



January 10, 2018

Mr. Don Onwiler
Executive Director
National Conference on Weights and Measures
1135 M Street, Suite 110
Lincoln, NE 68508

Dear Mr. Onwiler:

On behalf of the South Carolina Retail Association (SCRA), I write to express our opposition to and concern with S&T Item SCL-7: S.1.8.5. Recorded Representations, Point of Sale Systems that is on the agenda at the upcoming National Conference on Weights and Measures (NCWM) Interim Meeting on January 21, 2018.

SCRA represents a variety of chain and independent merchants, including grocery, in every county. The retail grocery industry is a dynamic part of the South Carolina economy, accounting for about \$5.2 billion in economic output. The grocery industry specifically employs approximately 74,500 South Carolinians who earn wages and benefits of about \$2.3 billion.

This proposal would require that tare be printed on the register receipt for each item weighed at the point of sale, such as all produce, salad bar items, and bulk items (coffee, nuts, cereal, candy, grains, etc.). This would be in addition to the current requirement of net weight, unit price, total price, and the product class or, in a system equipped with price look-up capability, the product name or code number.

We understand that the purpose of this proposed requirement is to “provide verification to consumers through recorded representation that tare has been taken at point of sale for sales from bulk.” With the abundance of grocery stores in South Carolina, grocery retailers must remain competitive on every aspect of their business, including customer service and satisfaction. It is imperative to their livelihood that grocery retailers maintain the trust of their customers and to that end, in a recent member survey, the SC Retail Association could not find one member who had a customer request that tare weight appear on their register receipt. If anything, such a requirement would likely result in confusion as most customers are not familiar with tare weight.

Also key to maintaining trust with their customers is keeping food safe and affordable. If S&T Item SCL-7 is approved by the National Conference on Weights and Measures (NCWM), it will be extremely costly to the industry, and these costs would ultimately be passed on to the consumer. Retailers would be required to implement extensive and costly system updates and redesigns to every register in every store, which requires software development, labor costs, testing, possible equipment or software upgrades, employee training, and consumer education. This will be a significant cost for both chain and independent retail operations, all of whom typically operate on a 1-2% profit margin.

This costly additional requirement is unnecessary, given that the South Carolina Department of Agriculture already inspects tare on a regular basis. Because there has been no customer demand for tare to be printed on receipts, this additional regulation feels like a solution in search of a problem, and it's a solution that customers will ultimately pay for.

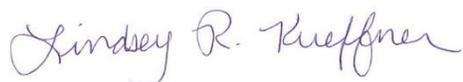
In an ever-evolving and extremely competitive grocery market, another question we have received is how this would apply to online businesses offering home meal delivery kits. Many customers now couple routine grocery shopping with home meal kit options. While home meal kit options offered by traditional retail locations would be subject to this requirement, inspection and enforcement – would the same be true of home meal delivery kit options from online competitors? If not, home meal delivery kits offered online have an unfair competitive advantage over traditional grocery stores.

In short, the cost to the industry and eventual cost to consumers versus the benefit of S&T Item SCL-7 – for something that is already routinely inspected for accuracy – does not add up. The South Carolina Retail Association appreciates the opportunity to comment on this important matter, and we share your commitment, as well as that of the NCWM, to ensure honesty and equity in the marketplace for both consumers and the business community.

I greatly appreciate your time and consideration of this important issue and respectfully request that you oppose and withdraw S&T Item SCL-7.

Please do not hesitate to contact me with any questions.

Sincerely,



Lindsey Kueffner
Executive Director

Cc: Mike Johnson, Chairman, Specifications and Tolerances Committee
John Stokes, Consumer Services Director, South Carolina Department of Agriculture