

Washington

RCW 19.94.360

Declaration of price on outside of package.

In addition to the declarations required by RCW [19.94.350](#), any commodity in package form, the package being one of a lot containing random weights, measures or counts of the same commodity at the time it is exposed for sale at retail, shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight, measure, or count and the total selling price of the package.

[1995 c 355 § 18; 1969 c 67 § 36.]

Notes: [Statutory Authority: RCW [19.94.190](#), [19.112.020](#), [19.112.140](#), and chapter [34.05](#) RCW. WSR 12-08-041, § 16-662-125, filed 3/30/12, effective 4/30/12. Statutory Authority: Chapters [19.94](#) and [34.05](#) RCW. WSR 05-10-088, § 16-662-125, filed 5/4/05, effective 6/4/05.]

RCW 19.94.390

Price not to be misleading, deceiving, misrepresented — Fractions — Examination procedure standard — Department may revise — Electronic scanner screen visibility.

(1) Whenever any commodity or service is sold, or is offered, exposed, or advertised for sale, by weight, measure, or count, the price shall not be misrepresented, nor shall the price be represented in any manner calculated or tending to mislead or deceive an actual or prospective purchaser. Whenever an advertised, posted or labeled price per unit of weight, measure, or count includes a fraction of a cent, all elements of the fraction shall be prominently displayed and the numeral or numerals expressing the fraction shall be immediately adjacent to, of the same general design and style as, and at least one-half the height and one-half the width of the numerals representing the whole cents.

(2) The examination procedure recommended for price verification by the price verification working group of the laws and regulations committee of the national conference on weights and measures (as reflected in the fourth draft, dated November 1, 1994) for devices such as electronic scanners shall govern such examinations conducted under this chapter. The procedure shall be deemed to be adopted under this chapter. However, the department may revise the procedure as follows: The department shall provide notice of and conduct a public hearing pursuant to chapter [34.05](#) RCW to determine whether any revisions to this procedure made by the national institute of standards and technology or its successor organization for incorporating the examination procedure into an official handbook of the institute or its successor, or any subsequent revisions of the handbook regarding such procedures shall also be adopted under this chapter. If the department determines that the procedure should be so revised, it may adopt the revisions. Violations of this section regarding the use of devices such as electronic scanners may be found only as provided by the examination procedures adopted by or under this subsection.

(3) Electronic scanner screens installed after January 1, 1996, and used in retail establishments must be visible to the consumer at the checkout line.

Notes: [Statutory Authority: RCW [19.94.190](#), [19.112.020](#), [19.112.140](#), and chapter [34.05](#) RCW. WSR 12-08-041, § 16-662-125, filed 3/30/12, effective 4/30/12. Statutory Authority: Chapters [19.94](#) and [34.05](#) RCW. WSR 05-10-088, § 16-662-125, filed 5/4/05, effective 6/4/05.]

WAC 16-662-125

Enforcement actions for price verification inspections under NIST Handbook 130.

WSDA uses *NIST Handbook 130*, Examination Procedure For Price Verification, Section 11.2., Model Enforcement Levels. Overcharges will be used to determine price accuracy for enforcement actions under chapter [19.94](#) RCW.