



**Testimony of
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United Food and Commercial Workers International Union**

before the

**Maryland Senate Finance Committee
March 12, 2026**

regarding

SB 889

Thank you, Senator Beidle, Senator Hayes, and all the distinguished members of the Senate Finance Committee for the opportunity to testify on SB 889.

I am here today in support of this bill and on behalf of United Food and Commercial Workers Locals 27 and 400 representing more than 22,000 members in Maryland who work in retail grocery stores, food processing, healthcare, and the cannabis industry. UFCW members put food on the table for Maryland families. And unfortunately, today the cost of food in Maryland is not affordable for many working families.

Food costs continue to climb. U.S. food prices rose by nearly 24% from 2020 to 2024. In Maryland, grocery prices increased by 6.4% over the past year and according to U.S. census data the average weekly grocery bill here is \$266.11. This means Maryland families are paying nearly \$14,000 a year to put food on the table. This is unsustainable and now there is new technology being introduced that would make this problem worse.

Many factors are responsible for this trend, but one issue can be addressed directly through policy: price gouging made possible by the use of surveillance-based pricing and electronic shelf labels (ESLs).

Major grocery chains are introducing these technologies that will allow them to squeeze consumers by preying on what they know about a customer's needs or ability to pay. Companies collect extensive data about our lives – where we go, who we live with, what we purchase, and retailers are beginning to use this information to tailor prices to individual shoppers.

Investments in this technology are about squeezing consumers for extra money. It is not to save consumers money. Prices can already be lowered, sales offered. If this technology can be used to quickly lower prices, then it can also be used to quickly raise them. There is no way for us to know when we are getting a deal and when the store is squeezing us for every dollar it thinks it can get.

Electronic shelf labels are a critical piece of discriminatory pricing in brick and mortar stores. These are digital price tags connected to centralized systems that can quickly adjust pricing in real-time. When combined with customer profiles and advanced algorithms, these systems can enable stores to set prices not based on economics but on what they know about an individual customer. In practice, this could allow retailers to analyze personal data and calculate the highest amount a shopper is willing to pay, then update the price shown on the shelf in real time.

These technologies are already being tested. Grocery chains across the country have launched pilot programs using electronic shelf labels. Kroger introduced ESLs in hundreds of locations and Walmart has announced plans to install them in all of its stores. Both companies have been reported to use dynamic pricing.

If grocery pricing begins to resemble the surge-style pricing used by ride-hailing services, lawmakers must step in to regulate the tools that make such practices possible. Without oversight, surveillance-driven pricing and digital shelf technology could push grocery costs even higher.

For this reason, we are advocating for a prohibition on electronic shelf labels. Food is a basic necessity, not unnecessary merchandise and shoppers should be able to rely on consistent, easily understood prices. Traditional printed price tags provide transparency and stability.

If policymakers do not act, both surveillance pricing and electronic shelf technology will continue to add pressure to already rising grocery costs and worsen affordability challenges. Prohibiting surveillance technology and electronic shelf labels is a necessary step. I respectfully ask the committee to pass SB 889 and move the bill forward. Thank you for the opportunity to testify.