



SAN DIEGO CITY ATTORNEY JAN I. GOLDSMITH

NEWS RELEASE

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Contact: Gina Coburn
Communications Director
(619) 533-6181

DA, City Attorney Warn of Price Gouging During Swine Flu State of Emergency

San Diego County District Attorney [Bonnie M. Dumanis](#) and San Diego City Attorney [Jan Goldsmith](#) today issued a price gouging warning to retailers, along with consumer advice and assistance to residents during the swine flu state of emergency.

“While health officials continue to stress there is no need for panic during the current pandemic, retailers who seek to take advantage of the situation by increasing prices for certain products need to know they may be breaking the law,” said DA Dumanis. “Consumers should also know their rights and legal protections in place as they shop for items such as masks and hand sanitizer.”

After the Governor declares a state of emergency, it is illegal for businesses to increase prices of essential goods and services by more than ten percent unless they can prove it was due to an increase in their supplier’s price. The prohibition on price gouging after a state of emergency applies to consumer food and services, supplies and medical supplies. In one case of alleged price gouging in Imperial County, a pharmacy was reported to be charging \$89 for a \$7 box of surgical masks. Other cases of online price gouging by Internet retailers have also been reported.

“Price gouging during a State of Emergency is a violation of the law and will not be tolerated,” said City Attorney Jan Goldsmith. “Our office will carefully evaluate and won’t hesitate to prosecute such cases that may arise in the city of San Diego.”

Consumers can report price gouging by calling the City Attorney’s Consumer and Environmental Protection Unit Hotline at 619-533-5600.

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