

By Mr. Kafka of Sharon, petition of Louis L. Kafka relative to the electronic pricing of food sold in grocery stores. Community Development and Small Business.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO PRICE MARKING OF FOOD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 184C of chapter 94 of the General Laws, as appearing
2 in the 2000 Official Edition, is hereby amended by striking out the
3 first paragraph and inserting in place thereof the following para-
4 graph:—

5 As used in this section, the following words shall, unless the
6 context clearly requires otherwise, have the following mean-
7 ings:—

8 “Universal product coding”, any system of coding which
9 entails electronic pricing.

10 “Electronic shelf labeling system” a system which is electronic
11 that utilizes an electronic device attached to the shelf or any other
12 point of sale, immediately below or above the item which con-
13 spicuously and clearly displays to the consumer the unity price
14 and the price of the consumer commodity. Such electronic
15 labeling system reads the exact same data as the electronic cash
16 register scanning systems.

17 “Electronic pricing systems” means a system that utilizes the
18 universal product coding bar code by means of a scanner in com-
19 bination with the cash register to record and total a customer’s
20 purchases. The electronic pricing system shall be no less than
21 ninety-five per cent accurate as determined by the director of stan-
22 dards.

23 Except as hereinafter provided, every item in a food store and
24 every item in a food department, shall operate under an electronic

25 pricing system. At the point of display of the consumer item, there
26 shall be an electronic label, immediately above, below, or adjacent
27 to the consumer item that clearly displays to the consumer the
28 total price of the consumer item in Arabic numerals and a descrip-
29 tion of the consumer item, including, but not limited to, the
30 product name or description, brand and size of the item.

31 The retailer must provide UPC scanners every twenty five feet
32 of the store. The UPC scanners will be synchronized with the
33 UPC code scanning capability of the retailer's check out system
34 used at the point of sale. It must be readily accessible to the con-
35 sumers and located in a convenient place throughout the aisle.