

WEIGHTS AND MEASURES



Guide to Retail Pricing in Arizona

November 2017

Applicable Requirements

In Arizona, regulations require that prices be posted for items that are for sale or offered or exposed for sale. All items shall have a price posted for the consumer unless the item is behind a service counter and only available for sale with the assistance of a salesperson.

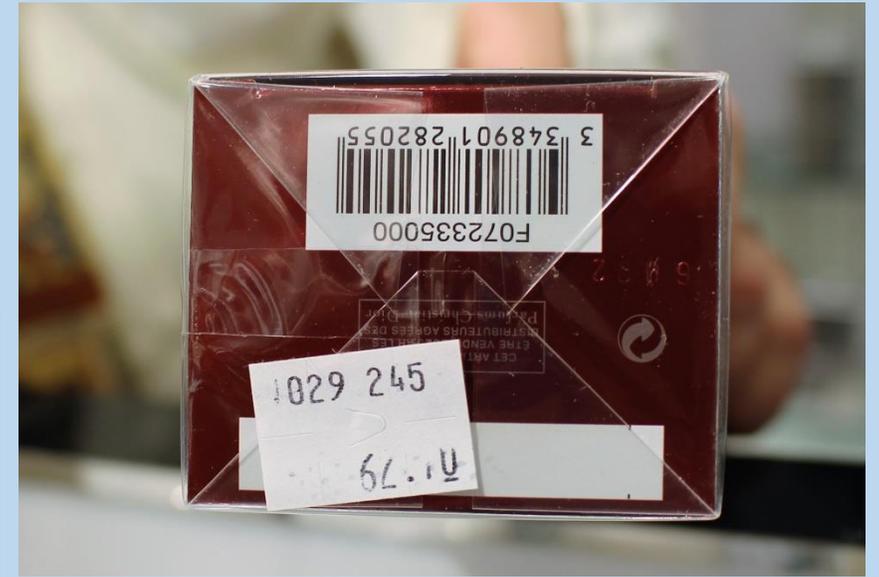
This pictorial guide has been developed to visually demonstrate examples of pricing strategies that comply with Arizona rules and statutes. If you have questions regarding price posting, contact the Division at dwm@azda.gov or 602-542-4373.

Applicable Statutes and Rules:

- Arizona Revised Statutes (ARS) 3-3431(F), (L), (M), and (N) (<https://www.azleg.gov/arsDetail/?title=3>)
- Arizona Administrative Code (AAC) R3-7-402 (http://apps.azsos.gov/public_services/Title_03/3-07.pdf)
- Civil Penalties: ARS 3-3475 (A), (C)(4), AAC R3-7-101(2)(b), R3-7-104(J)

Individual item pricing. A price tag may be placed on individual items for sale as in this example.

These items are in an open display accessible to customers, so they require price posting. In this case they have chosen placement of prices on individual items rather than on the shelving.



Shelving pricing. Instead of pricing each individual item separately, items may be priced on the shelf where the item is displayed.



Price displayed for each item on the shelf below the item.

Items on a shelf with the same UPC. The price for items with the same UPC must be posted every 3 feet or at both ends of the shelf.

Price must be posted at each arrow OR every 3 feet of shelf space.



OR



Shelving pricing. Instead of pricing each individual item separately, items may be priced on the shelf where the item is displayed.

Example of correct price posting

Prices may be on the inside or outside of refrigerator doors. Price was not visible when door closed, but visible when door opened.



If the price tag specifies “Desani Water,” the Sprite would not be priced in this picture. If the price tag is generic with only a price and no product specified, the Sprite would be the same price as the water.

Pricing shelves with differing UPC/SKU codes. Items that are the same price with differing UPC codes may be posted every 3 feet or at each end of the shelf if there is a generic price without specific product information.

Items on top shelf are correctly priced if all the products on the shelf are the same price.

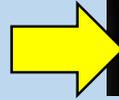
Price should be posted where arrow is located if items are not the same price.

A.A.C. R3-7-402(D)(2)



Pricing shelves with differing UPC/SKU codes. Items that are the same price with differing UPC codes may be posted every 3 feet or at each end of the shelf if there is a generic price without product information. See page 32-36 for alternate pricing options for items behind a service counter.

All individual items are priced.



OR

Alternately, prices are posted for items of the same price.



Generic price does not have specific product information.

\$6.79, same as priced to the left

\$1.69, same as priced to the left

If desired, these could be grouped with similar-priced items instead of pricing each item

Shelving pricing.

Items Priced on refrigerator door.

***Note the arrows
These items are not considered to have a posted price.**



Items on hooks. The price for items with the same UPC/SKU must be posted every 3 feet or at both ends of the shelf.



Price can be in back (must be visible)

Price can be in front

Can use same pricing strategy for hooks as for shelves, either priced every 3 feet or at far left and right ends of hooks as long as price is the same and a generic price label is used.

Vertical Display:

A price is posted on a vertical display in a location clearly visible to the consumer for items of the same price.

Alternatively, prices may have also been placed where arrows are on shelves.

Shelving does not need to be priced since there is a large sign at the top of the vertical display.



Vertical displays:
A vertical display may be priced at the very top, middle, or bottom of display.

(See A.A.C. R3-7-402 D3)

Note: This applies only when all items located on vertical display are the same price.



A.R.S. 3-3431(F), A.A.C. R3-7-402(D)(3)

Vertical Display:



Price may be at top, center, or bottom of display as long as it is readily visible to consumer.



Pricing shall be clear to denote items that are priced differently in a display.



Vertical display requiring additional pricing

Arrow shows item priced lower than \$4.33, which should have its own price tag.

Arrow shows item priced higher than \$4.33, which should have its own price tag.

