

DACO Approves McV's Recommendation Regarding In-Store Signage

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PRACTICE AREAS

- Retail

An McV Retail Alert

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On December 1, 2016, we sent you Retail Alert #1 regarding Act No. 46-2016 requiring all commercial establishments to offer clients at least two alternative payment methods, one of which must be credit or debit card. As you know, the Act also requires all commercial establishments to place **signs** identifying the alternative payment methods accepted.

The Act did not include a specific language for the sign but we suggested the following language:

*La Ley Núm. 46-2016 establece que todo establecimiento comercial tiene que proveer al menos 2 alternativas de pago a sus consumidores, una de las cuales tiene que ser tarjeta de crédito o débito. **En este establecimiento se puede pagar con efectivo, cheques, tarjetas de crédito y tarjetas de débito.***

You can modify the sentence in bold to include the different methods of payment that you accept. This sign must be placed at the entrance doors, cash registers, or service counter.

On December 1, 2016, we also sent you Retail Alert #2 regarding the Act for the Promotion of Reusable Bags and Regulation of Plastic Bags in the Commonwealth of Puerto Rico, Act 247-2015, which prohibits stores from providing disposable plastic bags to customers.

The Act has many requirements including the requirement to place signs, for 12 months, at the cash registers and at the entrances, to inform about the prohibition to offer disposable plastic bags and the promotion of reusable bags. The text of the sign is the following:

Comercio Libre de Bolsas Plásticas Desechables

Desde el 30 de diciembre de 2016, a tenor con la Ley 247-2015, todo establecimiento comercial ubicado en el Estado Libre Asociado de Puerto Rico, estará impedido de entregar o despachar los artículos adquiridos en bolsas plásticas desechables. Este establecimiento comercial, a tono con la Ley 247-2015, es un Comercio Libre de Bolsas Plásticas Desechables. Por ende, les

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exhortamos a utilizar bolsas reusables para cargar sus artículos, y a que depositen sus bolsas plásticas usadas en los contenedores para esos fines, ubicados en la salida de los establecimientos comerciales, a tenor con la Ley 70-1992, según enmendada.

Because of these 2 new signs, in addition to the Return Policy sign which has to include the DACO sign, we asked DACO if the stores can include the DACO sign, the plastic bags sign, and the alternative payment methods sign in 1 sign (which we drafted) and, in a separate sign, only the Return Policy. Recently, DACO authorized the use of the sign that we drafted (with the 3 small signs).

DACO determined that the stores can use that sign and, in a separate sign, include the Return Policy without the DACO sign. The attached pdf is an example of what the combined sign looks like.

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