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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1228** Session of  
1987

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INTRODUCED BY DONATUCCI, RIEGER, PISTELLA, RYBAK, GRUPPO, ITKIN,  
CARN, MELIO, MRKONIC, MICOZZIE, DeLUCA, TRELLO, FREEMAN,  
McHALE, KOSINSKI, E. Z. TAYLOR, DURHAM, JOSEPHS, KENNEY,  
RAYMOND, HARPER AND MICHLOVIC, APRIL 29, 1987

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, APRIL 29, 1987

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AN ACT

1 Providing for item pricing of grocery items; providing further  
2 duties of the Department of Agriculture; and providing  
3 penalties.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Grocery Item  
8 Pricing Act.

9 Section 2. Definitions.

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

13 "Department." The Department of Agriculture of the  
14 Commonwealth.

15 "Grocery items." All food items meant for human consumption  
16 and sold at retail. The term shall not include:

17 (1) Items sold through vending machines.

1 (2) Food sold for consumption on the premises.

2 (3) Snack food offered for sale in single packages  
3 weighing five ounces or less.

4 (4) Milk, eggs and unpackaged produce if the price is  
5 clearly indicated by a conspicuous sign or otherwise located  
6 at or near the point of sale.

7 Section 3. Mandatory item pricing.

8 (a) Certain establishments.--Beginning January 1, 1987,  
9 every person, firm, partnership, copartnership, corporation or  
10 association which sells or offers for sale, grocery items shall  
11 disclose to the consumer the item price of the commodity.

12 (b) Display.--Item prices shall be displayed to any consumer  
13 through markings which are clear, conspicuous and plainly  
14 visible. Such markings shall be marked or stamped on, or tagged  
15 or affixed to, the item and shall display the selling price in  
16 Arabic numerals.

17 Section 4. Notification of violation.

18 (a) Procedures.--Prior to instituting any action, the  
19 Secretary of Agriculture shall notify the offending food store  
20 of the specific elements of the violation, and the food store  
21 shall have 30 days in which to correct the violation.

22 (b) Corrections.--If the violation is corrected not later  
23 than 30 days after receipt of the notification, no penalty shall  
24 be imposed. For purposes of this section, a violation occurs  
25 when a food store fails to have a clearly readable price on 12  
26 identical items of the same commodity.

27 Section 5. Effect of noncompliance.

28 (a) Violations.--If, after being notified of a violation, a  
29 food store fails to remedy the violation, failure to have a  
30 clearly readable price on 12 identical items of the same

1 commodity shall constitute noncompliance.

2 (b) Additional violations.--In these cases, each additional  
3 group of 12 identical units not item priced or improperly priced  
4 shall constitute a violation. Each day a violation is continued  
5 after the 30-day period has expired shall constitute a separate  
6 violation.

7 Section 6. Rules and regulations.

8 The department shall promulgate the rules and regulations  
9 necessary to carry out this act.

10 Section 7. Penalty.

11 An establishment which violates this act commits a summary  
12 offense and shall, upon conviction, be sentenced to pay a fine  
13 of \$1,000 for each violation.

14 Section 8. Effective date.

15 This act shall take effect in 60 days.