INTRODUCED BY ARGALL, STEFANO, TARTAGLIONE, ARNOLD, COSTA AND
PHILLIPS-HILL, MAY 8, 2020

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 8, 2020

AN ACT

Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
Statutes, in retail food facility safety, 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, "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.