

By Mr. Kafka of Sharon, petition of Louis L. Kafka relative to the electronic pricing of food sold in grocery stores. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

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 unit price and  
14 the price of the consumer commodity. Such electronic labeling  
15 system reads the exact same data as the electronic cash register  
16 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 twenty five feet of the  
32 store. The UPC scanners will be synchronized with the UPC code  
33 scanning capability of the retailer's check out system used at the  
34 point of sale. It must be readily accessible to the consumers and  
35 located in a convenient place throughout the aisle.