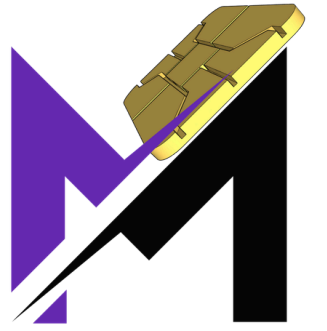


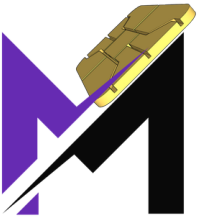


DUAL PRICING

THE MERCHANT'S MANUAL TO COMPLIANCE



DUAL Pricing | What is Dual Pricing?



- 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.





Credit Card Surcharge 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).

LEGAL

A business can:



Clearly display **BOTH** the Credit Card and the Cash Price.



List the **HIGHER** Credit Card price and advertise a **DISCOUNT** for Cash purchases.



Use the **SAME PRICE** for both Cash and Credit Card purchases.

ILLEGAL

A business cannot:



Put a **SIGN ON THE WALL OR AT THE REGISTER** that notifies a fee is applied to all credit card sales.



Charge **SEPARATE LINE ITEMS**:

- convenience fee,
- service fee,
- administration fee,
- non-cash adjustment,
- technology fee,
- processing fee,

etc., to credit card users on the customer receipt.

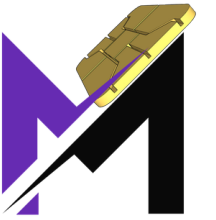


Advertise that all **PRICES INCLUDE A CASH DISCOUNT** that **does not** apply to credit cards purchases.



Include a **CREDIT CARD SURCHARGE WARNING** on the item price tag.

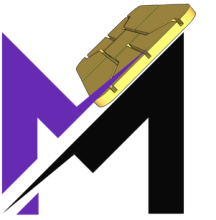
If you have questions about the law, want to see more examples, or are not sure you are following the law correctly, please visit our website at dos.ny.gov/CreditCardSurcharge or contact us at: **(800) 697-1220**



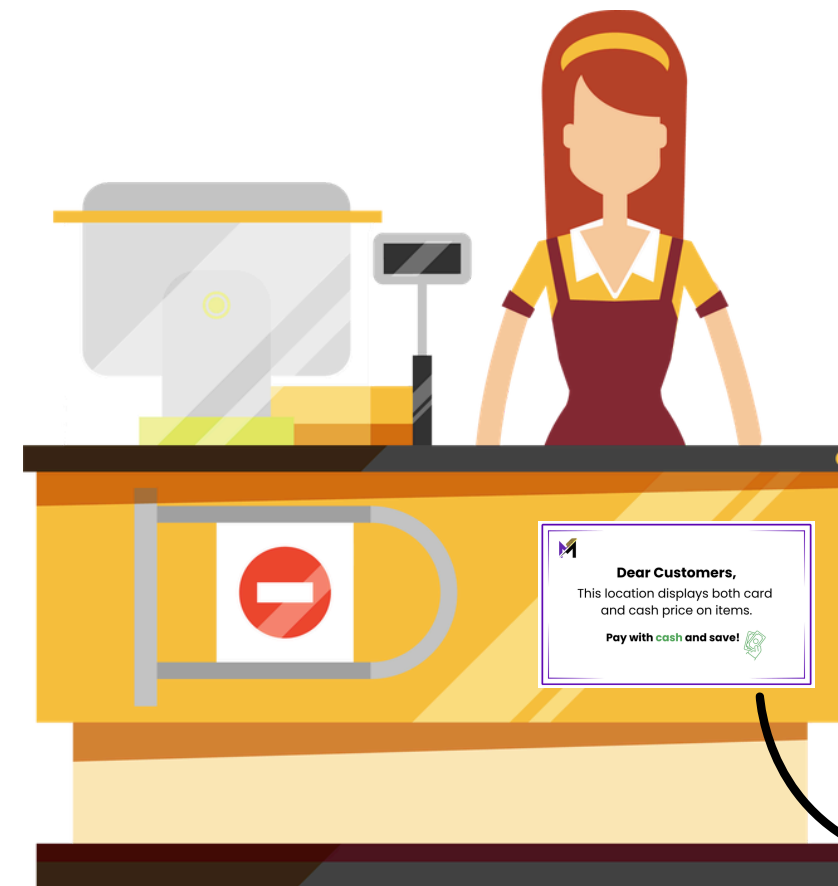
If you arrive at a location and the merchant informs you that they are switching to traditional pricing, make sure to complete the following to ensure compliance:

- ☐ **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.

