

## Consumer Affairs Agencies

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Department of  
Telecommunications and Cable

Division of Standards

State Racing Commission

Massachusetts Office of Consumer Affairs & Business Regulation

# CONSUMER ADVISORY

## Get Your Money's Worth at the Grocery Store

### *Expired Food Found on Store Shelves*

In today's economy, where every penny counts, you expect to get what you pay for. This is not always the case.

Dan Crane, Undersecretary of the Office of Consumer Affairs & Business Regulation, warns consumers to be on the lookout for outdated perishable products when they go food shopping.

A random and less than exhaustive inspection of 15 food sellers in Boston, Cambridge, and Quincy found an average of seven outdated items per store. Food items inspected included dairy products (milk, cheese, and yogurt), packaged meats (deli slices, bacon, and sausage) pre-made sandwiches, poultry, and bagged produce.

Of the nearly 100 outdated items found, 16% were *seven or more* days past date. Some of the more disturbing finds included yogurt that was 24 days outdated, eggs that were 12 days outdated, packaged meat that was 19 days outdated, cheese that was 13 days outdated, and strawberry milk that was 10 days outdated.

According to the Department of Public Health, Massachusetts is one of a small number of states to have "open-dating" regulations. This means that sale of **perishable** foods is prohibited unless the retailer has written approval from the manufacturer that the product is still safe after the open-date. The expired product must be segregated from food products that are not past date.

Consumers should be careful while they shop since none of the expired items identified during our inspections were separated from other food products. Local health departments/boards are responsible for reviewing labels during routine inspections, disposing outdated perishables, and citing food sellers.

"This investigation shows why consumers must check the sell by or expiration date when they shop for perishable food," said Dan Crane. "Make sure that you are buying fresh items to get the most for your money."

In the event that a consumer does purchase an outdated item, most food sellers have return policies that allow for the exchange of goods. The larger food retailers we contacted stated that with a receipt, they would offer a refund or exchange. The smaller, independent food sellers stated that they would not offer a refund; however, they would exchange the item.

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