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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1188

Session of  
1977

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INTRODUCED BY FREIND, SPITZ, PICCOLA, BRANDT, DAVIES AND  
W. D. HUTCHINSON, MAY 31, 1977

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 31, 1977

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AN ACT

1 Concerning the unit pricing of consumer commodities.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the "Unit Price  
6 Disclosure Act."

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall  
9 have, unless the context clearly indicates otherwise, the  
10 meanings given to them in this section:

11 "Consumer commodity." Any merchandise, wares, article,  
12 product, comestible or commodity of any kind or class produced,  
13 distributed or offered for retail sale for consumption by  
14 individuals other than at the retail establishment, or for use  
15 by individuals for purposes of personal care or in the  
16 performance of services rendered within the household, and which  
17 is consumed or expended in the course of such use.

1 "Director." The Director of the Bureau of Consumer  
2 Protection in the Department of Justice.

3 "Person." Any natural person, partnership, corporation or  
4 other organization engaged in the sale, display or offering for  
5 sale of consumer commodities at retail from one or more retail  
6 establishments whose combined total floor area exceeds 4,000  
7 square feet or whose combined total annual gross receipts from  
8 the sale of consumer commodities in the preceding year exceed  
9 \$2,400,000.

10 "Price per measure." The retail price of a consumer  
11 commodity expressed per such unit of weight, standard measure or  
12 standard count as the director shall designate by regulation.

13 Section 3. Exposure or offer for sale at retail of consumer  
14 commodity; mark of price per measure.

15 It shall be unlawful for any person to expose or offer for  
16 sale at retail any consumer commodities, except as specifically  
17 exempted by the director in accordance with section 4, unless  
18 said consumer commodities shall be plainly marked by a stamp,  
19 tag, label or sign at the point of display with the price per  
20 measure of such consumer commodity.

21 Section 4. Unit pricing regulations; hearings; exemptions;  
22 retail establishments and commodities list.

23 The director may by regulation, and in each instance after  
24 public hearing, provide for the manner in which price per  
25 measure shall be calculated and displayed, establish and modify  
26 a list of commodities exempt from the provisions of this act,  
27 and define the classes of retail establishment exempted from the  
28 requirements of this act: Provided, That in no case shall  
29 persons with annual gross receipts from the sale of consumer  
30 commodities in the preceding tax year of more than \$2,400,000

1 from all retail establishments with a total floor area of more  
2 than 4,000 square feet each be exempt from the provisions of  
3 this act: And provided further, That the director, in  
4 promulgating unit pricing regulations, shall not exempt consumer  
5 commodities or retail establishments from the provisions of this  
6 act except where compliance therewith would be impractical,  
7 unreasonably burdensome or unnecessary for adequate protection  
8 of consumers. The director shall maintain at all times and make  
9 public a clearly defined list of specific commodities exempt  
10 from the provisions of this act and of all classes of retail  
11 commodities and all classes of retail establishments required to  
12 be in compliance with this act and any regulations issued  
13 hereunder.

14 Section 5. Other regulations.

15 The director shall promulgate such regulations as shall be  
16 necessary in his discretion to effectuate the purposes of this  
17 act.

18 Section 6. Violation, penalty.

19 Any person who violates section 3 is guilty of a summary  
20 offense.

21 Section 7. Effective date.

22 This act shall take effect in 60 days.