DUAL PRICING



THE MERCHANT'S MANUAL TO COMPLIANCE



WHAT IS DUAL PRICING?

Dual pricing is a strategy used by businesses to offer different prices for the same product or service.

Dual prices are often used to differentiate between customers who pay with cash and those who use cards. Dual pricing does allow you to better segment your customer base and maximize profits.





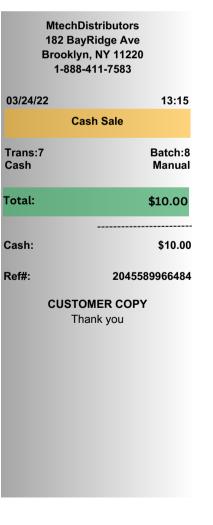


DUAL PRICING HOW TO ENSURE COMPLIANCE

- Merchant has removed all signage.
- All listed priced items must display BOTH a cash and card price.
- The receipt DOES NOT show "Non-Cash Charge."
- The terminal displays both Cash and Card







NEW YORK Department of State Consumer Protection

DUAL PRICING GUIDANCE

Starting February 11, 2024, there is new guidance for New York State businesses when charging an additional fee to customers paying with a credit card. (NYS GBS § 518)

What does this mean for New Yorkers?

A business has the option of passing along the actual cost of credit card processing fees as a surcharge to customers, but they must be transparent by displaying the **highest total price** (excluding sales tax).



If you have questions about the law, want to see more examples, or are not sure you are following the law correctly, please visit our website at dos.ny.gov/CreditCardSurcharge or contact us at: (800) 697-1220

Kathy Hochul, Governor 1/24 Robert J. Rodriguez, Secretary of State



Dual Pricing to Traditional

IF YOU ARRIVE AT A LOCATION AND THE MERCHANT INFORMS YOU THAT THEY ARE SWITCHING TO TRADITIONAL, MAKE SURE TO COMPLETE THE FOLLOWING TO ENSURE COMPLIANCE:

	Remove all Dual Pricing/Cash Discount Stickers or Signage
	Take pictures of the location.
	The location will need a software update on the terminal to make sure it's switched to traditional pricing.

YES, PLEASE CALL THE OFFICE TO CONFIRM COMPLETION BEFPORE LEAVING.



MENUS WITH DUAL PRICING

Displaying both cash and card prices promotes transparency in pricing. It ensures that customers are aware of any price discrepancies between payment methods upfront, reducing the likelihood of misunderstandings or disputes at the point of sale. In some jurisdictions, businesses are required by law to disclose cash and card prices separately to comply with consumer protection regulations. Having a digital menu that includes both prices ensures legal compliance.

EXAMPLES DIGITAL MENU-BOARDS







EXAMPLES PAPER MENU

THI	E RES	TAURANT		
Break	fast	and Brunch	-	
CARD	CASH	16) (<i>4</i>) (5)	CARD	CASH
\$6.23	\$5.99	LENTIL SOUP	\$5.19	\$4.99
\$5.19	\$4.99	SOUP OF THE DAY	\$5.19	\$4.99
\$5.19	\$4.99	GRILLED CHEESE PLATTER	\$8.31	\$7.99
	\$7.99	FATTEH	\$9.35	\$8.99
\$8.31	\$7.99	PINE NUTS, OLIVE OIL OR GHEE SALEP	\$6.23	\$5.99
\$8.31	\$7.99	CORN FLOUR, CINNAMON TEA CUP	\$3.12	\$3.00
\$9.35	\$8.99	ARABIC COFFEE	\$5.19	\$4.99
\$7.27	\$6.99	Hib (# 51)		5
	Oil extract Sreak CARD \$6.23 \$5.19 \$5.19 \$8.31 \$8.31 \$8.31 \$8.31	Oil extracted from A Breakfast : CARD CASH \$6.23 \$5.99 \$5.19 \$4.99 \$5.19 \$4.99 \$8.31 \$7.99	\$6.23 \$5.99 LENTIL SOUP \$5.19 \$4.99 SOUP OF THE DAY \$5.19 \$4.99 GRILLED CHEESE PLATTER GRILLED CHEESE, TOMATO, CUCUMBER \$8.31 \$7.99 FATTEH CHICKPEAS, PITA CHIPS, TAHINI SAUCE, SAUTEED PINE NUTS, OLIVE OIL OR GHEE SALEP THE TUBEROUS ROOTS OF ORCHIDS WITH MILK, CORN FLOUR, CINNAMON TEA CUP \$9.35 \$8.99 ARABIC COFFEE	CARD CASH S6.23 \$5.99 LENTIL SOUP \$5.19 \$4.99 SOUP OF THE DAY \$5.19 \$4.99 GRILLED CHEESE PLATTER \$8.31 \$8.31 \$7.99 FATTEH CHICKPEAS, PITA CHIPS, TAHINI SAUCE, SAUTEED PINE NUTS, OLIVE OIL OR GHEE \$8.31 \$7.99 ARABIC COFFEE \$5.19 \$4.99 ARABIC COFFEE \$5.19

Please take clear pictures of the menu front and back and submit.









