO free	Buy one get one free	\$ 2.99		\$ 2.99		X	\$ 2.99	\$ 2.99				27	not ringing up at sale price.	
Lily's Salad Mix- same as above								\$ 2.99	-					Manager's sign does not clearly state the requirements of the sale.	
Mariannes Tamales; plu 1849		Managers Special: 6 for \$6	none	none	\$ 1.25		X	\$ 1.25	\$ 1.00	\$0.25			36		
Remarks: 4 cash registers; Readouts not visible to consumer.															
Store is charging the incorrect tax rate of 8.0 percent instead of 7.5%; actual tax charged should be \$0.98 instead of \$1.04, a \$0.06 overcharge															
A copy of the report will be forwarded to BOE for overcharges on taxes															
A copy of the report will also be forwarded ot DOR for overcharge on CRV.															
Violations of California B&P Code: <input checked="" type="checkbox"/> 12024.2 <input type="checkbox"/> 12024.6 <input checked="" type="checkbox"/> 13300															
I have reviewed and received a copy of this report. (Owner/Agent) Title: <u>Magda Easton</u> <u>Manager</u>															
Sealer: <u>R. Reddy</u>															
By: <u>F. Tomasavich</u>															
Commodities: <input type="checkbox"/> Purchased <input checked="" type="checkbox"/> Returned															
Subtotal			\$ 245.75			\$ 242.71			\$ 0.30			\$ 33.34			No. Inspected 50
Tax			\$ 1.04			0.98			Total Error \$3.04			1.2%			No. Overcharges 3
Total			\$ 246.79			\$ 243.69			% overchrg 1.2%						No. Undercharges 1

#### H. Additional Information, Overcharges due to Sales Tax, E-waste fee collection or CRV

1. Tax discrepancies and E-Waste fees: If you determine that an improper tax rate has been charged or that non-taxable items were taxed. Issue a Notice Violation for the overcharge and forward documentation to the Special Investigations Principal Auditor for the State Board of Equalization.

Board of Equalization Investigation Division  
450 N Street, MIC 42  
Sacramento, CA 94279

2. Core charges for refurbishing car batteries should be posted or quoted at the time of the transaction. If an incorrect fee is charged, issue a Notice Violation for the overcharge.
3. California Redemption Value (CRV) discrepancies: If you determine that an improper CRV, rate was charged or that non qualifying items were charged a CRV, issue a Notice of Violation for the overcharge and forward documentation to the Division of Recycling (DOR).

Division of Recycling-Dealer Services  
Complaint Coordinator  
801 K Street  
Sacramento, CA 95814

CRV rates are controlled by DOR in Section 14560 (3) of the Public Resources Code. The values are represented in statutes, public messages, and posted on the internet by the entity authorized by law to do so. Furthermore Section 14561 of the Public Resources Code states that containers be individually marked if the specified CRV applies. It is a violation of 12024.2 to charge CRV on items that are not part of the program or to charge a rate higher than allowed by statute for items marked as CRV.

#### I. Violation of B&P Code 13300 can be documented during Price Verification Inspections

13300. (a) The operator of a business establishment that uses a point-of-sale system to sell goods or services to consumers shall ensure that the price of each good or service to be paid by the consumer is conspicuously displayed to the consumer at the time that the price is interpreted by the system. In any instance in which the business advertises a price reduction or discount regarding an item offered for sale, the checkout system customer indicator shall display either the discounted price for that item, or alternatively, the regular price and a credit or reduction of the advertised savings. Any surcharges and the total value to be charged for the overall transaction also shall be displayed for the consumer at least once before the consumer is required to pay for the goods or services. The checkout system customer indicator shall be so positioned, and the prices and amounts displayed shall be of a size and form, as to be easily viewable from a typical and reasonable customer position at each checkout location.

(b) For the purposes of this section, "point-of-sale system" means any computer or electronic system used by a retail establishment such as, but not limited to, Universal

Product Code scanners, price lookup codes, or an electronic price lookup system as a means for determining the price of the item being purchased by a consumer.

(c) All point-of-sale systems used by a business establishment on and after January 1, 2007, shall comply with the requirement of subdivision (a).

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