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PRICE GOUGING AFTER DECLARED EMERGENCIES IS UNLAWFUL

District Attorney Cynthia Zimmer warned Kern County residents today to beware of unscrupulous individuals who attempt to profit from the recent emergency declarations by the President of the United States and Governor of California by engaging in illegal price gouging or charitable solicitation fraud.

California law generally prohibits businesses and individuals from raising prices for 30 days after an emergency declaration. Declarations of emergency have been made by both Governor Newsom on March 4 and President Trump on March 13 regarding the Coronavirus, triggering the effect of price-gouging laws.

Under Penal Code Section 396, it is illegal to charge a price for essential goods and services that is more than 10 percent higher than the price charged immediately before the emergency declaration, a practice commonly known as price gouging. The law applies to consumer food items, goods, or services used for emergency cleanup, emergency supplies, medical supplies, home heating oil, building materials, housing, transportation, freight, storage services, gasoline, and other motor fuels. Price gouging is subject to criminal prosecution and carries a penalty of up to one year in county jail and a fine of up to \$10,000. Violators may also face civil enforcement actions and penalties of up to \$5,000 per violation, plus mandatory restitution.

The District Attorney also cautioned residents to be aware of unfamiliar individuals or organizations soliciting funds in support of vulnerable populations, like those who are ill and/or quarantined. Residents are cautioned to give money only to charities and relief organizations with which they are familiar and whose proper contact information can be verified.

“Kern County businesses historically have shown great restraint and compassion for those affected by emergencies and disasters. For any who would give in to the temptation to benefit from others’ misfortune, we will take price gouging and charitable solicitation fraud very seriously and will prosecute to the full extent of the law.”

Incidents of suspected Price Gouging occurring in Kern County can be reported to the Kern County District Attorney by calling the main office at 661-868-2340.