

# HOUSE . . . . . No. 166

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

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Seven.

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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 in  
2 the 2000 Official Edition, is hereby amended by striking out the first  
3 paragraph and inserting in place thereof the following paragraph:—

4 As used in this section, the following words shall, unless the con-  
5 text clearly requires otherwise, have the following meanings:—

6 “Universal product coding”, any system of coding which entails  
7 electronic pricing.

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

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

21 Except as hereinafter provided, every item in a food store and  
22 every item in a food department, shall operate under an electronic  
23 pricing system. At the point of display of the consumer item, there  
24 shall be an electronic label, immediately above, below, or adjacent to  
25 the consumer item that clearly displays to the consumer the total

26 price of the consumer item in Arabic numerals and a description of  
27 the consumer item, including, but not limited to, the product name or  
28 description, brand and size of the item.

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