

Questions for Gleaner Submission – July 2004
Printed in the “Outlook” Magazine - Sunday July 25, 2004

1. Is it legal for Vendors to price Goods in US dollars?

The law does not prevent vendors from quoting prices in currencies other than our Jamaican currency. Vendors are expected however to make it possible for customers to ascertain the price of the good prior to making payment for it. This would mean that vendors are responsible to communicate to their customers what rate of exchange is being used. Additionally, although the monetary unit of Jamaica is the dollar, vendors are permitted to request payment only in US dollars. In relation to debt however, the Jamaican dollar is the legal tender in which payment obligations can be settled, provided there was no previous agreement to the contrary.

CAC Advice: Consumers, you are not totally without power here. Although it may be a marketing tactic to price goods exclusive of tax or in currencies other than Jamaican dollars, you can choose not to patronize stores which withhold information from you and thereby prevent you from making informed decisions when making your purchases.

2. Should price information given by shelf edges/talkers match the product with which it is placed?

According to the Fair Trading Commission, “shelf talkers’ should match the products with which they are placed. Otherwise this could be considered misleading and therefore a breach of Section 37 of the Fair Competition Act (FCA). For example, let’s say an untagged item is placed on a shelf with a shelf talker/shelf edge indicating that its price of \$67.00 and when the customer takes it to the cashier, he or she is asked to pay \$70.00, then he/she would have been misled. Furthermore, due to amendments to the FCA, an offense under section 37 would have been committed where a representation is likely to mislead. Therefore merely having “shelf talkers” which do not correspond with the products being sold could constitute an offence.

CAC Advice: Consumers must take the time and care to match the product they are purchasing with the information on the shelf talker/edge. Remember too, that as a courtesy to your fellow consumer, if you have removed an item from the shelf and decide to replace it, ensure that you do so in the appropriate/original place.

3. What do I do when a product has two prices (Double Ticketing)?

The Fair Competition Act dictates that if an article is priced at two different amounts, then the customer is by law entitled to pay the lower of the two. The prices may be displayed either on the product’s wrapper or container or by display or advertisement at the place at which the item is purchased.

If however it is clear that an error might have been made, then the vendor might not be required to charge that price. For example: If there are two price tags, one indicating that the item is for \$50.00 when it is normally sold for \$5,000.00, this would be considered a misprint and the vendor would be allowed to charge the higher price.