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# State of Utah Department of Commerce

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## **MEDIA ADVISORY**

### **Division of Consumer Protection Aggressively Pursuing Price Gouging Complaints**

(For immediate release) SALT LAKE CITY, Utah – Since receiving an influx of reports of price gouging over the weekend, investigators with the Division of Consumer Protection are aggressively pursuing reports of price gouging in the State of Utah.

“We applaud the outstanding work of our retailers at this difficult time,” said Governor Gary Herbert. “They are working overtime to keep Utahns supplied, and we thank them for great efforts under pressure. There are also reports of bad actors out there that are trying to price gouge. That is not the Utah way, and we will respond appropriately to those reports.”

Under the Price Controls During Emergencies Act ([Title 13, Chapter 41](#)), businesses and individuals are prohibited from selling items available at retail for excessive prices.

“Price gouging is not clever or entrepreneurial: it is illegal,” said Chris Parker, Interim Executive Director of the Department of Commerce. “We are contacting sellers about reports of price gouging; when we find gouging, we will take appropriate action to stop it.”

Division investigators are actively contacting those alleged to be engaged in price gouging. Below are examples of reports and the Division’s initial response:

1. A business entity with locations across the Wasatch front was alleged to have marked up commodities such as water, fruits and vegetables, and other grocery related items. The business asserted that the wholesale cost of their products in many categories has increased during the state of emergency. The Division’s investigation continues in order to determine whether illegal excessive prices were charged to consumers. Price increases corresponding to increased wholesale costs are not illegal.
2. The Division is investigating a retail business reportedly selling toilet paper for nearly double the cost prior to the declared state of emergency. The Division is requiring the business to provide records of the wholesale cost of the toilet paper to determine if excessive prices were charged for the commodities. If the allegations of price gouging are proven to be true, the business is subject to significant fines and penalties.
3. Some instances of apparent price gouging appear to be ill-advised attempts at a joke:
  - The Division visited an individual that was allegedly selling toilet paper and other items for excessive prices. The individual initially posted on social media that toilet paper was available for sale for between \$100 and \$200 per case. Upon investigation, it appears that the post was intended to be in jest. Social media users added fake photos to the post thread and soon other individuals on the platform began to believe the fake photos were a real effort to price gouge consumers. Unfortunately, the individual began receiving death threats and other harassment as a result of the initial post made as a joke.
  - In another similar situation, a consumer reported that a local fast food chain had several rolls of toilet paper stacked up in a drive thru window with a sign advertising rolls of toilet paper for \$20 per roll.

While intended as a joke, this was taken as an effort at price gouging. The Division discussed the matter with the manager and was assured it would not happen again. No toilet paper was sold.

The Division strongly discourages jokes about price gouging. They add to unnecessary panic and waste state resources.

Consumers are encouraged to report price gouging to the Utah Division of Consumer Protection at [consumerprotection@utah.gov](mailto:consumerprotection@utah.gov), or (801) 530-6300. The Division will work with the Utah Attorney General's Office if conduct rises to a criminal violation.

More information is available at the Division of Consumer Protection's website, [consumerprotection.utah.gov](http://consumerprotection.utah.gov).

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