As the state of California and San Diego County continue to respond to the ongoing threat posed by COVID-19, the San Diego County District Attorney’s Office is warning businesses and scammers not to take advantage of consumers by price gouging. During a declared state of emergency, it is illegal for a business to increase its prices for essential goods or services by more than 10 percent, unless they can show their own costs have been increased.

**LEGAL CONSEQUENCES**

Violations of the price gouging statute are subject to criminal prosecution that can result in **one-year imprisonment** in county jail and/or a **fine of up to $10,000**. Violations are also subject to civil enforcement actions including **civil penalties of up to $5,000 per violation**, injunctive relief and mandatory restitution.

**PROTECTED PRODUCTS**

The law applies to several products and necessities including: **food and drink** (including food and drink for animals); **emergency supplies** such as water, flashlights, radios, batteries, candles, blankets, soaps, diapers, toiletries; and **medical supplies** such as prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.

**HOTELS AND MOTELS**

It is also a **misdemeanor** for a hotel or motel to increase regular rates by more than 10 percent during a declared emergency and for the 30 days following the state of emergency.

Report suspected price gouging to the District Attorney’s Consumer Protection Unit

(619) 531-3507

Report online price gouging on: [https://oag.ca.gov/report](https://oag.ca.gov/report)