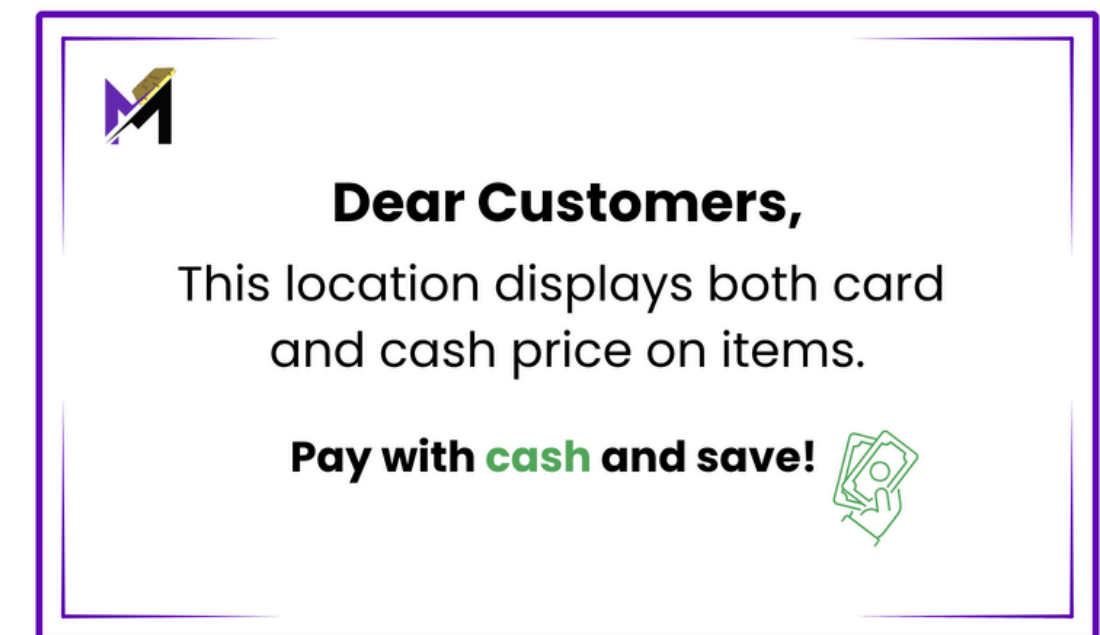
If you are unsure, feel free to call the office to confirm completion



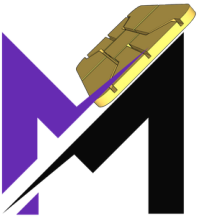
If listed prices show both the cash & card price, you should display a disclaimer.



Disclaimer at the register



Please note that this model is designed for True Cash Discounting. Under this program, merchants can offset credit card processing fees. It applies only to credit card transactions, as debit cards are treated as cash. If a merchant chooses to participate in the True Cash Discounting program, they will be responsible for covering the costs of debit transactions.



If listed prices are the higher price (card price), you **must** display a disclaimer.

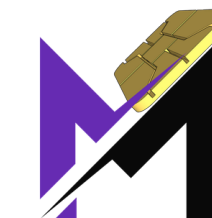


Disclaimer at the storefront



Disclaimer at the register

Please note that this model is designed for True Cash Discounting. Under this program, merchants can offset credit card processing fees. It applies only to credit card transactions, as debit cards are treated as cash. If a merchant chooses to participate in the True Cash Discounting program, they will be responsible for covering the costs of debit transactions.



Hybrid Model: Display both the card and cash price.

