

The Price of a Drink in an Amusement Park

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Question: In some settings prices are inordinately higher than elsewhere. For example, in amusement parks and zoos, the cost for a drink or a hotdog is much higher than it would be anywhere else. Is that a problem of *Ona'ah*?

Answer: What we have to determine is to what extent location and circumstances define prices. Logic would dictate that entertainment venues have their own market and their own set of prices. If one charges the normal amount for such a venue, he is not taking advantage of people who are desperate for a drink because they know and accept that this is the usual price for this type of place.

To give another example, if someone is pulling an all-nighter in the hospital while his wife is in labor, he would be willing to pay a lot of money for a cold soda. If the hospital vending machine charges a high amount, it could be said that they aren't overcharging unfairly because they are only charging the typical amount for a venue like theirs. Such locations have their own market with their own prices.

The proof that this type of specialty market exists is that the same thing is found everywhere across the world. In any country, venues like the ones mentioned above charge very high prices to every customer. This would, therefore, not constitute *ona'ah*. *Ona'ah* would only apply if someone were charging inflated prices only to specific people in desperate situations. For example, if a vendor who usually charges \$1 for a drink would see someone walking down the street who looks like he is about to faint from dehydration, and offers him a drink for \$3, that would be *ona'ah*. (If the dehydrated individual agrees to the inflated price, drinks the water, and then says that he will only pay the normal price of \$1, there is a major *machlokes haposkim* regarding the practical halacha.) However, if a person sells drinks in a venue where he charges \$3 a drink for everyone, that would not be *ona'ah*.