

Inspection Checklist: Supermarkets, Bodegas, and Delis

Do you own or operate a supermarket?

Use this checklist to learn what our inspectors look for and help avoid violations. All businesses also must comply with the **General Retail Inspection Checklist**, which is included at the end for easy reference.

| Requirement | Do you meet this requirement? |
|---|-------------------------------|
| Containers and Labels | |
| 1 If items are prepackaged and sold or priced by weight, the weight of the packaging (also known as the tare) must be subtracted from the weight of the product. | <input type="checkbox"/> Yes |
| 2 Perishables must have the use-by date or the sell-by date on the top cover or main display panel. | <input type="checkbox"/> Yes |
| 3 Pre-packaged foods must have a label that includes all of the following: <ul style="list-style-type: none"> • Name of the product • Name and address of the manufacturer • Weight or Quantity in the package • Expiration or sell-by date | <input type="checkbox"/> Yes |
| Meat | |
| 4 Meat must be in a package that is colorless or clear on one side, with the exception of ground meat. | <input type="checkbox"/> Yes |
| 5 There cannot be colored lights or spot lights on or near or above meat displays. | <input type="checkbox"/> Yes |
| Advertising | |
| 6 Advertised items must be available on the shelves. Tip: If there is a limited supply of any of the advertised items or the items are not available at every store location, that must be stated in the advertisement. | <input type="checkbox"/> Yes |
| Scanners | |
| 7 When items are scanned, the price must match the lowest item price, shelf price, sale price, or advertised price. | <input type="checkbox"/> Yes |
| 8 Tax cannot be charged on non-taxable items. Tip: Check with the New York State Department of Taxation and Finance for information about what is taxable and what is not. | <input type="checkbox"/> Yes |
| Cash Registers | |
| 9 The price display of the cash register must be visible to the customer. | <input type="checkbox"/> Yes |
| Receipts | |
| 10 Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. | <input type="checkbox"/> Yes |
| 11 The receipt must include: <ul style="list-style-type: none"> • Date of purchase • Amount paid for each item • Total amount paid • Separate statement of tax • Name and address of store | <input type="checkbox"/> Yes |

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| Requirement | Do you meet this requirement? |
|--|-------------------------------|
| Signs | |
| 12 A refund policy must be posted at each register, point of sale, or at each entrance. Tip: Even if the policy is not to give refunds, a sign must be posted stating "No Refunds." | <input type="checkbox"/> Yes |
| 13 If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted near the register and the entrance. Tip: Any credit card limitations must all be listed and explained in all advertising that states that credit cards are accepted. | <input type="checkbox"/> Yes |
| Pricing on Items Displayed for Sale | |
| 14 If the store's annual revenue is more than \$2 million, most items must be individually priced. Tip: The following items do not have to be individually priced but must have shelf prices: <ul style="list-style-type: none"> • Milk • Eggs • Fresh produce • Snack foods that are less than 5 ounces • Frozen foods • Jars of baby food • Items that are less than 3 cubic inches, under 3 ounces, and under \$1 Tip: Items that are on sale for one week or less and are displayed in end-of-aisle displays do not have to be individually priced, but there must be a sign at the point of display stating the dates of the sale (a week or less), the name of the product, and the advertised price. | <input type="checkbox"/> Yes |
| 15 If the store's annual revenue is less than \$2 million and the store is not part of a chain, the price of each item must either be on the item or on a sign where the item is displayed. | <input type="checkbox"/> Yes |
| Customer Scales | |
| 16 There must be a digital scale available to customers to reweigh items packaged by the store. | <input type="checkbox"/> Yes |
| 17 There must be a sign on or near the scale that states the scale is for customer use. | <input type="checkbox"/> Yes |
| Scales | |
| 18 All scales in the store, except for customer scales for estimating, must be inspected annually by DCA and have valid DCA scale inspection seals. : Request a scale inspection online or by calling 311. | <input type="checkbox"/> Yes |
| 19 Scales must be a type approved by New York State Department of Agriculture and Markets (Weighing and Measuring Devices Approved for Commercial Use ; Updated March 2012). | <input type="checkbox"/> Yes |
| 20 A scale should only be used for its intended purpose. For example, a fruit and vegetable hanging scale should not be used to weigh deli meat. | <input type="checkbox"/> Yes |
| 21 A scale should be able to weigh the amounts customers may want. For example, a scale that only indicates pounds is not sufficient to weigh products that people may want to buy in smaller quantities (like a few ounces of mushrooms). | <input type="checkbox"/> Yes |