CREAM CHEESE				
(We Only Use Philadelphia Cream Cheese)				
	On a Bagel		By the 1/2 lb.	
	CASH	CARD	CASH	CARD
Butter	\$2.75	\$2.86	\$5.99	\$6.23
Plain	\$3.75	\$3.90	\$5.99	\$6.23
Plain Lite	\$3.29	\$3.42	\$5.99	\$6.23
Vegetable	\$4.99	\$5.19	\$6.49	\$6.75
Lite Vegetable	\$4.99	\$5.19	\$6.99	\$7.27
Scallion	\$4.99	\$5.19	\$6.49	\$6.75
Lite Scallion	\$4.99	\$5.19	\$6.99	\$7.27
Lox	\$5.99	\$6.23	\$6.99	\$7.27
Lite Lox	\$5.99	\$6.23	\$6.99	\$7.27
Olive	\$4.99	\$5.19	\$6.99	\$7.27
Cinnamon Raisin Walnut	\$4.99	\$5.19	\$6.99	\$7.27
Apple Walnut Raisin	\$4.99	\$5.19	\$6.99	\$7.27
Sundried Tomato Jalapeño	\$4.99	\$5.19	\$6.99	\$7.27
Strawberry	\$4.99	\$5.19	\$6.99	\$7.27
Jalapeño	\$4.99	\$5.19	\$6.99	\$7.27
Pumpkin*	\$4.99	\$5.19	\$6.99	\$7.27
Tofutti (Dairy Free)	\$5.99	\$6.23	\$7.49	\$7.79
Tofutti Scallion (Dairy Free)	\$5.99	\$6.23	\$7.49	\$7.79
Seasonal * Check out weekly cream cheese specials & more!				

BOARS HEAD				
	On a Bagel		By the 1/2 lb.	
	CASH	CARD	CASH	CARD
Any Ham Product	\$9.99	\$10.39	\$7.99	\$8.31
Any Turkey Product	\$9.99	\$10.39	\$7.99	\$8.31
Top Round Roast Beef	\$11.99	\$12.47	\$9.99	\$10.39
Corn Beef	\$10.99	\$11.43	\$9.99	\$10.39
Hot Pastrami	\$10.99	\$11.43	\$9.99	\$10.39
Grilled Veggie Sandwich	\$9.99	\$10.39	\$9.99	\$10.39
Salami	\$9.99	\$10.39	\$7.99	\$8.31
Pepperoni	\$9.99	\$10.39	\$7.99	\$8.31
Bologna	\$9.99	\$10.39	\$6.99	\$7.27
Any Cheese	\$8.99	\$9.35	\$6.99	\$7.27

FRESH LOX				
	On a Bagel		By the 1/4lb.	
	CASH	CARD	CASH	CARD
Nova Scotia Lox & Cream Cheese	\$13.99	\$14.55	\$16.99	\$17.67
Novalicious	\$13.99	\$14.55		
<i>Nova, Scallion Cream Cheese, Tomato, Onion, Capers, & Cucumber on an Everything Bagel</i>				

SEAFOOD				
	On a Bagel		By the 1/2lb.	
	CASH	CARD	CASH	CARD
Shrimp Salad	\$12.95	\$13.47	\$16.99	\$17.67
Baked Salmon	\$12.95	\$13.47	\$16.99	\$17.67
Chinky White Fish Salad	\$12.95	\$13.47	\$16.99	\$17.67
Seafood Salad	\$12.95	\$13.47	\$16.99	\$17.67

Higher Price Model : Display card price and put disclaimer.

Waffles & Crêpes	
	Waffle Crêpe
Kunafa Crepe	13.99
Laila's Signature	12.99 14.99
Dubai Special	12.99 14.99
Classic Nutella	9.99 10.99
Pistachio Delight	11.99 12.99
Reese's Dream	11.99 12.99
Red Velvet Royale	11.99 12.99
Yankees Special	10.99 12.99
Fruity Pebbles	11.99 12.99
Triple Chocolate Lover's	11.99 12.99
Banana & Strawberry	10.99 12.99
Oreo or Brownie or Lotus	10.99 12.99
Build your own	8.99

Laila Special	
Belgian Double-Drizzle Volcano	7.49
Soft and gooey Lava Cake with Vanilla ice cream; Drizzled milk and Dark chocolate	
Kunafa	14.99
Traditional crunchy treat with sweet cheese and pistachio nuts	
Arabian Night Coffee	3.49
Lightly roasted coffee with Cardamom and Saffron	
Dubai Brownie Sundae	13.99
Soft Brownie topped with Dubai Filling and vanilla ice cream	

Cake & Churros	
Churro Sticks (with dipping)	8.99
Red Velvet cake	8.99
Cheesecake	8.99
Chocolate Layer Cake	8.99
Baklava	10.99
Brownie	7.99
Brownie Sundae	12.00
Nutella Churro	9.99
Triple Chocolate Churro	10.99
Dubai Churro	12.99
Dulce de Leche Churro	9.99
Lotus Churro	10.99

Sticks	
Strawberry	6.99
Banana	6.99
Chocolate Waffle	9.99
Pistachio Waffle	12.99
Lotus Waffle	10.99
Red Velvet Waffle	10.99
Mini Pancakes	11.99