IF YOUR STORE IS REQUIRED TO UPDATE ITS MENU. THIS UPDATE IS A CRITICAL COMPONENT OF YOUR COMPLIANCE CHECKLIST AND MUST BE COMPLETED TO ENSURE YOUR ELIGIBILITY FOR COMPENSATION.

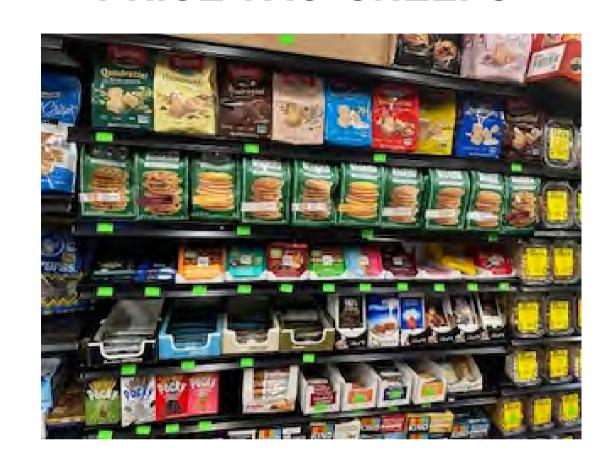
Please follow these steps carefully:

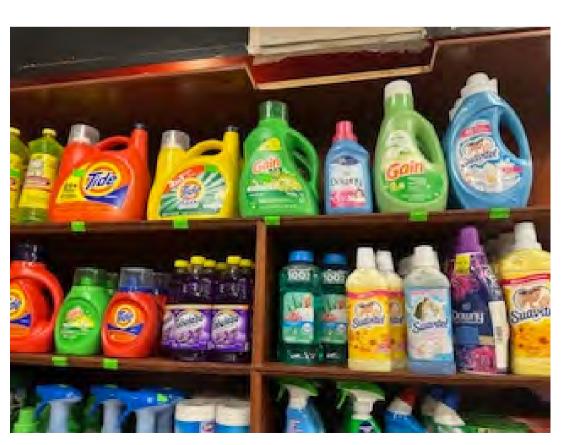
Photograph the Entire Menu Board:
Send Measurements of the Menu: Provide the dimensions of the menu board. If you have more than one board, include the measurements for each.
Paper or Laminated Menus: Indicate whether the menus are printed on paper or are laminated. Please include photographs of these menus.
Digital Menu Screens: If they use a screen/digital menu, note this distinction. Include photographs of the screens displaying the current menu.



EXAMPLES PRICE TAG-SHELFS

Labeling products with both card and cash prices at your place of business enhances transparency, empowers consumer choice, aids in budgeting and planning, prevents confusion, ensures legal compliance, and can contribute to a positive shopping experience for customers.