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| 22 | Scales must display zero when nothing is on them. | <input type="checkbox"/> Yes |
| 23 | All scales used to weigh wet items such as fish must have drains. | <input type="checkbox"/> Yes |
| 24 | If a store employee and customer are on opposite sides of a counter, the scale must be placed between the two and must face both of them. | <input type="checkbox"/> Yes |
| 25 | There cannot be anything within 10 inches of any scale other than the scales at the cash registers. | <input type="checkbox"/> Yes |
| 26 | DCA inspectors must be permitted to conduct scale inspections immediately upon request. | <input type="checkbox"/> Yes |
| Deli Pricing | | |
| 27 | Prices must be displayed for each and all deli items, either attached to, next to, or on a sign. | <input type="checkbox"/> Yes |
| Bulk Food Processing | | |
| 28 | If a store has a salad bar, olive bar, or any loose unpackaged foods (e.g., coffee beans, nuts and grains, etc.), there must be a sign posted in plain view of customers that states what the item is and the price per pound or other unit price. | <input type="checkbox"/> Yes |
| Expired Over-the-Counter Medication | | |
| 29 | It is illegal to sell over-the-counter-medication with a date that has expired. | <input type="checkbox"/> Yes |
| Other | | |
| 30 | Inspectors may also inspect for compliance with other laws, such as if your store has one or more DCA licenses, if your store has a pharmacy, or if you sell other products such as flavored tobacco and toys. | <input type="checkbox"/> Yes |

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Bill de Blasio
Mayor

**Department of
Consumer Affairs**

Julie Menin
Commissioner

42 Broadway
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Visit nyc.gov and
search "Business
Toolbox"

Contact 311
(212) NEW-YORK
(Outside NYC)

New York City businesses must comply with all relevant federal, State, and City laws and rules, which are available in DCA's Business Toolbox. Businesses are responsible for knowing and complying with current regulations that affect their business.

Inspection Checklist: General Retail

Does your business sell goods or services?

Use this checklist to learn what our inspectors look for and help avoid violations:

| | Requirement | Do you meet this requirement? |
|---|--|-------------------------------|
| | Price Lists for Services | |
| 1 | A price list with the types of services and the prices of those services must be displayed. | <input type="checkbox"/> Yes |
| 2 | The price list must be clearly posted or clearly displayed near the cash register and/or at the place(s) where orders are placed. | <input type="checkbox"/> Yes |
| 3 | If the price list states a minimum charge (e.g., “from \$. . .”) or states a price “and up,” it must state the reason for the different prices and include the range of prices. | <input type="checkbox"/> Yes |
| 4 | If there is a sale or promotion, the pre-sale prices must also be posted for comparison. | <input type="checkbox"/> Yes |
| 5 | <p>Prices for services cannot be based on gender.</p> <p>Tip: Words like “men’s,” “women’s,” and “ladies” cannot be used to describe the price; the difference must be described in a gender neutral way. (Example: Above the shoulder hair = \$15; Below the shoulder hair = \$30)</p> <p>Tip: Instead of listing prices for shirts and blouses, the price must be described based on physical differences between the shirts. (Example: sequins, ruffles, fancy buttons)</p> | <input type="checkbox"/> Yes |
| | Pricing for Goods | |
| 6 | All items offered for sale must have a clearly visible price. | <input type="checkbox"/> Yes |
| 7 | For most items, the price must be attached to the item or on a sign where the item is displayed. | <input type="checkbox"/> Yes |
| 8 | If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price most food products, as well as paper products, detergents, soaps, nonprescription drugs, and health and beauty aids. | <input type="checkbox"/> Yes |
| 9 | Milk; eggs; fresh produce; snack foods that are less than 5 ounces; frozen foods; jars of baby food; and items that are less than 3 cubic inches, under 3 ounces and under \$1 do not have to be individually priced, but must have shelf prices. | <input type="checkbox"/> Yes |

