

#5 Make Sure Your Sales Ads Aren't False or Misleading

- It is illegal to advertise low prices on items that you don't actually have available for customers ("bait and switch").
- Any item you list as "on sale" must also display the pre-sale price clearly, and you must have reasonable quantities available before advertising the sale. If you advertise that you are having a sale due to fire, smoke, or water damage or because you are going out of business, liquidating, lost your lease, or are renovating, you must have a DCA Special Sale license and conduct the sale at the location that is being closed.
- You must include your business name, address, and DCA license number (if applicable) on all newspaper ads, business cards, and business vehicles.

#6 Know the Items You Cannot Sell

- It is illegal to sell fake or imitation guns unless the entire exterior of the gun is white, bright red, bright orange, bright yellow, bright green, bright blue, bright pink, bright purple, or translucent or transparent (see-through). Any fake or toy gun that is not one of these colors (for example, black, green) is illegal even if it has an orange tip.
- You cannot sell laser pointers to anyone under 19. You cannot sell the following items to anyone under 21: box cutters, etching acid, spray paint.
- You cannot sell the following products to anyone: expired over-the-counter medication, motorized scooters, and products made of endangered or threatened species.

#7 Know the Rules for Tobacco Sales and Signage

- It is illegal to sell cigarettes to anyone under 21. You must request proper identification for anyone who appears to be under 30.
- You must have a DCA license to sell cigarettes in New York City and post required City and State warning signs, all of which are available in DCA's Business Toolbox.
- It is illegal to sell "flavored" tobacco unless you operate a tobacco bar or if the tobacco has the taste or smell of menthol, mint, or wintergreen.
- You cannot sell individual cigarettes ("loosies").

#8 Make Sure Scales are Accurate

DCA inspects all scales used by stores and airports for accuracy. Scales must be positioned so customers can view the weight and the price per pound. If you sell packaged items, you must subtract the weight of the packaging ("tare" weight) from the cost of the weighed item. Businesses can request a scale inspection online in DCA's Business Toolbox or by **contacting 311**.

#9 Resolve Customer Complaints

If DCA receives a complaint, we will contact you by phone or mail to get your side of the story before we mediate. All licensees must respond within 20 days. A DCA mediator will work with you and the customer and if we cannot resolve the complaint, it may be heard by a judge at a hearing at a City Tribunal or State court. DCA maintains permanent public records of complaint histories and how they are resolved.

#10 Handle Violations and Pay Fines

If a DCA inspector issues a violation during an inspection, you will be given a Notice of Hearing with the date and time that you need to meet with a Settlement Officer or contest the violation with an Administrative Law Judge at a City Tribunal. You may bring an attorney with you, and free translation services are available. Those with disabilities can request special accommodations before their hearings. Depending upon the violation or your violation history, you may be able to settle the violation online or by mail. Not responding to a Notice of Hearing will result in additional violations and fines.



NYC
Consumer Affairs

Bill de Blasio
Mayor

Lorelei Salas
Commissioner

42 Broadway
New York, NY
10004

Visit nyc.gov and
search "Business
Toolbox"

Contact 311
(212) NEW-YORK
(Outside NYC)

YouTube   Instagram
@NYCDCA