



Commonwealth of Massachusetts  
Office of Consumer Affairs and Business Regulation

**Division of Standards**

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AGENCY GUIDANCE

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**Background:** Following the discontinuation of production of the penny by the United States Mint in November of 2025, the Division has received several questions and requests for guidance regarding the impact of this policy and the effect the discontinuation will have on Massachusetts businesses, specifically as it applies to applicable Massachusetts laws under the jurisdiction of the Massachusetts Division of Standards.

The Division of Standards is closely monitoring this development and any complaints that may be received by the Division as a result of the discontinuation. The Division's assessment is that the enforcement and application of applicable price accuracy and disclosure sections of Massachusetts General Law (*see*, M.G.L. c. 6 § 115A; M.G.L. c. 94 §§ 184B-184E; and M.G.L. c. 98 § 56D) would not be materially affected by any policy change authorizing or requiring rounding of cash transactions to the nearest \$.05. As the applicable laws apply specifically to **the accuracy of the cost of the individual item, not the aggregate transaction**, the existing law would be applied as is, provided that the displayed or labeled price of the item matches the item's price at checkout.

**Any rounding of cash transactions - plus or minus - must be applied to the aggregate transaction cost and not affect the price of the individual items.**

From a consumer protection perspective, DOS strongly recommends and encourages the full and conspicuous disclosure of any store's rounding policy to the consumer prior to the completion of the transaction with the option to provide an alternative form of payment. This disclosure should be visible to all customers at all entrances and points of sale, offered in multiple languages, and in a manner accessible to customers of all abilities.

This Guidance applies only to the statutes which the Division is authorized to enforce and does not opine whether other Massachusetts laws which may be applicable, such as consumer protection regulations issued by the Office of the Attorney General or the calculation of applicable taxes by the Massachusetts Department of Revenue.

Any questions about the application of this guidance may be directed to agency contacts listed above.

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