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| | Signs | |
| 10 | <p>Sale signs that advertise a percent discount—example: 20-50% off—must state the minimum percent discount.</p> <p>Tip: Both the minimum and maximum numbers must be of equal size.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 2px solid green; padding: 10px; text-align: center;"> <p>20-50% ✓ OFF</p> </div> <div style="border: 2px solid red; padding: 10px; text-align: center;"> <p>20-50% OFF</p> </div> </div> | <input type="checkbox"/> Yes |
| 11 | <p>Sale signs cannot contain any of the following phrases:</p> <ul style="list-style-type: none"> ■ “Our list price” ■ Below “manufacturer’s wholesale cost” ■ “Manufacturer’s cost” | <input type="checkbox"/> Yes |
| 12 | <p>Businesses that sell goods and services must post a refund policy.</p> <p>Tip: A refund policy must be posted at each register, point of sale, or at each entrance.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p> | <input type="checkbox"/> Yes |
| 13 | <p>The refund policy must state any and all conditions or limitations to getting a refund. For example:</p> <ul style="list-style-type: none"> ■ Businesses must disclose any fees charged for refunds, such as “restocking fees.” ■ If a business will not provide refunds for “as is” items, it must disclose that. ■ Businesses must also disclose whether the refund will be in cash, credit, or store credit only. ■ If proof of purchase is required for a refund, the sign must say so. ■ A business that chooses not to offer refunds must post a sign that states, “No Refund,” or words to that effect. ■ The sign must state that a written copy of the store’s refund policy is available on request. | <input type="checkbox"/> Yes |

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| 14 | If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted near the register and the entrance. | <input type="checkbox"/> Yes |
| | Receipts | |
| 15 | Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. Tip: This does not apply to food and drink that is meant to be consumed on the premises. | <input type="checkbox"/> Yes |
| 16 | The receipt must include each of the following: <ul style="list-style-type: none"> ■ Date of purchase ■ Amount paid for each item ■ Total amount paid ■ Separate statement of tax ■ Name and address of store | <input type="checkbox"/> Yes |
| 17 | Receipts for electronics that cost more than \$100 must also include the make and model number of the item. | <input type="checkbox"/> Yes |
| | Price Accuracy | |
| 18 | When items are scanned, the price must match the lowest item price, shelf price, sale price, or advertised price. | <input type="checkbox"/> Yes |
| 19 | If no scanners are used, the price at checkout must still match the lowest item price, shelf price, sale price, or advertised price. | <input type="checkbox"/> Yes |
| 20 | Tax cannot be charged on tax-exempt items. Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt. | <input type="checkbox"/> Yes |

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| | Layaway Plans | |
| 21 | <p>If layaway is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments over \$50 in 4 installments or more:</p> <ul style="list-style-type: none"> ■ Description of the item, including name, brand, color, and model number ■ Total cost of the item including tax ■ Charge to use layaway and any cancellation fee ■ Duration of the layaway plan ■ Payment schedule and any consequences of missed payments ■ Refund policy ■ Notice of whether or not the item won't be removed from inventory until a certain number of payments have been made <p><i>Example 1:</i> NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</p> <p><i>Example 2:</i> ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</p> | <input type="checkbox"/> Yes |
| | Expired Over-the-counter Medication | |
| 22 | It is illegal to sell over-the-counter medication after the expiration date on the label. | <input type="checkbox"/> Yes |