

Sample of Proposed Format: S&T Item SCL-7

SCL-7 V S.1.8.5. Recorded Representations, Point of Sale Systems

Source:

Kansas and Minnesota (2017)

Purpose:

Provide consumers the same opportunity, to be able to easily verify whether or not tare is taken on items weighed at a checkout stand using a POS system, which is currently afforded them when witnessing items being weighed and priced in their presence using other scales in the store.

Item under Consideration:

Amend NIST Handbook 44, Scales Code as follows:

S.1.8.5. Recorded Representations, Point-of-Sale Systems. – The sales information recorded by cash registers when interfaced with a weighing element shall contain the following information for items weighed at the checkout stand:

- (a) the net weight;¹
- (b) the unit price;¹
- (c) the total price; and
- (d) the product class or, in a system equipped with price look-up capability, the product name or code number.

(e) the tare weight¹

[Non-retroactive January 1, 2022]

(Amended 20XX)

¹ For devices interfaced with scales indicating in metric units, the unit price may be expressed in price per 100 grams. Weight values shall be identified by kilograms, kg, grams, g, ounces, oz, pounds, or lb. *The “#” symbol is not acceptable.*

[Nonretroactive as of January 1, 2006]

(Amended 1995 and 2005)

Previous Action:

- **2017: Voting Item returned to Committee**
- **2018: Voting Item**

Original Justification:

This proposal would benefit consumers by enabling them to see at a glance that tare is being taken on the commodities they purchase. It would also educate the public about tare, and make them better and more aware consumers.

Retailers would benefit because this proposal would aid their quality control efforts behind the counter and at the cash register. Retailers would be able to see that their employees are taking tare on packages, and that the tare employees take is the appropriate tare. For example, a meat manager would be able to spot packages of 1 lb. hamburger which had been packaged on the night shift mistakenly using the tare for family packs of chicken, just by walking down the meat counter and noticing a 0.06 lb. tare on a package size that would normally have a 0.02 or 0.03 lb. tare. The manager could also spot a 0.03lb tare on packages that should have a 0.06lb tare. Either way, the manager would be able to remove the items from the shelf and make corrections before the store or its customers were harmed. The

Sample of Proposed Format: S&T Item SCL-7

manager would also be able to re-educate the employees responsible for the error. This improved quality control and transparency would build consumer confidence in retailers' establishments. It might even reduce the time and disruption retailers experience from official package inspections.

Package checking inspections potentially could be reduced because weights and measures officials could make risk-based assessments on the need to do package checking inspections at any given location. If an official notes that gross weights or tares are visible on all random-weight packages, and that the tares seem appropriate to the package sizes, the official may be able to skip that location and focus package checking efforts on locations where tares are absent or seem inappropriate for the package sizes. That would be more efficient for both retailers and weights and measures jurisdictions. Some retailers may not want consumers to have this information as it will allow consumers and weights and measures officials to hold them accountable and would be written proof tare was not taken when, and if, that happens.

Finally, this proposal would aid weights and measures officials investigating complaints about net contents of item by creating written proof of how much tare was taken on a given package or transaction.

Arguments in Favor:

- It is very difficult for customers at a checkout stand to determine whether or not tare has been taken on products weighed by a store cashier on POS systems that display only a gross weight when the net weight is the only weight information appearing on the sales receipt. This is especially true, she said, when there are multiple items in a customer's shopping cart to be weighed.
- Additional information is needed on the sales receipt to make it possible for consumers to ensure tare has been taken on items weighed at a POS checkout.
- Several POS devices already provide tare information on the printed receipt.
- The proposed item would provide more information for investigations of consumer complaints.
- Printing tare values on POS register receipts is a tool for regulators and store managers to audit how personnel are doing with taking tares.
- Consumers deserve to be protected.
- This is a non-retroactive requirement that impacts equipment that is installed after the non-retroactive date.
- If customers were asked if they wanted to be charged correctly they would say "yes," regardless if they knew what the term "tare" meant.
- Many grocers deliver products from the store to customers' homes and customers are not present during the weighing of these items to witness whether tare was taken or not during the transaction.
- Inspection of programmed tare values is not sufficient as this may not be the value used during the transaction.

Arguments Against:

- It would be too costly for scale manufacturers and retailers to modify software and label and receipt designs with little benefit.
- Even though the requirement would be nonretroactive for a period of time, retailers with point of sale systems and packaging scales may feel pressured to update software or purchase new devices in response to consumer demand for tare information on labels and receipts.
- The amount of paper needed to print customer receipts may increase depending on the formatting of the information and the size of the paper being used.
- All tare weights would be required on the receipt, regardless of if it were 1 or 100 weight transactions.
- The requirement would be costly to industry (e.g., increased costs for software development, employee training, and consumer education) and additional costs would be passed on to the consumer.
- Customers have not asked for this information.
- Regulators can verify that tare values in POS systems are accurate and this would confuse consumers.