Strawberry Croissant	5.99
Dubai Croissant	6.99

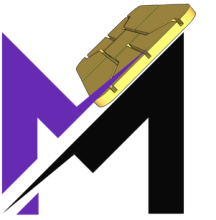
Extras, Toppings, Chocolate and Spread			
White Chocolate	Hazelnut Butter	Dubai Filling	Ice Cream Scoop
Milk Chocolate	Dulce de Leche	Pistachio Nuts	Crushed Oreo
Dark Chocolate	Peanut Butter	Reese's Pieces	Marshmallow
Nutella	Bananas	Fruity Pebbles	Red Velvet Bites
Pistachio Sauce	Strawberry	KitKat sticks	Cheesecake Bites
Lotus Butter	Blueberries	Kinder sticks	Shortcake Bites

Displaying both cash and card prices promotes transparency in pricing. The receipt for menus on the Hybrid model can have only the price displayed on the menu and it will be accepted.

Menus can display the higher price (card price) only but must also display the disclaimer "Pay with cash & save 4%".

DUAL Pricing

Paper Menu Examples



Hybrid Model: Display both the card and cash price.

EGGËRGIZER BOWLS

Trueno Cash 10.5 Card 10.92
Quinoa, Chicken Sausage, Spicy Peppers, Spinach, Home Fries and Guacamole and Pico de Gallo

Farmers Choice Cash 10.5 Card 10.92
Quinoa, Turkey, Mushroom, Kale, Avocado and Chipotle Aioli

Emerald Morning Cash 9.5 Card 9.88
Broccoli, Sautéed Onion, Spinach, Feta and Pesto

BREAKFAST WRAPS

Bourgeois Cash 11 Card 11.44
3 Egg Whites, Chicken Sausage, Spinach, Goat Cheese and Sliced Peav

Compadre Cash 9 Card 9.36
2 Eggs, Bacon, Corn, Beans, Zucchini, Pico de Gallo and Feta

Huntsman's Breakfast Cash 13 Card 13.52
2 Eggs, Steak, Potato, Mushroom, Sautéed Onion and Pepper Jack

AVOCADO TOAST

5th Ave Cash 9 Card 9.36
Guacamole, Bacon, Cherry Tomato, Scrambled egg, Chipotle Aioli topped with Sesame Seed

Tiffany's Cash 8 Card 8.32
Avocado, Cream Cheese, Cucumber, Hardboiled Eggs, Hardboiled Egg, topped with Green Onion and Sriracha

Monroe Cash 9 Card 9.36
Avocado, Grilled Tomato, Fresh Mozzarella, Egg Over Easy and a sprinkle of Red Pepper Flake and Balsamic Vinegar Reduction

LIFESTYLE OMELET

served with homefries and toast

Mediterranean Omelet Cash 11.5 Card 11.96
3 Eggs, Tomato, Spinach, Zucchini and Fresh Mozzarella

Western Omelet Cash 11.5 Card 11.96
3 Eggs, Peppers, Onions, Turkey and Cheddar Cheese

Fudgarten Omelet Cash 10.5 Card 10.92
3 Eggs, Zucchini, Spinach and Broccoli

• Add Protein

Applewood Smoked Bacon	Cash 2.5	Card 2.60
Chicken Sausage	Cash 3.5	Card 3.64
Turkey	Cash 4	Card 4.16
Grass Fed Steak	Cash 7	Card 7.28
Tempeh (Vegan)	Cash 5	Card 5.20
Cage Free Egg (any style)	Cash 1.5	Card 1.56

FAST CASUAL • ORGANIC EATERY

FAST CASUAL

FÜDGARTEN

ORGANIC EATERY

MENU

Free Delivery

Mon-Fri 7am-9pm
Sat 8am-9pm
Sun 8am-4pm

#nj_fudgarten
Fugarten
Fugarten-nj.com

TEL. 201.878.3415
1636 Palisade Ave, Fort Lee, NJ 07024

+Add Extra
Grass Fed Whey, Protein, or Vegan
Cash 1.5 Card 1.56

Higher Price Model : Display card price and put disclaimer.

