



DEPARTMENT OF JUSTICE

Justice Building  
1162 Court Street NE  
Salem, Oregon 97301-4096  
Telephone: (503) 378-6002

March 16, 2020

Governor Kate Brown  
900 Court Street NE, Suite 254  
Salem, OR 97301

Re: Request for ORS 401.965 Declaration

Dear Governor Brown,

I am writing today to ask that you declare an “abnormal disruption of the market” in Oregon pursuant to ORS 401.965. I am sure you have seen that many common consumer goods are sold out in physical and online stores throughout the state. Cleaning and basic hygiene supplies (like hand sanitizer and toilet paper) are becoming especially hard to find. Oregon law authorizes you to declare an abnormal disruption of the market in response to “any emergency that prevents ready availability of essential consumer goods or services.” I believe the COVID-19 health pandemic constitutes an emergency disruption to the Oregon marketplace.

This declaration will empower my office to take swift action against any price gouging that emerges and to follow up with enforcement under our consumer protection laws. For the past week, we have been hearing from consumers who have contacted Oregon DOJ’s Consumer Hotline to report inflated prices of consumer goods. Here are a few examples of what we have heard:

1. A pharmacy is allegedly selling toilet paper for \$22.99, and the consumer believes the same brand and size of toilet paper “typically sells for \$9.99-12.99” at the same store.
2. A grocery store in Central Oregon allegedly sold 2 bottles of rubbing alcohol for \$4 each when the same bottle “normally sell[s] for 1 dollar”. The person also said the store marked up a disinfectant cleaner from \$3 dollars to \$9.99.

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Thank you for leading the state's response to the COVID-19 pandemic. I know that you and your staff, along with many dedicated state employees, have been working long hours dealing with many facets of this crisis. And our office will continue to be there with you doing all that we can to support these efforts. Together, we can protect Oregonians.

Please let me know if you require additional information about this request.

Sincerely,

A handwritten signature in blue ink that reads "Ellen F. Rosenblum". The signature is fluid and cursive, with a long horizontal line extending to the right.

ELLEN F. ROSENBLUM  
Attorney General