

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

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***** PRESS RELEASE *****

Re: *People v. BevMo! Inc., San Diego County Superior Court*
Case No. 37-2019-00063831-CU-MC-CTL

BevMo! Settles Consumer Protection Case for \$350,000

Prosecutors Alleged Pricing Errors

Santa Barbara County District Attorney Joyce E. Dudley announced today BevMo! Inc. has been ordered to pay penalties, costs, and restitution in a civil law enforcement case alleging BevMo! posted prices in stores and advertisements and charged higher prices at the time of checkout. The company paid \$359,043 to resolve the case, which was filed and approved by Judge John S. Meyer of the San Diego Superior Court on December 4, 2019. The company did not admit liability.

The Santa Barbara District Attorney's Office along with the District Attorneys of Riverside, San Diego, and Santa Clara prosecuted the case on behalf of the People of the State of California. The case stemmed from weights and measures investigations in eleven counties in California which documented scanner overcharges during inspections at different BevMo! stores. The investigation revealed repeated instances of mispriced items on shelves as well as failure to charge the advertised price at the time of checkout.

Under the terms of the stipulated judgment, BevMo! has agreed not to commit future violations and to initiate a pricing accuracy program in California. Additionally, the company will provide refunds totaling \$17,991 directly to impacted customers through their customer loyalty program. Members holding BevMo! customer loyalty accounts who live in California and purchased mispriced items during the time period covered in the complaint will automatically be credited a *pro rata* amount to their account. They do not have to apply for the credit.

BevMo! is also ordered to pay *cy pres* restitution in the amounts of \$6,005 to the Consumer Protection Prosecution Trust Fund and \$6,004 to the California Agricultural Commissioners and Sealers Association Trust Fund. Further, BevMo! is ordered to pay \$70,700 in civil penalties to the Santa Barbara County District Attorney's Office and \$3,360 in costs to the Santa Barbara County Weights & Measures Department.

BevMo! cooperated in the investigation and resolution of the case.

District Attorney Dudley said, "everyone is entitled to confidence in advertised prices. We prosecute cases like this one to ensure that businesses deal fairly with customers and compete on equal footing in the marketplace."
