



american cleaning institute®  
www.cleaninginstitute.org

## Prevention of Price Gouging and Availability of Critical Cleaning Products and Ingredients: COVID-19 Pandemic (March 2020)

### Background

The American Cleaning Institute (ACI) is the nation's leading association representing the cleaning products value chain. It is the highest priority for ACI and its member companies that consumers have uninterrupted access to critical cleaning products during the ongoing Novel Coronavirus (COVID-19) pandemic. ACI serves the growth and innovation of the U.S. cleaning products industry by advancing the health and quality of life of people and protecting the environment through a continuous commitment to sound science and being a trusted voice for the \$59 billion cleaning products industry.

ACI's members are increasing production and expanding capabilities in order to meet the unprecedented demand for these vital public safety products during the current crisis. In support of this effort, ACI is working with federal, state and local leaders to ensure that all cleaning product manufacturing facilities, as well as all aspects of the supply chain, are treated as essential businesses for the purpose of exemption from any state or locally ordered curfews or lockdowns.

### Request

ACI is aware that consumers, public health officials and Members of Congress have raised concerns regarding retailers and third-party sellers who are seeking to take advantage of the current crisis by artificially or wrongfully raising prices of cleaning products. ACI condemns these practices. The association recently wrote to Attorney General Barr and to the Federal Trade Commission requesting that the federal government take immediate "action to enforce and police those who seek to exploit access to cleaning products and their ingredients" during the current COVID-19 pandemic.

ACI appreciates the leadership of the federal government and Congress to do the right thing for consumers during this crisis, particularly with regard to those who seek to exploit the increased demand for cleaning products by artificially or wrongfully raising prices. As Congress continues to consider additional legislative measures to respond to the COVID-19 outbreak and to assist vulnerable populations, ACI would like to emphasize that it cannot support price controls or other measures that would likely arbitrarily establish set prices for cleaning products or component ingredients.

Specifically, with regard to the "COVID-19 Price Gouging Prevention Act" discussion draft, ACI respectfully requests that language be included in Sec. 2 *Prevention of Price Gouging*, clarifying that increases in upstream supplier costs for raw materials which may result in price increases for cleaning products would not meet the definition of price gouging. At this time, the rapidly changing availability and cost of raw materials for cleaning products is something that ACI believes Congress must take into account when considering any potential price gouging legislation. Congress should also provide federal and state agencies with the necessary additional tools to act against price gouging bad actors.

ACI and its members look forward to working with Congress to address these issues. Please contact Brad Price ([brad.price@prendagroup.com](mailto:brad.price@prendagroup.com)) (202) 536-6165; Brian Prenda (202) 258-3113 ([brian.prenda@prendagroup.com](mailto:brian.prenda@prendagroup.com)); or Douglas Troutman ([dtroutman@cleaninginstitute.org](mailto:dtroutman@cleaninginstitute.org)) for more information.