AN ACT

Amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, prohibiting return of groceries and other foodstuffs during COVID-19 disaster emergency.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 3 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 5711.1. Prohibiting return of groceries and other foodstuffs during COVID-19 disaster emergency.

(a) General rule.—Except as otherwise provided in subsection (b), no proprietor of a retail food establishment may accept the return of any groceries and other foodstuffs purchased by a consumer during, and for 30 days following termination of, the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

(b) Exception.—Subsection (a) shall not apply if:

(1) the proprietor determines, in the proprietor's sole
discretion, that the groceries and other foodstuffs are unsafe for use or otherwise adulterated as a result of any manufacturing error or defect; and

(2) the groceries and other foodstuffs are not offered for resale.

(c) Definition.--As used in this section, the term "groceries and other foodstuffs" shall mean dairy products, meat and delicatessen products, produce products, seafood products, carbonated beverages, coffee and other beverages, snack foods, candy products, baked products, paper products, household cleaning items, health and beauty products, frozen foods, pet foods and supplies and any other edible product.

Section 2. This act shall take effect immediately.