

Rav Yosef Greenwald, Rav of Khal Dexter Park and Dayan in the Bais HaVaad

Question: In the grocery store where I typically shop, a bottle of milk costs \$3. I went to another store today and saw they are selling the same bottle of milk for \$4. Is that *ona'ah*?

Answer: I would assume that if the other store is able to remain open, there must be a reason why people pay their prices. Generally, if one store is charging more for an item that goes for less elsewhere, it is usually located in a more expensive neighborhood, so they are passing on the overhead of their rent and other expenses to the consumer. Furthermore, more expensive stores often offer a higher level of ambience and a classier shopping experience, which also drives up prices. That shopping experience is part of the cost for the milk.

Since there are so many variables that go into the price, it would be very hard to make a claim of *ona'ah*.

There is one other factor to discuss. The Aruch Hashulchan writes that the reason Chazal established the rate of *ona'ah* at one-sixth is because they recognized that there always is some fluctuation in the price of any item. If, however, there would be an item that has a standard price that every store charges, with no exceptions, he suggests that *ona'ah* would apply even if someone is overcharged by less than one-sixth. This could be relevant when it comes to paying in foreign currencies. If an American wants to pay for a purchase in an Israeli store in dollars, and the storeowner, knowing that the tourist is not aware of the accepted exchange rate of the time, takes advantage of him and sells at an inflated rate relative to the shekel, it is very possible that he would be transgressing the prohibition of *ona'ah*.