

LOG OUT PODCAST FACT CHECK

EPISODE: #017: SURVEILLANCE PRICING IS HERE: HOW YOUR DATA CAN CHANGE THE PRICE YOU SEE

Claim 1: Siara says the FTC launched a formal study into what it called the “surveillance pricing ecosystem” in July 2024 — TRUE

On July 23, 2024, the FTC issued 6(b) orders to eight companies to study surveillance pricing practices, aiming to understand the market for intermediaries that use personal data and algorithms to set individualized prices.

Source: [FTC press release, July 2024](#)

Claim 2: Siara says a Consumer Reports investigation found that identical grocery items on Instacart varied in price by as much as 23% from one customer to the next — TRUE

A joint investigation by Consumer Reports, Groundwork Collaborative, and More Perfect Union found identical products priced differently for different Instacart customers, with the largest gap on a single item reaching 23%. The investigation covered Albertsons, Costco, Kroger, Safeway, Sprouts Farmers Market, and Target.

Source: [Consumer Reports, “Instacart’s AI-Enabled Pricing Experiments May Be Inflating Your Grocery Bill,” December 2025](#)

Claim 3: Siara says Instacart confirmed it was running pricing experiments for 10 retail partners but declined to publicly name them — TRUE

Instacart confirmed that a subset of 10 retail partners used its Eversight-powered item price testing, without naming those partners, and maintained that personal or demographic data was not used to set prices.

Source: [Fast Company, “Instacart users may be paying wildly different prices,” December 2025](#)

Claim 4: Siara says Instacart ended its item price testing program in December 2025 — TRUE

Following the investigation, Instacart announced it was ending all item price tests on its platform, though it said retailers and food brands could still test promotions and discounts.

Source: [CBS News, “Instacart to end AI price tests for retailers,” December 2025](#)

Claim 5: Siara says a Consumer Reports investigation found that Target's app showed a car seat \$72 more expensive and a vacuum \$148 more expensive once a shopper's phone was inside the store versus in the parking lot — PARTIALLY TRUE

The dollar figures are accurate, but the underlying investigation is a 2019 KARE 11 (Minneapolis) television report, not a Consumer Reports field investigation. Consumer Reports has cited this same example in its own advocacy materials on surveillance pricing, which appears to be the source of the figures in this episode, but the original reporting and testing were done by KARE 11.

Source: [KARE 11, “The Target app price switch: What you need to know,” 2019](#)

Claim 6: Siara says a Consumer Reports investigation found that people requesting essentially the same Uber and Lyft routes received fares differing by close to 50% — TRUE

Consumer Reports had 174 volunteers price more than 40 routes on Uber and Lyft across 18 states and found a median gap of about 50% between the lowest and highest quoted fare for the same trip. Uber and Lyft both deny personalizing prices.

Source: [Consumer Reports, “Different Prices for the Same Ride,” June 2026](#)

Claim 7: Siara says Congress demanded documents from Uber, Lyft, Booking Holdings, Expedia, and Instacart — TRUE

On March 5, 2026, House Oversight Committee Chairman James Comer sent letters to the CEOs of Booking Holdings, Expedia Group, Uber, Lyft, and Instacart requesting documents and information on their pricing algorithms and use of personal data.

Source: [House Committee on Oversight and Government Reform press release, March 2026](#)

Claim 8: Siara says the FTC sent orders to Mastercard, JPMorgan Chase, Accenture, McKinsey, Pros, BloomReach, Revionics, and Task Software as pricing intermediaries — TRUE

These are the eight companies named in the FTC's July 2024 6(b) orders as intermediaries offering pricing analytics, consulting, and personalization technology to retailers.

Source: [FTC press release, July 2024](#)

Claim 9: Siara says the FTC found these intermediaries collectively worked with at least 250 clients — TRUE

The FTC's January 2025 preliminary findings stated that the intermediaries it examined worked with at least 250 clients selling goods and services ranging from groceries to apparel.

Source: [FTC press release, January 2025](#)

Claim 10: Siara says Consumer Reports found that Instacart had obtained personal data from “Axiom” and Epsilon — TRUE

Consumer Reports reported that Instacart obtained personal data from two of the largest U.S. data brokers, Acxiom and Epsilon. Note the correct spelling is Acxiom, not Axiom.

Source: [Consumer Reports, “Instacart’s AI-Enabled Pricing Experiments,” December 2025](#)

Claim 11: Siara says New York's Algorithmic Pricing Disclosure Act took effect in November 2025 — TRUE

The law took effect November 10, 2025, requiring businesses using personal data to algorithmically set prices to disclose: “This price was set by an algorithm using your personal data.” Violations can carry civil penalties.

Source: [Jones Day, “New York's Novel Algorithmic Pricing Disclosure Law Takes Effect,” November 2025](#)

Claim 12: Siara says California Attorney General Rob Bonta launched an investigative sweep into retail, grocery, and hotel sectors in January of this year — TRUE

On January 27–28, 2026, Bonta announced an investigative sweep sending inquiry letters to businesses with a significant online presence in the retail, grocery, and hotel sectors, examining potential violations of the California Consumer Privacy Act.

Source: [California Department of Justice press release, January 2026](#)

Claim 13: Siara says Maryland Governor Westmore signed the Protection from Predatory Pricing Act in April, taking effect October 1st — TRUE

Maryland Governor Wes Moore signed HB 895, the Protection From Predatory Pricing Act, on April 28, 2026. It takes effect October 1, 2026, and makes Maryland the first state to restrict personalized pricing in the food retail sector. Note the correct name is Wes Moore, not Westmore.

Source: [Governor Wes Moore press release, April 2026](#)

Claim 14: Siara says New Jersey signed the Fair Price Protection Act, prohibiting grocery retailers from using personal data to set different prices, with a one-year moratorium on new electronic shelf labels — TRUE, with a timing clarification

Governor Mikie Sherrill signed the Fair Price Protection Act on July 23, 2026. The core pricing prohibition does not take effect until August 1, 2027, and the one-year moratorium on new electronic shelf labels begins February 1, 2027 — neither is in effect yet.

Source: [Morgan Lewis, “New Jersey Enacts Fair Price Protection Act,” July 2026](#)

Claim 15: Siara says Comcast rolled out a feature called Wi-Fi Motion to millions of newer Xfinity routers, that it works on XB7 gateways and newer, is opt-in, and that Comcast's policy allows disclosure of the data to third parties without further notice in connection with law enforcement investigations, disputes, subpoenas, or court orders — TRUE

Comcast's Wi-Fi Motion feature detects movement via Wi-Fi signal interruptions and is opt-in on XB7 and newer gateways. Xfinity's support documentation states the company may disclose information generated by the feature to third parties without further notice in connection with law enforcement investigations, disputes, subpoenas, or court orders.

Source: [TechCrunch, “Comcast adds motion sensing to millions of its newer routers,” August 2026](#)

Claim 16: Siara says NYC's click-to-cancel rule starts October 1st, with civil penalties starting at \$525 per violation, and could save residents up to \$162.5 million a year — TRUE

New York City's Click-to-Cancel rule takes effect October 1, 2026, requiring cancellation through the same method used to sign up. Civil penalties start at \$525 for a first violation, rising to \$1,050 and \$3,500 for subsequent violations. The city estimates the rule could save residents up to \$162.5 million annually.

Source: [NYC Mayor's Office press release, July 2026](#)