

Mr. WINSTEAD. I do not question that at all, sir. This is certainly a human error. I was giving you the reason for it, or at least my feeling of the reason.

May I ask this: did you call the checker's attention to this sign?

Mr. REUSS. No, I did not.

Mr. WINSTEAD. You did not.

Mr. REUSS. No, I did not.

Mr. WINSTEAD. Well, our checkers are instructed to sell at the price marked, and should a customer come to the counter with these items marked three for a dollar, and you would have said, "No, they were on the shelf at three for 89," it is our instructions for that checker to charge you at the lower price, as marked, and, of course, take immediate action to get the price changed at the retail level.

Mr. REUSS. I now show you the results of my forays into salad dressing at your poverty-area store at Third Street and Massachusetts Avenue, Northeast, the store we have already referred to.

Attorney Van Gemert, perhaps you can tell me how many ounces are there in a pint.

Mr. VAN GEMERT. I gather 16.

Mr. REUSS. I had the same difficulty. We must have been to the same law school. They never taught us that there. I frankly had to wrack my recollection, too.

At any rate, on the same counter there was, and I purchased a can of Nu-Made salad dressing for 33 cents consisting of 1 pint 6 fluid ounces. After I got out in the car, I did a little arithmetic and discovered that that was 22 fluid ounces.

I also bought for 33 cents each, two containers of the same salad dressing, each containing 12 fluid ounces.

Both of these purchases, the 22 ounces for 39 cents and the 24 ounces for—33 times 2 is 66 cents, were made from the same counter. If I had not been so inquisitive, I would have settled for this, but I did get one of these, too.

Does that seem to be a reasonable price differential?

Mr. WINSTEAD. I would have to check with manufacturer on production cost in this particular case, but before I go to that, I would like to make one point on the recording of the weight on that label. That item is sold throughout our division, and it is also sold in the State of Virginia.

The State of Virginia requires us to record weight on products by pints and ounces, not 24 ounces. So this is a law we must comply with or we would record it as 24 ounces, I am sure. But I cannot answer your questions on the relative value of the two pints versus the, or rather the two 12-ounce containers versus the 1-pint-6-ounce container, other than this is a special offer offered to us by our manufacturer in which a production run, or the cost of the product was such that it could be passed on to us and we in turn could pass it on to our customers. This is a special item in the 1.8-ounce container. Our regular price on that item I cannot give you. Possibly one of our managers can.

Mr. REUSS. But the fact is on your same counter the identical merchandise sold 22 ounces for 33 cents and 24 ounces for 66 cents, depending where the customer happened to reach; is that not so?

Mr. WINSTEAD. You are speaking now of two different containers.

Mr. REUSS. Yes.