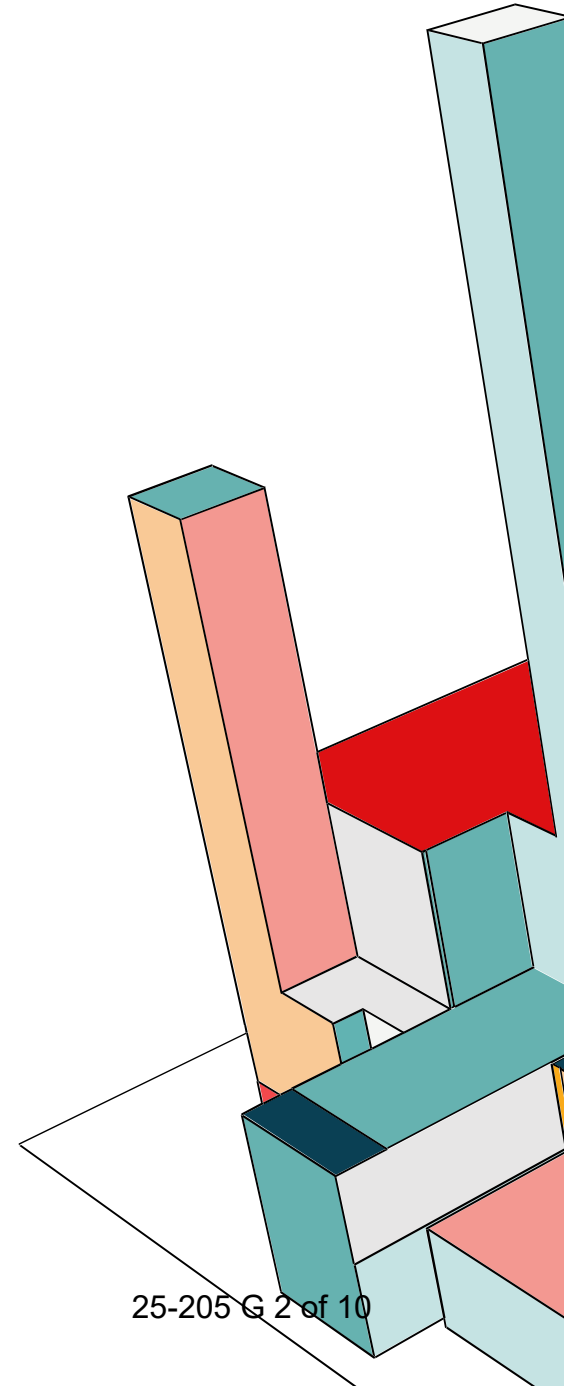


# **CONSUMER PROTECTION ORDINANCE**

# PURPOSE AND AUTHORITY

- California Business and Professions Code (BPC) 12024.2, “It is unlawful for any person, at the time of sale of a commodity, to...charge an amount greater than the lowest price posted on the commodity itself or on a shelf tag that corresponds to the commodity”
- To enforce this regulation, inspectors can do price verification inspections to check the error rates on scanners, or point-of-sale (POS) devices.
- BPC 13350 authorizes Counties to adopt an ordinance to inspect point-of-sale systems and recover regulatory costs.
- This provides the County a pathway to perform regular inspections as opposed to only responding to complaints.



# RECENT MULTI-COUNTY JUDGEMENTS

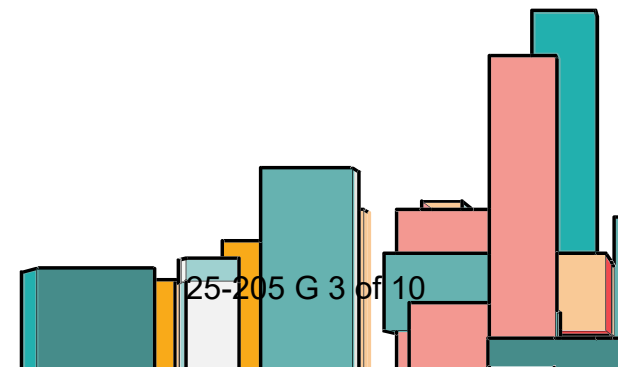
2025

- Lowe's \$1 million civil penalty
- Walmart \$5.5 million civil penalty
- Home Depot \$1.7 million civil penalty

2024

- Carquest Autoparts \$750,000 civil penalty
- Albertsons/Safeway/Vons \$3.9 million civil penalty

