



Commonwealth of Pennsylvania
Milk Marketing Board
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BULLETIN

ADVERTISING BELOW MINIMUM PRICES

The Milk Marketing Law (Law) prohibits selling milk below the minimum prices set monthly by the Pennsylvania Milk Marketing Board (Board).

The Law also prohibits offering to sell milk at a price below the Board-established minimum price. It is a violation of the Law to “advertise for sale” or “hold one’s self out as willing to sell” milk at any price below the minimum prices set by the Board.

Prices posted on the shelf

It is a violation of the Law if a store is charging a price which is not less than the applicable minimum, but the price posted in the store is below minimum.

This sometimes happens at the beginning of a new month. The correct price is changed promptly electronically, and customers are charged accordingly, but the posted prices are not changed promptly. If the posted price from the previous month is less than the minimum for the new month, this is a violation.

Coupon and promotion advertisements

Board Bulletin 1548 (<https://www.mmb.pa.gov/Legal/Bulletins/Documents/Bul1548.pdf>) describes legal milk promotions and coupons. While a “Free Milk” promotion may be structured in a manner that does not violate the Law, it remains a violation of the Law to advertise “Free Milk” or to advertise for sale milk below the Board-established minimum price.

When promoting milk coupons and promotions in retail circulars and similar promotional material, clarifying language such as “promotion sponsored by [sponsoring company],” “with [sponsoring company] coupon,” or “free milk paid for by [sponsoring company]” should be included to make clear that the offer does not violate the Law’s prohibition against offering to sell milk below the minimum price.

Enforcement

Below-minimum posted prices and advertisements without clarifying language are violations of the Law and subject to enforcement action by the Board.

PENNSYLVANIA MILK MARKETING BOARD



Tim Moyer, Secretary

IF YOU REQUIRE THIS INFORMATION IN AN ALTERNATE FORMAT, CALL
(717) 787-4194 OR 800-654-5984 (PA RELAY SERVICE FOR TDD USERS).