THE RESTAURANT

Olive Oil extracted from Ancient Roman olive trees

Breakfast and Brunch

STARTERS

FALAFEL SIDE (5PCS) \$6.23
with tahini sauce

HUMMUS \$5.19

BABAGANOUSH \$5.19

LABNEH \$8.31
parsley, olive oil, za'atar served with pita bread

MEAT&KEF \$8.31
youka balls

FOUL MEDAMES \$8.31
stewed & seasoned fava beans w. garlic, olive oil, tomato, cumin, & parsley

SOUPS

LENTIL SOUP \$5.19

SOUP OF THE DAY \$5.19

SALADS

GRILLED CHEESE PLATTER \$8.31
served with olives, avocado, & labneh

FATTEH \$9.35
poppadoms, pita chips, tahini sauce, butter, chickpeas, olive oil & za'atar

SALAD \$6.23
mixed greens & roots or orchids with mix, seeds, popped cannon

GREEK SALAD \$8.83
tomato, cucumber, red onion, olives, feta

QUINOA SALAD \$8.83
quinoa, greens, roasted vegetables

EGGS & OMELETTES

SHAKSHUKA \$9.35
tomato, onion, peppers, eggs, olive oil, spices

OMELETTE \$7.27
feta, vg

VEGETABLE OMELETTE \$8.83
mushrooms, peppers, onions, spinach

CHEESE OMELETTE \$8.83
with feta & herbs

SANDWICHES

LABNEH SANDWICH \$7.27
labneh, cucumber, tomato, za'atar

FALAFEL SANDWICH \$8.31
falafel, tahini, pickles, lettuce

EGG & CHEESE SANDWICH \$7.79
scrambled eggs, cheddar, herbs

AVOCADO TOAST \$8.31
avocado, olive oil, chili flakes

BEVERAGES

TEA CUP \$3.12

ARABIC COFFEE \$5.19

FRESH ORANGE JUICE \$5.19

SPARKLING WATER \$3.12

SODA \$3.12

TURKISH COFFEE \$4.67

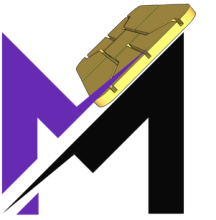
SIDES

PITA BREAD \$1.56

EXTRA OLIVES \$2.08

SIDE OF AVOCADO \$2.60

PAY WITH CASH & SAVE 4%

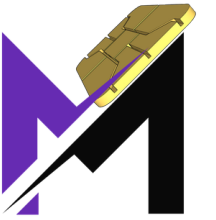


Your store may be required to update its **menu**. This update is a critical component of your store's compliance & compensation.

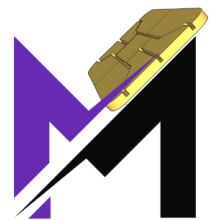
- ☐ **Photograph the Entire Menu Board**
- ☐ **Send Measurements of the Menu:** Provide the dimensions of the menu board. If you have more than one board, include the measurements for each.
- ☐ **Paper/Laminated Menus:** Indicate whether the menus are printed on paper or are laminated. Please include 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.

Not sure if your menus are compliant? Submit photos of your menu to & we will review them.

DUAL Pricing | Price Tag Shelves



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.



Original Receipt
(Not Compliant)

	
Baked Clams	\$17.95
12 pcs (\$17.95)	
Antipasto Salad	\$16.95
Antipasto Salad (\$11.95)	
+ Oil & Balsamic	
- NO Black Olives	
+ Grilled Chicken (\$5.00)	
18' Cheese Pizza	\$32.00
18' Cheese Pizza (\$20.00)	
+ Whole Pizza	
+ Pepperoni (\$4.00)	
+ Left Side	
+ Sausages (\$4.00)	
+ Right Side	
+ Mushrooms (\$4.00)	
Subtotal	\$66.90
Sales Tax (8.875%)	\$5.94
Total	\$72.84
Order #	R31-00123
Order Creation Date	3/15/24, 12:35 PM
Assignee	Figure Service
Date & Time of Print	3/15/24, 12:36 PM

Price Increase
(Card Price)

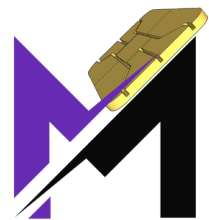
	
Baked Clams	\$18.58
12 pcs (\$18.58)	
Antipasto Salad	\$17.55
Antipasto Salad (\$12.37)	
+ Oil & Balsamic	
- NO Black Olives	
+ Grilled Chicken (\$5.18)	
18' Cheese Pizza	\$33.12
18' Cheese Pizza (\$20.70)	
+ Whole Pizza	
+ Pepperoni (\$4.14)	
+ Left Side	
+ Sausages (\$4.14)	
+ Right Side	
+ Mushrooms (\$4.14)	
Subtotal	\$69.25
Sales Tax (8.875%)	\$6.15
Total	\$75.40
Order #	R31-00122
Order Creation Date	3/15/24, 12:21 PM
Assignee	Figure service
Date & Time of Print	3/15/24, 12:54 PM

