



## NAPA COUNTY DISTRICT ATTORNEY'S OFFICE

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**ALLISON HALEY**  
District Attorney

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### **PRESS RELEASE**

### **PRICE GOUGING**

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Napa County District Attorney Allison Haley announced information for Napa County residents regarding price gouging. Price gouging refers to sellers trying to take unfair advantage of consumers during an emergency or disaster by greatly increasing prices for essential consumer goods and services.

California's anti-price gouging statute, Penal Code Section 396, prohibits raising the price of many consumer goods and services by more than 10% after an emergency has been declared by the President or the Governor. Governor Newsom declared a state of emergency in response to COVID-19 on March 4, 2020. The declaration covers the County of Napa

The price gouging law applies to any person or business selling goods or services including lodging, rental housing, consumer food and drink, food and drink for animals, gasoline, emergency supplies, medical supplies, transportation, storage, building materials, emergency cleanup materials, and repair and reconstruction services. The statute generally applies for 30 days after a declaration of emergency, although for reconstruction services and emergency cleanup services, it applies for 180 days after a declaration of emergency. The Governor has the authority to extend the declaration if necessary.

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. Violators are also subject to civil enforcement actions including civil penalties of up to \$5,000 per violation, injunctive relief, and mandatory restitution.

Even though our office cannot represent individuals, our office may, on behalf of the public, investigate or prosecute someone who has engaged in price gouging. Anyone who has been the victim of price gouging, or who has information regarding potential price gouging, is encouraged to immediately file a complaint with the District Attorney's Office by going to our website (<http://www.countyofnapa.org/da/consumerdivision>) or by calling (707) 253-4059. For more information on price gouging, please see the Attorney General's website (<https://oag.ca.gov/consumers/pricegougingduringdisasters>).