

## 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



##  <br> DUAL PRICING GUIDANCE

Starting February y1, 2024, there is new guidance for New Yorks 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. $90 v / C$ CreditcardSurcharge or contact
us at
(800)
$697-1220$


## 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:
$\square$ Remove all Dual Pricing/Cash Discount Stickers or Signage.
$\square$ Take pictures of the location.
$\square$ 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 <br> DIGITAL MENU-BOARDS



## EXAMPLES

## PAPER MENU



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


| MENU |
| :---: | :---: |
| $: \equiv$ |

CHECKLIST

# 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


Price Increase (Card)


Price Increase with Dual Pricing


## 

| Baked Clams | \$18.58 |
| :---: | :---: |
| 12 pcs (\$18.58) |  |
| Antipasto Salad | \$17.55 |
| Antipasto Salad (\$12.37) |  |
| + Oil \& Balsamic |  |
| - NO Black Olives |  |
| + Grilled Chicken (\$5.18) |  |
| 18' Cheese Pizza | \$33.12 |
| 18' Cheese Pizza (\$20.70) |  |
| + Whole Pizza |  |
| + Pepperoni (\$4.14) |  |
| + Left Side |  |
| + Sausages (\$4.14) |  |
| + Right Side |  |
| + Mushrooms (\$4.14) |  |
| Subtotal | \$69.25 |
| Sales Tax (8.875\%) | \$6.15 |
| Total | \$75.40 |
| Card Price | \$75.40 |
| Cash Price | \$72.76 |


| Order \# | R31-00122 |
| :--- | ---: |
| Order Creation Date | $3 / 15 / 24,12: 21$ PM |
| Assignee | Figure service |
| Date \& Time of Print | $3 / 15 / 24,12: 56$ PM |

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.

## 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 tems |  |  |
| :---: | :---: | :---: | :---: |
| 101. Fuel Caesar Salad | \$8.00 |  |  |
| 102. Fuel Chicken Caesar Salad | \$9.00 |  |  |
| 92. Avocado Salad | \$11.00 |  |  |
| With Chicken | \$11.00 |  |  |
| 63. Chicken N Vegetables Soup | \$4.00 |  |  |
| 64. Chicken N Noodle w/Veggies | \$4.00 | C |  |
| 9. Mediterranean Wrap | \$15.50 | , |  |
| Turkey | \$8.50 |  |  |
| 40 Cb Bison | \$3.00 |  |  |
| (400) Substitute Bison for Turley | \$1.00 | Subtotal | \$67.25 |
| 200 Sweet tries | \$3.00 | $\pm$ Pricing | - |
| 106a. Freddys Special | \$8.00 | Taxes | $\$ 5.97$ $\$ 597$ |
|  |  | New York tax (8.875\%) | 55.97 |
| Bai | \$3.25 | Total | \$73.22 |
| Celsius | \$3.00 | $\triangle$ CASH PRICE | \$73.22 |
| Can Soda | \$1.50 | 国 CARD PRICE | \$76.15 |




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


Ex. Front of the sore disclaimer


Ex. Disclaimer at the register 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

DUAL PRICING CHECKLIST
510Ensure all items have cash and card pricesEnsure all signage displaying $3 \%, 4 \%$, or minimum credit card charges are removed Ensure new stickers are put up in the storeEnsure 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 photoIf there is a chalkboard or corkboard menu, label over the current pricing with the card and cash price or higher price with the disclaimerMake sure to take 4-5 Interior Photos showcasing behind the counter, aisles, sections, shelves, etc., with clear display of dual price compliance tagsEnsure POS or credit card terminals displays cash and card pricesEnsure receipts do not show anything indicating a surcharge/fee ("Adjustment" is allowed)Ensure merchant and employees are educated on dual pricing verbiage and compliance lawsShare the Department of State video with the merchantHand out the Dual Pricing pamphlet to the merchantComplete Menu check list - Find trhe check list in this PDF file

## DUAL PRICE LABEL GUN



## $5 \$ 5.20$

$\$ \$ 5.00$

## Dual Pricing Label Maker

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


Start creating labels
Sluggers Live Resine $67.60 \quad 65$
Punchextracts $62.40 \quad 60$
Raw Garden $\quad 62.40$
Crush Diamond 41.60
Crush Diamond $\quad 62.40 \quad 60$
Moonrocks 51/50 $52.00 \quad 50$
$\begin{array}{ll}\text { Future } 1 \mathrm{~g} & 26.00 \quad 25\end{array}$
Stiiizy $\quad 26.00$
$\begin{array}{lll}\text { Stiiizy w Diamonds } & 51.60 \\ 52.00 & 50\end{array}$

| CARD | CASH |
| :--- | :--- |
| $\$ 3.12$ | $\$ 3.00$ |


| ALL 8.4 OZ CANS |  |
| :---: | :---: |
| CARD | CASH |
| $\$ 4.11$ | $\$ 3.95$ |




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

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

## DUAL PRICING STICKER

## Dear Customer

"This location displays both the card and cash price on items"

CARD PRICE
CASH PRICE



