

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 16 AGRICULTURAL WEIGHTS AND MEASURES
PART 6 PRICE REPRESENTATIONS

21.16.6.1 ISSUING AGENCY: New Mexico State University, New Mexico Department of Agriculture
[7/1/97; 21.16.6.1 NMAC - Rn & A, 21 NMAC 16.6.1, 05/29/09]
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21.16.6.2 SCOPE: All retailers of consumer commodities.
[7/1/97; 21.16.6.2 NMAC - Rn, 21 NMAC 16.6.2, 05/29/09]

21.16.6.3 STATUTORY AUTHORITY: Granted to the board of regents of New Mexico state university
under the Weights and Measures Law, Chapter 57, Article 17, Sections 1 through 19, New Mexico Statutes
Annotated, 1978 Compilation.
[7/1/97; 21.16.6.3 NMAC - Rn, 21 NMAC 16.6.3, 05/29/09]

21.16.6.4 DURATION: Permanent
[7/1/97; 21.16.6.4 NMAC - Rn, 21 NMAC 16.6.4, 05/29/09]

21.16.6.5 EFFECTIVE DATE: July 1, 1997
[7/1/97; 21.16.6.5 NMAC - Rn, 21 NMAC 16.6.5, 05/29/09]

21.16.6.6 OBJECTIVE: This part establishes the price representation requirements for all retail sales
displays of consumer commodities sold by weight, measure or count.
[7/1/97; 21.16.6.6 NMAC - Rn, 21 NMAC 16.6.6, 05/29/09]

21.16.6.7 DEFINITIONS: [RESERVED]

21.16.6.8 [RESERVED]

21.16.6.9 PRICE REPRESENTATIONS: All retail sales displays of consumer commodities sold by
weight, measure, or count shall include price information as provided below. It shall be the responsibility of the
person or firm selling or offering the commodity for sale to furnish correct price information.

A. Whenever an advertised, posted or labeled price per unit of weight, measure, or count includes a
fraction of a cent, all elements of the fraction shall be immediately adjacent to, of the same general design and style,
and at least one-half (1/2) the height and width of the numerals representing the whole cent.

B. Price information may be displayed by means of a sign, which offers the price for one or more
brands and/or sizes of a given commodity, by means of a sticker, stamp, sign, label or tag affixed to the shelf upon
which the commodity is displayed, or by means of a sticker, stamp, sign, label or tag affixed to the commodity
itself.

C. Where a sign providing price information for one or more sizes or brands of a given commodity is
used, that sign shall be provided clearly and in a nondeceptive manner in a central location as close as practical to
all items to which the sign refers.

D. If a single sign or tag does provide the price information for more than one brand or size of a
given commodity, the following information shall be provided:

- (1) the identity and the brand name of the commodity;
- (2) the quantity of the packaged commodity if more than one package size per brand is displayed;

and

- (3) the total retail sales price.

[7/1/97; 21.16.6.9 NMAC - Rn, 21 NMAC 16.6.9, 05/29/09]

21.16.6.10 [RESERVED]

HISTORY OF 21.16.6 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

NMDA Rule No. DOA 73-5, Regulator Order No. 5, Method of Sale, filed 5/15/73.

NMDA Rule No. 73-5, Amendment No. 1, Regulatory Order No. 10, Fuelwood, Price Representation, filed 9/15/75.

NMDA Rule No. 95-9, Price Representations, filed 11/14/95.

History of Repealed Material: [RESERVED]