A.R.S. 3-3431(F), A.A.C. R3-7-402(D)(3)

Vertical display. Pricing is clearly denoted in the center of the refrigerator for each shelf. Pricing can be on inside or outside of refrigerator door.



A.A.C. R3-7-402(D)(3)

Product storage and restocking areas. Storage and restocking areas posted as such with a sign instructing a customer to ask for assistance do not require price posting. Examples may include areas out of reach of customers or carts with products for restocking.



**Please ask
for assistance**



**EMPLOYEES
— ONLY —**

Price Hooks: The price may be posted on a hook in front of or behind a row of items but the price must be clearly visible.



A.A.C. R3-7-402(D)(6)

- **Price Hooks:** The price may be posted on a hook in front of or behind a row of items but the price must be clearly visible.



In this example, the prices are behind the snacks; however, it is not visible without removing all of the hanging bags and would not comply with the rule.

Advertising display. A price is not required for an advertising display if a notice is posted informing the customer to ask for assistance.



Menu-Type Signs: All items available at the point of display are listed on menu-type signs. Text must be legible to the consumer.



Menu-Type Signs. This color coded type of pricing is considered to be a menu-type style of price posting.



Menu-Type Signs. This display case includes a menu detailing the price for all products in the display case.



A.R.S. 3-3431(F), A.A.C. R3-7-402(D)(8)

Menu-Type Signs. Items are not required to be listed in order.



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Price Reductions: Items offered for sale at a price reduced by a percentage or a fixed amount, shall display the reduction at the point of display or near the point of display.



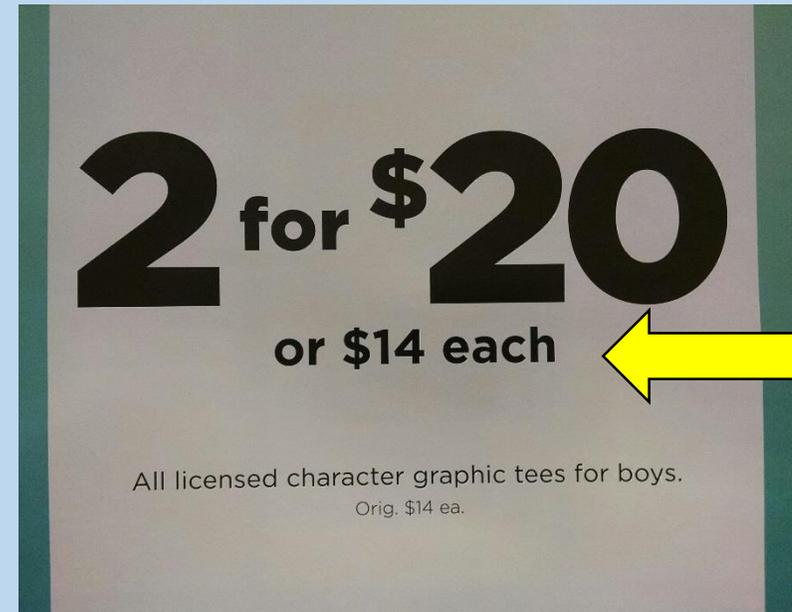
SALE

40-60% off

Ashley Nell Tipton for Boutique +TM

Reg.	Sale	Reg.	Sale
34.00	19.99	68.00	37.99
38.00	21.99	84.00	44.99
48.00	24.99	125.00	44.99
60.00	32.99		

Price Reductions. Items offered at a reduced price for the purchase of multiple items should also include the price for a single item if it differs.



ARS 3-3431(C)

Price Reductions. Items offered at a reduced price for the purchase of multiple items should also include the price for a single item if it differs.



Price on display is special when you buy 2. Should state "Special price per pack when you buy 2." Should include the price if a customer chooses to purchase one pack only.

Has clear language with single pack pricing in the same location.

Price Reductions. Items offered at a reduced price for the purchase of multiple items should also include the price for a single item if it differs.



Price on display is special when you buy 2. Includes price per pack if only one is purchased.

Price Reductions. Items offered at a reduced price for the purchase of multiple items should also include the price for a single item if it differs.



A menu board is used to display single pack pricing for cigarettes behind a service counter.

Price for purchase of multiple packs is advertised in display case with price per pack on a menu board in close proximity of the display case.

See page 32-36 for alternate pricing options for items behind a service counter.

Store/Department Pricing. If a price is posted at an entrance to a store or an entrance to a department within a store with the price of all items in the store, prices do not need to be posted on all items, shelving, etc.

If there are items within the store at a different price, they shall be labeled as to clearly denote their prices.



Pricing by size: A notice is required to inform a customer of an additional charge based on the size of the item.

**Bed Sheets by size
Women's 1X sizes
and larger**



Service Counter Items. Items located in or behind a service counter and available only with the assistance of a sales associate do not require a price display. If a price is displayed, it must follow correct pricing requirements.



Items behind locked cabinet requiring sales associate assistance do not require pricing. If a price is displayed, it must follow correct pricing requirements.

Service Counter Items.

Items on top of a service counter in reach of customers without sales associate assistance are required to have prices posted either on individual items or a menu-style posting.

Items behind locked cabinet requiring sales associate assistance do not require pricing. If a price is displayed, it must follow correct pricing requirements.

A price must be displayed if a percentage off is provided.



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Pricing policy



Retailers are required to have a written statement of their policy regarding errors in pricing. This tells the store's customers what your store will do if a price scans incorrectly. It is required to be made available upon request by customers and Weights and Measures Service Division officials.

For More Information:

Email: dwm@azda.gov

Call: 602-542-4373

Visit:

<https://agriculture.az.gov/weights-measures/retail-upc-price-posting>