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AG Grewal and Colonel Callahan Issue Weekly Round-Up on COVID-19 Enforcement Matters

TRENTON – Attorney General Gurbir S. Grewal and Colonel Patrick J. Callahan, Superintendent of the New Jersey State Police, today announced enforcement highlights from the past week, including violations of Governor Murphy’s Executive Orders. The Attorney General also announced enforcement actions targeting price-gouging, consumer fraud violations, and alcoholic beverage control violations.

“We’re cracking down on those who jeopardize public health and undermine public safety,” said Attorney General Grewal. “We have zero patience for those who spit on cops, gouge prices, or try to exploit this pandemic for their personal gain.”

"Although law enforcement and medical professionals are on the frontlines of the battle against COVID-19, we are ultimately winning the war because of the extraordinary resolve and fortitude of New Jersey citizens who are doing their part day in and day out, abiding by the executive orders and sacrificing for the greater good," said Colonel Patrick Callahan, Superintendent of the New Jersey State Police. "Those who choose to ignore the law and selfishly place others at risk will face swift law enforcement action."

Violations of Executive Orders, Including “Stay at Home” Order, and Ordinances

- **Guangyu Yuan, 55, of Williamstown, N.J.**, was charged on May 29 by the Franklin Township Police with violating the emergency orders by serving patrons at the business he owns, My Dream Therapy parlor/spa on Clyde Road.
- **Kenneth Spilatro, 59, of Morris Plains, N.J.**, was charged on May 30 by the Parsippany Police Department with violating the emergency orders by admitting customers into the business he owns, Pelican Pool and Patio. Police found 20 to 30 people inside the store shopping. The store is permitted to conduct curbside pickup only, and police had warned the owner the day before.
- **Thaer Imleh, 50, of Clifton, N.J.**, was charged on May 30 by the Randolph Police Department with violating the emergency orders by having workers wash and dry cars by hand at his business, Clean Way Hand Car Wash on South Salem Street. He had been warned previously.
- **Blavca Barron, 61, of Paterson, N.J.**, was charged on May 31 by the Paterson Police Department with violating the emergency orders by serving patrons inside the food and beverage social club she operates on Grand Street in

Paterson.Barron had been warned previously, but police found customers sitting at the bar inside the business.

Price Gouging Enforcement

AG Grewal announced updates on the Division of Consumer Affairs' actions to stop price gouging. As of this week:

- The Division has issued **108 subpoenas** to retailers and online marketplaces reported by consumers for allegedly engaging in unfair price increases and other alleged unscrupulous practices.
- Additionally, 1,586 cease-and-desist letters have been sent, warning retailers about the penalties for violating New Jersey's price-gouging law, and the Consumer Fraud Act's protections from gross and unreasonable inflation of the price of any product during a state of emergency.

The Division has logged a total of **5,161 complaints** against **2,656 business locations** related to the COVID-19 emergency. Nearly 83 percent of the complaints allege unlawful price hikes on essential items like food, bottled water, cleaning products, and personal protective equipment such as masks, disinfectants, and sanitizers.

Examples of alleged price hikes that consumers have reported to the Division include:

- a dollar store allegedly charging \$6.99 for a box of gloves that previously cost \$3.99.
- a deli allegedly selling a single roll of toilet paper for \$1.50 and small bottles of hand sanitizer for \$5.
- a grocery store allegedly charging \$4 for a roll of paper towels or \$48 for a package.
- a dollar store allegedly raising the price of rubbing alcohol from \$1.29 to \$8.99.
- a discount store allegedly increasing the price of bleach from \$3 to \$10.
- a pharmacy allegedly selling a can of Lysol disinfectant spray for \$12.
- a department store allegedly charging \$15 for an 80-count package of Lysol disinfectant wipes that normally cost \$5 or \$6.

In addition to price gouging, the Division is looking into complaints from consumers alleging unlawful refund practices as a result of closures related to the public health emergency. To date, the Division's overall complaints include 413 reports of health clubs, hotels, ticket agents and other businesses allegedly refusing to issue refunds after they closed or suspended services as a result of the COVID-19 pandemic.