There is currently no price verification program at the state level



# INSPECTIONS

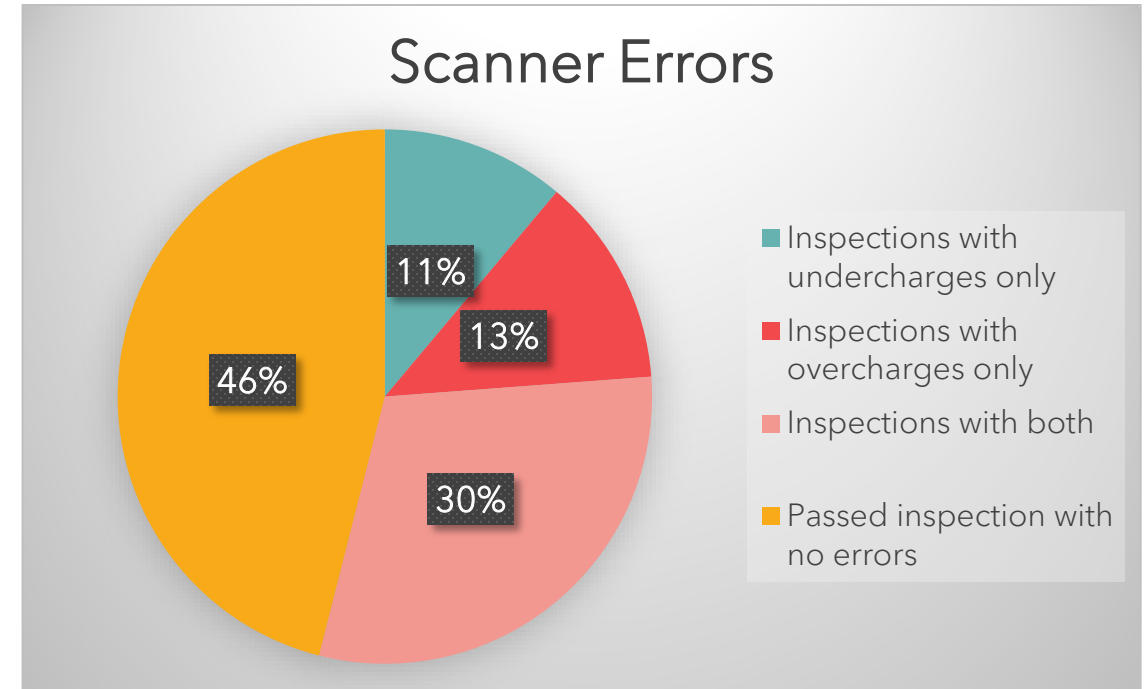
- Between November 2024 and February 2025, the Department of Weights & Measures conducted 63 price verification inspections on stores throughout the county.
- These stores included:
  - Grocery stores
  - Dollar stores
  - Auto parts stores
  - Feed stores
  - Hardware stores
  - Retail stores like Walmart, Target, or TJ Maxx



# FINDINGS

Of our 63 inspections:

- 27 (42.9%) resulted in overcharges
- 26 (41.3%) resulted in undercharges
- Some stores had both undercharges and overcharges.
- The total number of inspections with errors was 34 (54%)
- Over half of inspections resulted in a POS error of some kind.





# RE-INSPECTIONS

- In FY 25/26, we did 28 re-inspections on stores that had violations (overcharges) in the previous year.
- 93% of these re-inspected stores did better on a second inspection.
- Of those 28 re-inspected stores, 14 (50%) had no violations upon reinspection.
- 12 stores still had violations, and 2 had more violations than the previous year.

