

302 KAR 80:010. Examination procedure for price verification.

RELATES TO: KRS 363.510, 363.991(4)

STATUTORY AUTHORITY: KRS 363.590(1)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 363.590(1)(a) authorizes the Director of the Division of Regulation and Inspection to promulgate administrative regulations establishing standards of net weight, measure, or count. This administrative regulation establishes a procedure to verify pricing practices to ensure that consumers are charged a correct price for items they purchase. This administrative regulation establishes procedures through the use of randomized and stratified sampling procedures used in routine inspections to ensure that consumers are charged the correct price for items they purchase.

Section 1. All scanners shall comply with requirements of National Institute of Standards and Technology Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel Quality, Chapter V, Examination Procedure for Price Verification (PPV).

Section 2. Any retail establishment not meeting a ninety-eight (98) percent compliance rate of errors not in favor of the customer shall be assessed an administrative penalty of not less than \$100 and not more than \$500 per inspection based on the severity of the violation.

Section 3. Incorporation by Reference.

(1) "Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel Quality", 2019, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the office of the Department of Agriculture, Division of Regulation and Inspection, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(29 Ky.R. 597; Am. 940; eff. 10-9-2002; 46 Ky.R. 626, 1112; eff. 10-7-2019; Cert eff. 2-2-2026.)