

Case law**Case Details**

National ID: Slovak Trade Inspection, 12.05.2008 -- ref. code: P/0062/08/08

Member State: Slovakia

Common Name:link

Decision type: Administrative decision, first degree

Decision date: 12/05/2008

Court: Slovak Trade Inspection, Košice Slovak Trade Inspection, Inspectorate with its registered seat in Košice, Košice district

Subject:

Plaintiff:

Defendant: TESCO STORES SR, a.s., Kamenné námestie 1/A, Bratislava, IČO: 30655862

Keywords: false information, free, misleading advertising, misleading commercial practices, misleading statements, special offer, transactional decision

Directive Articles

Unfair Commercial Practices Directive, [Chapter 2, Article 5, 1.](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6, 1., \(d\)](#)

Headnote

It is an unfair commercial practice to claim to provide a free product together with the purchase of a main product, while the free product is not actually delivered.

Facts

The defendant is a trader that offered a product (Olpran trampoline) with a sheet on the casing saying "GRATIS!!! Camitin - weight-loss product" (including a picture of the product "Camitin 500ml"). Despite this statement, the weight-loss product was not actually provided with the trampoline.

Legal issue

This practice was considered to harm the consumer's economic interests. As the promised product (Camitin) was not actually provided with the trampoline, the conduct of the trader was qualified as a misleading commercial practice.

Decision

Is it an unfair commercial practice to claim to provide a free product together with the purchase of a main product, while the free product is not actually delivered?

Full text: [Full text](#)

Related Cases

No results available

Legal Literature

No results available

Result

The administrative body imposed a 10.000 Slovak crowns (approximately 332 EUR) fine.