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DEPARTMENT OF CONSUMER AFFAIRS ANNOUNCES RESULTS OF FALL SUPERMARKET INSPECTIONS: COMPLIANCE AT ALL-TIME LOW OF 33 PERCENT

Department of Consumer Affairs (DCA) Commissioner Jonathan Mintz today announced that following his promise in August to double the number of supermarket inspections in this fiscal year, in response to low compliance rates for last fiscal year, DCA inspectors have already conducted nearly 500 inspections. Compliance plummeted from last year's low 48 percent down to only 33 percent. Inspectors travelled to supermarkets throughout New York City reviewing item pricing, proper taxation, and scanner accuracy, all of which impact hard-working New Yorkers' wallets at the check-out counter. In New York City's five poorest community districts, which are all located in the Bronx, the compliance rate was slightly improved from only 36 to 52 percent.

"Compliance rates have plummeted even further and New York City's supermarkets are clearly not getting the message that New Yorkers demand that they get it right at the check out counter," said DCA Commissioner Jonathan Mintz. "DCA will continue its aggressive enforcement of pricing and other consumer protection violations in the City's supermarkets, including this year's doubling of inspections, until these stores finally take the quality control steps necessary to get it right."

These results were based on the first four months of an enforcement initiative of supermarkets in all five boroughs, in which DCA issued almost 750 charges. The charged supermarkets could face more than \$310,000 in fines to the City. DCA inspectors checked for a variety of potential violations, including inaccurate check-out scanners, lack of prices on individual items, taxation of items that are not taxable, failure to mark proper quantities and provide required information on food packaged in the store, a lack of proper labeling and unavailability of scales for customers. The most common violation was for a lack of item pricing, particularly troubling given that nearly one in three times supermarkets got it wrong at the cash register.

The Bloomberg administration is committed to fighting poverty and in 2006; DCA launched its Office of Financial Empowerment which is dedicated to educating, empowering and protecting New Yorkers with low incomes, like those in the five poorest community districts in the City where compliance was particularly low: Community District 1 (Mott Haven, Melrose, Port Morris); Community District 2 (Hunts Point, Longwood); Community District 3 (Melrose, Morrisania, Claremont, Crotona, Park East); Community District 5 (Morris Heights, University Heights, Fordham); Community District 6 (East Tremont, Bathgate, Belmont, West Farms).

To file a complaint about a supermarket, call 311 or visit nyc.gov/consumers. For smart shopping tips, download [DCA's guide *Saving at the Supermarket*](#) or call 311 and request a copy of the supermarket shopping guide.

The Department of Consumer Affairs enforces the Consumer Protection Law and other related business laws throughout New York City. Ensuring a fair and vibrant marketplace for consumers and businesses, DCA licenses more than 71,000 businesses in 55 different industries. Through targeted outreach, partnerships with community and trade organizations, and informational materials, DCA educates consumers and businesses alike about their rights and responsibilities. DCA's Office of Financial Empowerment, launched by Mayor Michael R. Bloomberg's Center for Economic Opportunity, is the first municipal office of its kind in the nation with a mission to educate, empower and protect New Yorkers with low incomes. DCA's OFE administers a citywide network of Financial Empowerment Centers and other products and services that help these New Yorkers make the best use of their financial resources to move forward economically. For more information, call 311 or visit DCA online at nyc.gov/consumers.

Know your rights at the register:

- **Advertised Items** - Ads must truthfully describe the name, variety and size of the item on sale and list any purchase restrictions. Stores must make reasonable quantities available.
- **Scales** - Markets must have a scale within 30 feet of their prepackaged food sections. Check for short weight and the tare weight deduction — the deduction taken for the weight of the empty container from the gross weight. The scale must have a DCA seal on it, start at zero, and come to rest before weight or price is quoted.
- **Unit Pricing** - The unit price — the cost per measure (pound, pint, etc.) — must be listed on the shelf below most products.
- **Item Pricing** - All market commodities sold or offered for sale in New York City must have a stamp, tag or label giving the item's cost, except:
 - baby food in jars
 - tobacco
 - bulk-food sales
 - vending machine products
 - display items at the end of the aisle
 - eggs
 - food sold for on-premise consumption
 - fresh produce
 - items on sale for seven days or less
 - milk
 - snack foods
 - some frozen foods
- **"Open" or "Freshness" Dates** - These dates show the last recommended sale or use date, and must be marked on perishable food product packages, such as egg cartons, dairy products and baked goods.
- **Packaged Products** - The product's identity, net weight, measure or numerical count, and the name and address of the distributor must appear on its label.