Price Increase w/ Dual Pricing
(Compliant)

	
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

DUAL
Pricing

POS System/CFD Examples



If you have a POS System with a Customer Facing Display (CFD), you must show both CARD & CASH prrice to the customer

Saucy - 1144 Hylan Blvd

Dine In

#S1-0001

3 items

1

Chicken Tenders

6 pcs +\$3.00

\$15.00

1

CRISPY CHICKEN SANDWICH

\$11.00

1

Loaded Fries

Chicken

\$13.59

Subtotal

\$39.59

Tax

\$3.51

Total (card)

\$43.10

Total (cash)

\$41.56

Save \$1.54 with cash

Turkey Cheeseburger

Qty x 1

CA @ \$10.00

\$10.00

CR @ \$10.40

\$10.40

Chipotle Chicken Salad

Qty x 1

CA @ \$10.95

\$10.95

CR @ \$11.38

\$11.38

Shrimp Salad

Qty x 1

CA @ \$8.95

\$8.95

CR @ \$9.30

\$9.30

Soda

Qty x 1

CA @ \$1.75

\$1.75

CR @ \$1.82

\$1.82

Fries

Qty x 1

CA @ \$3.50

\$3.50

CR @ \$3.64

\$3.64

Hero

Qty x 1

CA @ \$1.00

\$1.00

CR @ \$1.04

\$1.04

Sub-Total

\$37.58

Tax

\$3.34

Cash Price (CA)

\$39.36

Card Price (CR)

\$40.92

Allowed EBT

\$0.00

Total Quantity

6

SuperSonic POS

Need a Register?

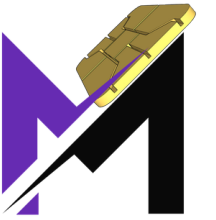
Call 800-791-TECH

24/7/365 US-Based Support

supersonicpos.com

DUAL | Dual Pricing Checklist

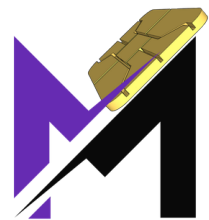
Pricing



- ☐ All items have cash and card prices.
- ☐ All signage displaying 3%, 4%, or minimum credit card charges are removed.
- ☐ New disclaimer stickers are put up in the store.
- ☐ All menus display cash and card prices, OR list the higher price with a disclaimer: "4% Discount on Cash Purchases".
- ☐ 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
- ☐ Ensure receipts do not show anything indicating a surcharge/fee ("Adjustment" is allowed)
- ☐ Ensure merchant and employees are educated on dual pricing verbiage & 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 the check list in this PDF file

DUAL
Pricing

Dual Pricing Starter Kit



Pricing Gun



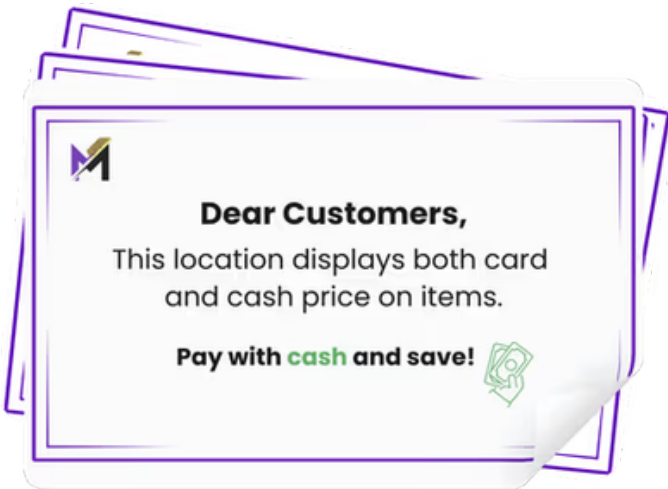
Portable Thermal Printer



Ink Rolls



Pricing Labels



M-Tech Dual Pricing Stickers

The logo features a stylized 'M' in purple and black, with a gold-colored circuit board graphic integrated into its upper right portion.

MTechDistributors