

Price Gouging

New York State's Price Gouging Law (General Business Law § 396-r) prohibits merchants from taking unfair advantage of consumers by selling goods or services that are "vital to the health, safety or welfare of consumers" for an "unconscionably excessive price" during an abnormal disruption of the market place or state of emergency. An abnormal disruption in the marketplace may be triggered by "weather events, power failures, strikes, civil disorder, war, military action, national or local emergency, or other causes." The price gouging law covers New York State vendors, retailers and suppliers, including but not limited to hotels, supermarkets, pharmacies, gas stations, hardware stores, bodegas, delis, taxi and livery cab drivers, home repair contractors and tree and snow removal services.

New York's price gouging law does not specifically define what constitutes an "unconscionably excessive price." However, the statute provides that a price may be "unconscionably excessive" if: the amount charged represents a "gross disparity" from the price such goods or services were sold or offered for sale immediately prior to the onset of the abnormal disruption of the market. Merchants may provide evidence that justifies their higher prices were justified by increased costs beyond their control.

**To report incidents of price gouging to the
NYS Attorney General's office call (800) 697-1220**

Price Gouging Complaint Form:

<https://ag.ny.gov/price-gouging-complaint-form>