



# County of Bucks

DEPARTMENT OF CONSUMER PROTECTION / WEIGHTS & MEASURES

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## CONSUMER INFORMATION BULLETIN

### Inspection of Price Scanning Systems in Pennsylvania

In February of 1997 an important new law – the “Consolidated Weights and Measures Act” – took effect. That law requires annual inspection of Universal Product Code (“UPC”) scanning systems and Price Look-Up (“PLU”) devices. These systems and devices are the “bar code scanner” technology familiar to most consumers.

Inspections of UPC scanning systems and PLU devices may be conducted by the Pennsylvania Department of Agriculture (“PDA”), local government (under certain conditions) or private certification programs. Regardless of which of these entities conducts the inspection, though, the inspection procedures and standards will be the same: the “Examination Procedure for Price Verification” prescribed by the National Conference on Weights and Measures in its Publication 19 (August 1995).

Publication 19 requires an inspector select and check a random sample of the items offered for purchase in order to evaluate the accuracy of the UPC scanning systems or PLU devices being used to register the sale. For example, in a small store (one with 3 or fewer terminals), a minimum test of 25 items or more will be conducted. In stores with 4 or more terminals at least 50 items will be tested. The items selected will be scanned using either a checkout terminal scanner or a Store-supplied portable hand-held (RF) scanner at some other location in the store.

Beginning January 2001 all weights and measures devices in commercial use in Bucks County must be registered with the Bucks County Department of Weights and Measures. Each device requires a certain annual fee to be paid. Invoices will be sent to businesses in the early part of each year. The registration fee for Universal Product Code (UPC) scanning systems/Price Look-Up (PLU) devices is as follows:

3 or less checkouts per location	\$ 50.00 per system
4 or more checkouts per location	\$100.00 per system

PDA recommends a responsible Store representative accompany the inspector to facilitate the inspection. During the inspection it is the Store’s responsibility to notify the inspector of any variables that may affect the test results. These may include non-advertised specials, low price guarantees, clearance prices, or intentional undercharges.

After each item is scanned, there will be an opportunity to make any price adjustments or markdowns prior to determining the error status. For evaluation purposes, the item prices given to the inspector **WILL** be considered the final item prices – since these prices are the same prices a customer would have been charged. All price errors must be corrected immediately or the items removed from sale.

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One hundred percent (100%) accuracy is the goal. A test result of 98% accuracy or better is required to pass inspection. A test result revealing accuracy of less than 98% will cause the store to be placed on an increased inspection frequency status. A store in this status will be re-inspected within 30 business days of the original inspection and, if accuracy of less than 98% persists, will be reinspected within 60 business days of the original inspection. If accuracy of less than 98% persists after these three inspections, the store can expect higher-level enforcement actions. The Law allows civil penalties up to \$10,000 in cases of repeated inspection failures.

Repairs and installation notification is the repair person or installer's responsibility. The Weights and Measures Office must be notified within 48 hours of installation of new equipment or repairs to existing equipment. After notification, the owner(s) may use the device for a period not to exceed fifteen (15) days while waiting for Weights and Measures inspection of the device.