Item Development:

The original proposal applied S.1.8.5. Recorded Representation, Point-of-Sale Systems and created a new proposed paragraph S.1.9.3. Recorded Representations, Random Weight Package Labels as follows:

Sample of Proposed Format: S&T Item SCL-7

S.1.8.5. Recorded Representations, Point-of-Sale Systems. – The sales information recorded by cash registers when interfaced with a weighing element shall contain the following information for items weighed at the checkout stand:

- (a) the net weight;¹
- (b) the gross weight or tare weight;¹
- (~~b~~c) the unit price;¹
- (~~e~~d) the total price; and
- (~~e~~) the product class or, in a system equipped with price look-up capability, the product name or code number.

[Non-retroactive January 1, 20XX]

¹ For devices interfaced with scales indicating in metric units, the unit price may be expressed in price per 100 grams. Weight values shall be identified by kilograms, kg, grams, g, ounces, oz, pounds, or lb. *The “#” symbol is not acceptable.*

[Nonretroactive as of January 1, 2006]

(Amended 1995 and 2005)

And

S.1.9.3. Recorded Representations, Random Weight Package Labels. – **A prepackaging scale or a device that produces a printed ticket as the label for a random weight package shall produce labels which must contain the following information:**

- (a) the net weight;¹
- (b) the gross weight or tare weight;¹
- (c) the unit price;¹
- (d) the total price; and
- (e) the product class or, in a system equipped with price look-up capability, the product name or code number.

[Non-retroactive as of January 1, 20XX]

At the 2017 Interim Meeting, the committee deleted the S.1.9.3. Recorded Representations, Random Weight Package Labels because it conflicts with NIST Handbook 130 Uniform Packaging and Labeling Regulation. Additionally, the committee agreed with comments that consumers would be better served with a consistent means for representing tare, so the option of printing gross weight or tare weight was modified to simply require tare weight.

The committee also received a suggestion to require at some future date that the tare weight appear on displays rather than requiring the information on sales receipts. However, even if a customer is able to view the tare indication from a POS display, the committee noted that there still needs to be a paper trail of the recorded transaction information for enforcement purposes.

Sample of Proposed Format: S&T Item SCL-7

The submitters requested, and the committee agreed to modifications to the proposals in response to some concerns that were raised.

- Place the tare weight at the as the last information in the transaction.
- Extend the nonretroactive date to 2022 to allow more time to develop the software.

No additional changes have been made following the January 2017 deliberations.

Regional Association Comments:

WWMA: The Committee is recommending this item to be an informational item with the following changes to the purpose and text of the item copied from Appendix A, Page S&T – A24, as agreed by the S&T Committee at the 2017 NCWM annual meeting.

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- (a) the net weight;¹
- (b) the unit price;¹
- (c) the total price; and
- (d) the product class or, in a system equipped with price look-up capability, the product name or code number.

(e) *the tare weight*¹
[Non-retroactive January 1, 2022]
(Amended 20XX)

SWMA: The Committee heard comments from Mrs. Tina Butcher (NIST OWM) who noted that the title of the item in the Appendix to the Committee’s report still includes a reference to a part of the original proposal which would have required the tare weight to be printed on random-packed products. That portion of the proposal was removed from the proposal prior to the NCWM Annual Meeting. In addition, she noted that the submitters of the item made modifications to the proposal following the 2017 Annual Meeting. The modifications recommend extending the nonretroactive date to 2022 (rather than 2020) and moving the reference to “tare weight” to the last item in the list.

The Committee heard some comments on the proposal indicating there was some confusion about the purpose of the proposal and what specifically was being recommended. The Committee heard multiple comments, both in support of and in opposition to the proposal and consequently, recommends the item for a vote to allow the membership to decide.

CWMA: The SMA opposes this item due to the implementation costs to the manufacturers, retailers, and consumers. Iowa stated they supported the item as previously proposed, excluding the non-retroactive date. The committee believes this item has been fully developed and should be moved to a vote.

NEWMA: Eric Golden commented that the SMA opposes this item. Comments were heard on the possible confusion it could lead to. Comments were heard on withdrawing the item. Lou Sakin (Mass) believed the item had merit and recommend voting. The committee recommends this item be moved forward as an Informational Item.

Additional letters, presentations and data may have been part of the Committee’s consideration. Please refer to <http://www.ncwm.net/meetings/interim/publication-15> to review these documents.