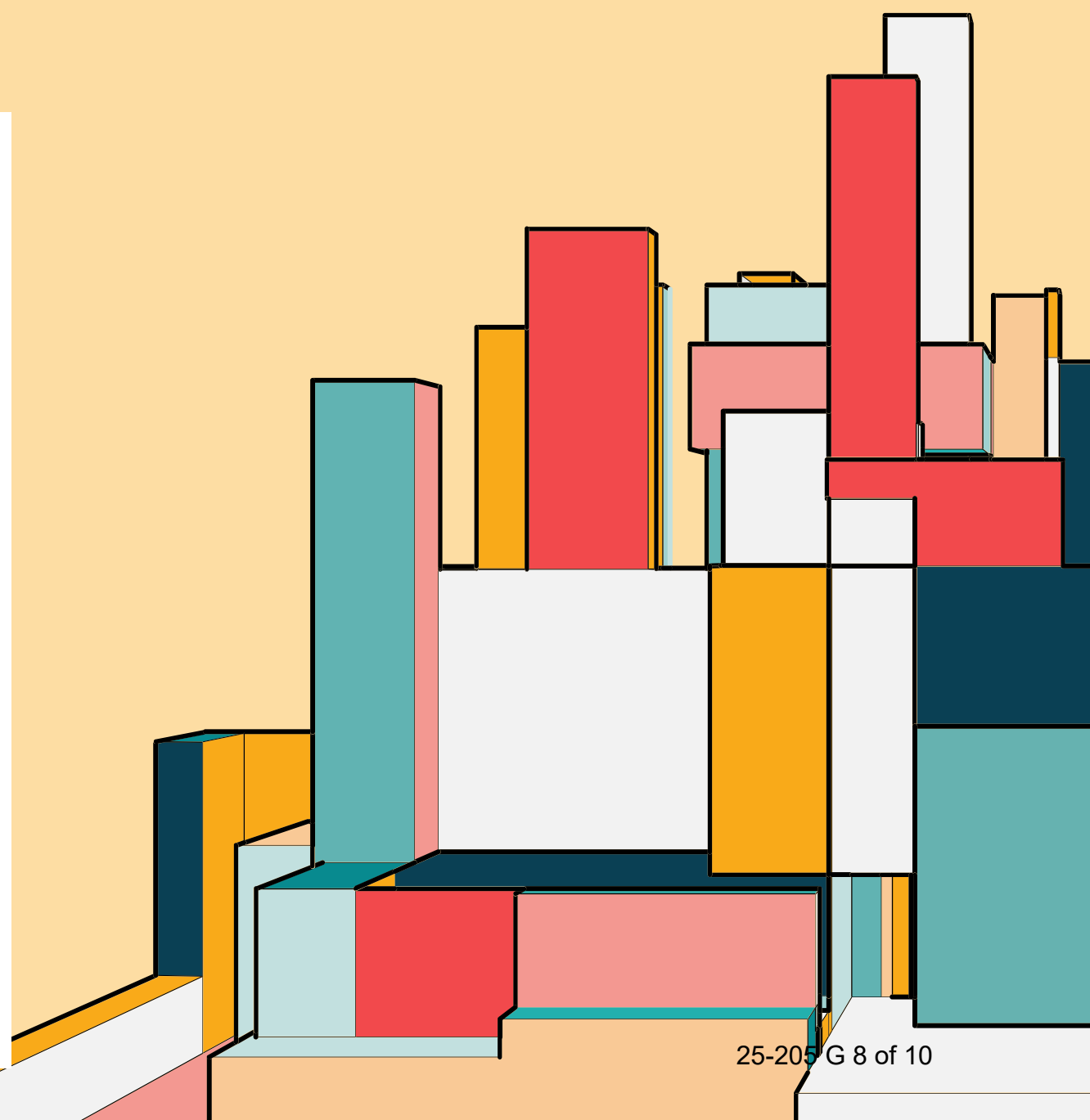
# A CONSUMER PROTECTION ORDINANCE

- Requires locations using POS devices to register with department annually
- Requires regular inspections by weights and measures department
- Establishes registration fees and reinspection fees



# Counties with Price Verification Ordinances

Counties with POS Program	Last Fee Update	Tier 1 Fee (1-3 POS)	Tier 2 Fee (4-9 POS)	Tier 3 Fee (10+ POS)
Alameda	2005	\$150.00	\$225.00	\$225.00
Butte	2025	\$66.50	\$133.00	\$266.00
Contra Costa	2016	\$149.00	\$237.00	\$427.00
Imperial	2024	\$160.00	\$205.00	\$270.00
Los Angeles	2002	\$160.00	\$240.00	\$300.00
Marin	2024	\$216.00	\$359.00	\$610.00
Napa	2024	\$252.00	\$360.00	\$432.00
Orange	2025	\$163.00	\$249.00	\$410.00
Riverside	2004	\$160.00	\$240.00	\$300.00
Sacramento	2025	\$120.00	\$290.00	\$430.00
San Benito	2012	\$100.00	\$200.00	\$400.00
San Bernardino	2024	\$219.00	\$219.00	\$219.00
San Diego	2024	\$173.00	\$235.00	\$297.00
San Francisco	2010	\$117.00	\$201.00	\$773.00
San Mateo	2016	\$220.00	\$390.00	\$490.00
Santa Barbara	2012	\$130.00	\$260.00	\$390.00
Santa Clara	2025	\$350.00	\$540.00	\$1,070.00
Santa Cruz	2020	\$188.00	\$300.00	\$300.00
Sonoma	2024	\$272.00	\$472.00	\$650.00
Ventura	2014	\$185.00	\$300.00	\$320.00
Average:		\$177.53	\$282.75	\$428.95





# REGISTRATION FEES

Devices	Fee	Authority
Point-of-Sale Stations 0-3	\$ 120.00	BPC 13350
Point-of-Sale Stations 4-9	\$ 290.00	BPC 13350
Point-of-Sale Stations 10 or more	\$ 430.00	BPC 13350
Re-Inspection Fee	\$ Licensed Hourly Rate	BPC 13350

# THANK YOU

Corrie Larsen

Assistant Agricultural Commissioner,

Sealer of Weights & Measures

