

Luring Away Customers Already Inside a Competing Store

HaRav Chaim Weg

Question: Reuven has an electronics store that offers affordable prices. There's another store in town that charges a little more for some of the same products. Is Reuven allowed to go into that store and inform customers that they can purchase the products they are interested in from his store for a cheaper price?

Answer: The halacha is that one is allowed to compete with another local business, even if he is adversely affecting his bottom line. The Gemara says that the reason for this is because *"zeh osek b'soch shelo v'zeh osek b'soch shelo."* He will operate in his store and he will operate in his store. It seems that one is only permitted to compete with an existing business if he operates within his own store, but not if he operates in the competing store.

There is also another relevant sugya in halacha. The Gemara discusses a case where someone has already set up nets to catch fish and rules that another individual is not allowed to encroach on his territory and put down nets in the same area. Rashi explains that since the first fisherman has already set his sights on those particular fish and is planning on catching them, they are already considered to be set aside for him, and no one else is allowed to "take them away" from him.

The Chasam Sofer says that when a customer is already in a store, the same reasoning would apply. This customer is already in the sights of that store owner and is "in his net", so to speak; therefore, it would be forbidden for a competitor to take away that business.

L'iluy nishmos Sara Alta bas R'Gershon