

two different displays of the same item with two different prices, generally the higher priced one in the closer part of the store as you walk in with the bigger savings in the back of the store hidden someplace, this kind of thing was existent in poverty areas as well as nonpoverty.

Mr. COPENHAVER. And you found no pattern there between the two types of stores?

Mr. NADLER. We did find on a couple of items that we did know to be a sale item, which was even claimed by the store personnel, particularly the Hi-C orange drink which was selling for three for 89 in the poverty area stores and was so marked three for 89; in the non-poverty-area stores they were marked 32 cents each.

Mr. COPENHAVER. You see, my line of questioning is that Kroger apparently indicated to you that if there were errors it was due to human error and the question could be, well, could there be more human error in, say, a poverty store which failed to remove an old price and stamp the new price correctly?

Mr. NADLER. Well, you would expect with human error that half the prices would be higher and half would be lower.

Mr. COPENHAVER. That's the question. In addition to this, when you went into a store in either area and you found a multiple marking or a multiple pricing, did you find cases where you were charged the higher price and if so—

Mr. NADLER. We didn't buy these items. We priced them. Now, we took these items, in some cases where we did find mismarkings, to the personnel in the store, and we would get several answers for this error, such as, it is on sale when really it wasn't on sale, that the price had changed that day and they didn't change the whole display, that they changed only part of it, or that the prices on the shelves were in the wrong place, that they belonged down the aisle with another item.

Mr. COPENHAVER. Did you go to the manager or the checkout person to inquire of the price?

Mr. NADLER. In one case we did take it to the checkout person and she charged us the price on the item which was higher and we told her we didn't want the item but we took it to the manager and he said that she should have known that the price had dropped, and this was like 8 o'clock at night, and I assume she had been there a few hours and several of these items may have gone out already.

Mr. ROSENTHAL. Mr. Nadler, did anyone ask you not to testify here today?

Mr. NADLER. No.

Mr. ROSENTHAL. Did anyone make any suggestions to you?

Mr. NADLER. No.

Mr. COPENHAVER. The final question I have, Mr. Chairman, is did you find any incidents of increased prices at times that welfare checks were issued?

Mr. NADLER. We didn't survey on the days that the welfare checks went out.

Mr. COPENHAVER. That's all.

Mr. ROSENTHAL. What were the findings?

Mr. NADLER. I said we didn't survey.

Mr. ROSENTHAL. Thank you very, very much.

(Complete text of the HDC statement follows:)