

# Ralph's and the Kroger Company Accused of Overcharging Consumers

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A recent [lawsuit](#) filed by the Los Angeles City Attorney's office should serve as a good reminder to retailers and manufacturers to comply with state and local weights and measures statutes. Last week the city filed a multi-count criminal case alleging that Ralph's Grocery Company and its parent, the Kroger Company, overcharged consumers for prepackaged and weighed products in violation of the Business and Professions Code.

The lawsuit includes 14 counts of false and misleading advertising, 18 violations of unlawful computation of value, 9 violations of selling prepackaged commodities in less quantity than represented, and 18 violations of false labeling. Each company could face fines and penalty assessments up to \$256,000. Ralph's had been put on notice of overcharges, including payment of \$6,500 in fines in 2008 and \$10,400 in fines in 2009.

**Practice Pointer:** Although the fines for these alleged violations may seem relatively low, they can quickly add up if inspectors visit different stores in the same state or if inspectors in other states begin enforcing those state statutes. Companies that receive notice of overcharges should review their practices to address any recurring issues.