New Jersey's price-gouging law, which took effect on March 9 upon Governor Murphy's declaration of a state of emergency, prohibits excessive price increases during a declared state of emergency and for 30 days after its termination. A price increase is considered excessive if the new price is more than 10 percent higher than the price charged during the normal course of business prior to the state of emergency, and the increased price is not attributable to additional costs imposed by the seller's supplier or additional costs of providing the product or service during the state of emergency.

Price-gouging and other consumer fraud violations are punishable by civil penalties of up to \$10,000 for the first violation and \$20,000 for the second and subsequent violations. Violators may also be required to pay consumer restitution, attorney's fees,

and investigative fees, and will be subject to injunctive action. Each sale of merchandise is considered a separate violation.

Consumers who suspect consumer fraud, violations, or believe that businesses have unfairly increased their prices in response to COVID-19, are encouraged to file complaints [online](#) to report specific details investigators can follow up on. Photographs of items being sold, receipts and pricing can now be uploaded to our new price gouging complaint form.

On Tuesday, May 19, Attorney General Grewal hosted a Virtual Town Hall Meeting focused on fraud prevention, education and enforcement efforts during COVID-19. It was the fourth in a series of Virtual Town Hall Meetings held during the health emergency as part of the Attorney General's 21 County, 21st Century Community Policing Project, "21/21."

View the Virtual Town Hall Meeting here: www.youtube.com/watch?v=LqTS9E5aNB8&t=2s

COVID-Related Violations of State Alcohol Laws

AG Grewal announced that the Division of Alcoholic Beverage Control (ABC) this week issued charges seeking to suspend the liquor licenses of four bars and two craft breweries for violating COVID-19 emergency orders prohibiting on-premises consumption of food and/or alcohol. Three of those establishments also were assessed fines for violating COVID-19 mask requirements.

Under executive orders issued by Governor Murphy, businesses licensed to sell alcohol in the state are permitted to remain open during the COVID-19 state-of-emergency, but only for take-out or delivery services of food and alcohol. No table or bar service is permitted, and on-premises consumption of food or alcohol is prohibited. Workers and customers are required to wear masks on the premises.

ABC is seeking 10-day license suspensions against the following establishments for allowing patrons and/or employees to eat and/or drink on licensed premises:

- [Black Cat Bar & Grill](#), Absecon
- [Tavern 519](#), Kingwood
- [Woody's Roadside Tavern](#), Farmingdale
- [Human Village Brewing Co.](#), Pitman (Additional \$750 fine for mask violations)
- [Kelly Green Brewing Co.](#), Pitman (Additional \$750 fine for mask violations)
- [Robert's Place](#), Margate (Additional \$750 fine for mask violations)

Violation of the emergency orders is a disorderly persons offense carrying a sentence of up to six months in jail and a fine of up to \$1,000. Such violations are charged by summons, without arrest.

Since the state of emergency was declared in New Jersey on March 9, at least 39 people have been charged with second-degree terroristic threats during an emergency for spitting, coughing, or otherwise threatening to deliberately expose officers, medical personnel, or others to COVID-19. Second-degree offenses carry a sentence of five to 10 years in state prison and a fine of up to \$150,000.

Third-degree charges carry a sentence of three to five years in prison and a fine of up to \$15,000, while fourth-degree charges carry a sentence of up to 18 months in prison and a fine of up to \$10,000.

The charges are merely accusations and the defendants are presumed innocent until proven guilty.

If you are seeing a lack of compliance with the Governor's emergency orders in your town, please contact your local police department or report here:

covid19.nj.gov/violation

The Attorney General's Office and New Jersey State Police will continue to work with law enforcement throughout New Jersey to deter non-complaint behavior.

No one should take advantage of this pandemic to further their own biased agendas. COVID-19 is no excuse to promote anti-Semitic conspiracy theories and or other biased stereotypes. Please report bias crimes at **1-800-277-BIAS**.

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