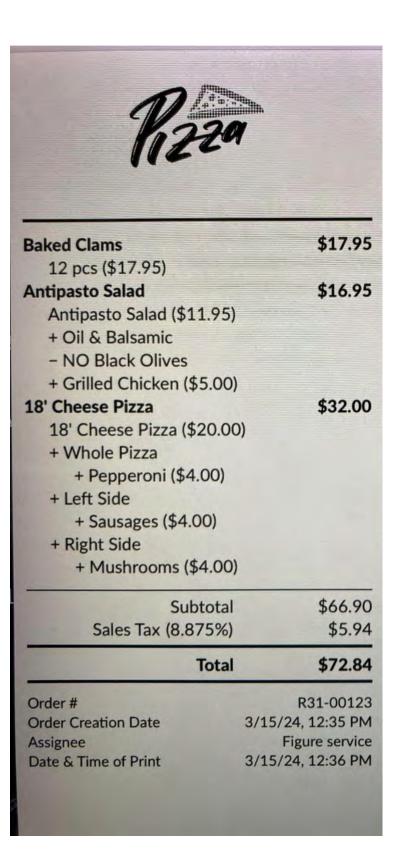




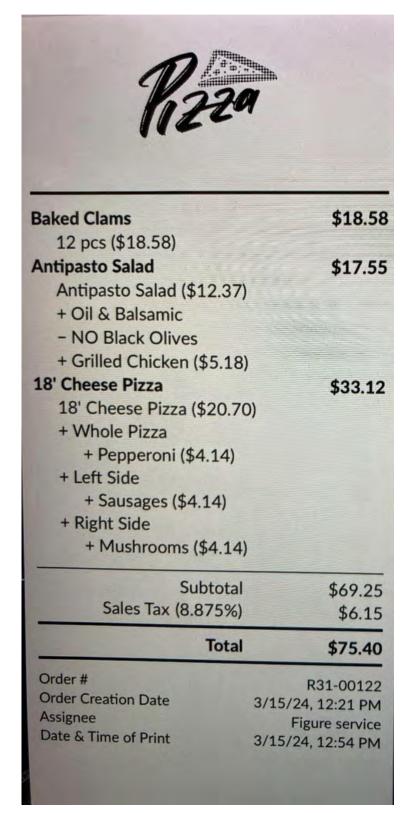
COMPLIANT RECEIPTS OPTIONS

Original Check

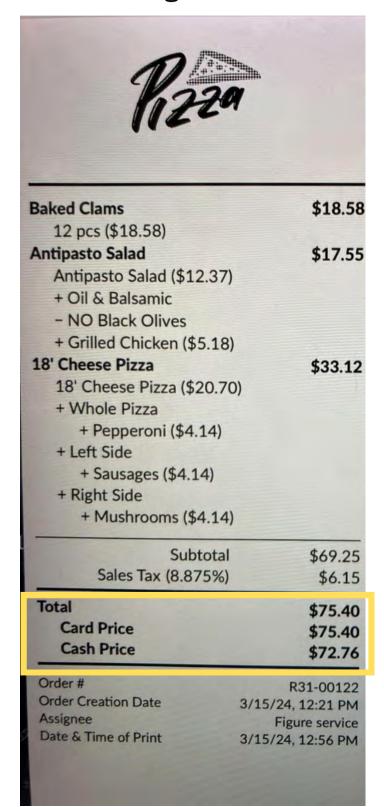
Including both cash and card prices on the customer receipt enhances transparency, prevents misunderstandings, assists with budgeting, ensures legal compliance, and contributes to a positive customer experience.



Price Increase (Card)



Price Increase with Dual Pricing





POS SYSTEM CUSTOMER FACING DISPLAY, COMPLIANCE

IF YOU HAVE A POS SYSTEM WITH CUSTOMER FACING DISPLAY YOU MUST SHOW BOTH, CARD AND CASH PRICE TO THE CUSTOMER

Your Order	10 Items		
101. Fuel Caesar Salad	\$8.00		
102. Fuel Chicken Caesar Salad	\$9.00		
92. Avocado Salad With Chicken	\$11.00 \$11.00		
63. Chicken N Vegetables Soup	\$4.00		
64. Chicken N Noodle w/Veggies	\$4.00		
9. Mediterranean Wrap	\$15.50		
Turkey	\$8.50		
ADD Substitute Bison for Turkey ADD Sweet Fries	\$3.00 \$1.00 \$3.00	Subtotal ± Pricing	\$67.25 —
106a. Freddys Special	\$8.00	Taxes New York tax (8.875%)	\$5.97 \$5.97
Bai	\$3.25	Total	\$73.22
Celsius	\$3.00	CASH PRICE	\$73.22
Can Soda	\$1.50	CARD PRICE	\$76.15

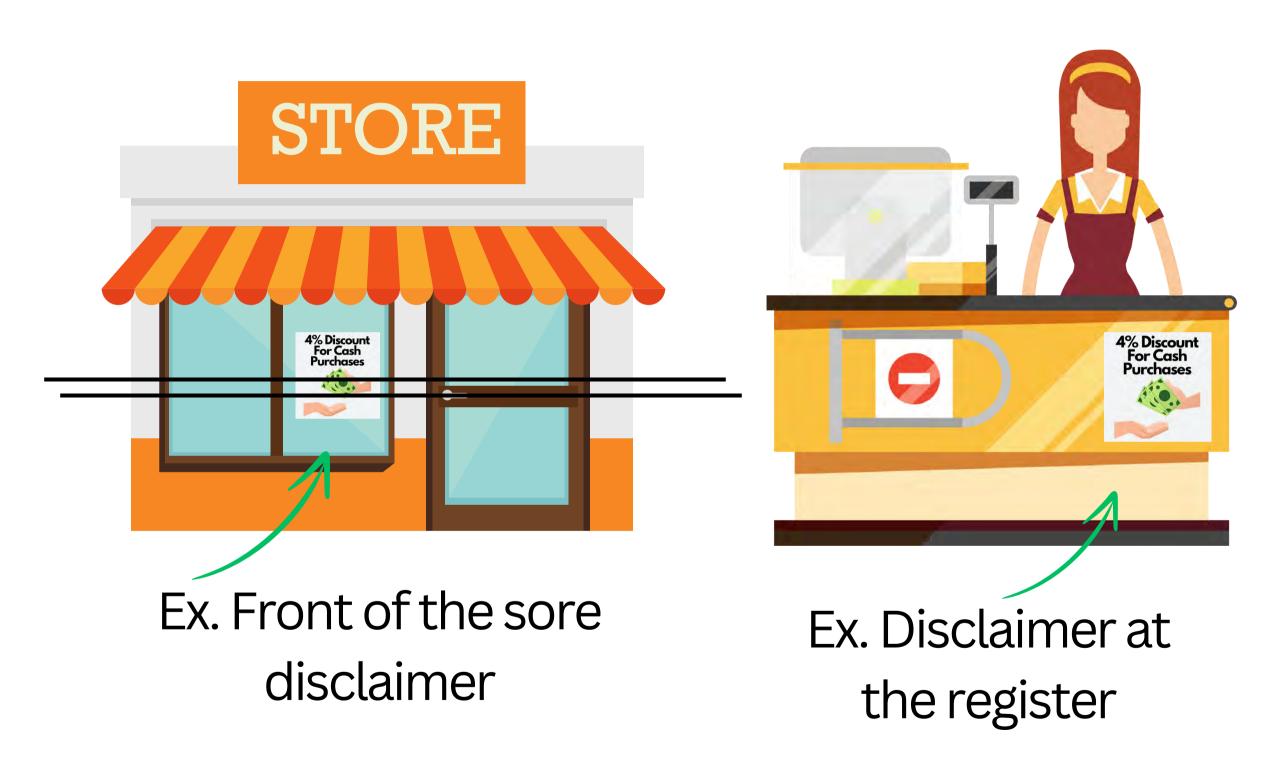
Spanakopita	Qty x 1	
CA @ \$8.99	\$8.99	
CR @ \$9.34	\$9.34	Y A
Spanakopita	Qty x 1	
CA @ \$8.99	\$8.99	
CR @ \$9.34	\$9.34	
Mousaka	Qty x 1	
CA @ \$7.99	\$7.99	
CR @ \$8.30	\$8.30	
Falafel Small (6)	Qty x 1	
CA @ \$6.99	\$6.99	
CR @ \$7.26	\$7.26	
Sub-Total	\$32.96	
Tax	\$2.64	
Cash Price (CA)	\$35.60	
Credit Price (CR)	\$37.03	SuperSurie: Want a POS System? Call 800-791-TECH (8324)
Allowed EBT	\$32.96	Affordable, with Local In-Person Install & Support! supersonicpos.com



Higher Price Model w/ Disclaimer



If shelf prices are the higher price you must display disclaimer.





Hybrid Model w/ Menus:

Stores with both shelf pricing and menu pricing

Shelfs



If shelf prices have both cash and card prices no disclaimer needed

Menu can display the higher price (card price) only but must also display the disclaimer.

DISCLAIMER

Disclaimer on menus should read

4% DISCOUNT FOR CASH PURCHASES



Menus



NOTE: The receipt for menus on the Hybrid model can have only the price displayed on the menu and it will be accepted. Make sure to take pictures of the menu showing the price and disclaimer.



DUAL PRICING CHECKLIST

Ensure all items have cash and card prices
Ensure all signage displaying 3%, 4%, or minimum credit card charges are removed Ensure new stickers
are put up in the store
Ensure all menus display cash and card prices, or list the higher price with a disclaimer: "4% Discount on
Cash Purchases"
If there is a digital menu screen, get the excel/PDF file or take a clear photo
If there is a chalkboard or corkboard menu, label over the current pricing with the card and cash price or higher
price with the disclaimer
Make sure to take 4-5 Interior Photos showcasing behind the counter, aisles, sections, shelves, etc., with
clear display of dual price compliance tags
Ensure POS or credit card terminals displays cash and card prices
Ensure receipts do not show anything indicating a surcharge/fee ("Adjustment" is allowed)
Ensure merchant and employees are educated on dual pricing verbiage and compliance laws
Share the Department of State video with the merchant
Hand out the Dual Pricing pamphlet to the merchant
Complete Menu check list - Find trhe check list in this PDF file



DUAL PRICE LABEL GUN







Dual Pricing Label Maker





Download the app, create an account so you can save your labels. Connect to the label maker via Bluetooth.



Start creating labels

NOTE: Make sure your phone is charged or that you have a charger. Using this label maker requires you to use your phone.

Item	Card	Cash
Sluggers Live Resine	67.60	65
Punchextracts	62.40	60
Raw Garden	41.60	40
Crush Diamond	62.40	60
Moonrocks 51/50	52.00	50
Future 1g	26.00	25
Stiiizy	41.60	40
Stiiizy w Diamonds	52.00	50

CARD	CASH		
\$3.12	\$3.00		

LL 8.4	OZ CAN	
CARD	CASH	
\$4.11	\$3.95	

This is an acceptable label, but you can add less products or single products.



DUAL PRICING STICKER





Disclaimer Sticker

4% Discount For Cash Purchases