

## Case law

### Case Details

**National ID:** К. Н. а. х. д. № 202/2012

**Member State:** Bulgaria

**Common Name:** link

**Decision type:** Court decision in appeal

**Decision date:** 13/06/2012

**Court:** Vratsa Administrative Court

**Subject:**

**Plaintiff:** Commission on the Consumers' Protection

**Defendant:** LIDL BULGARIA EOOD END KO KD

**Keywords:** selling price

### Directive Articles

Price Indication Directive, [Article 3, 1](#). Price Indication Directive, [Article 4, 1](#).

### Headnote

The availability of an electronic price checker device at the retail store does not satisfy the requirement for proper indication of the selling prices of consumer goods.

### Facts

At a retail store operated by the defendant the officials of the plaintiff established during an inspection, held on 24 November 2011, that the defendant indicated next to the retail goods only the prices per unit of measurement of (meat and milk) products item without indication of the selling price. An electronic price checker was at the disposal of the consumer at the retail store for checking the selling price.

Therefore, the defendant issued a penalty decree for imposition of financial sanction over the plaintiff in the amount of BGN 700.

The defendant appealed the penalty decree before the Vratsa Regional Court and said court repealed the imposed financial sanction. Therefore, the plaintiff appealed the first instance court decision before the Vratsa Administrative Court.

### Legal issue

The law compels the sellers to market only those consumer goods that meet cumulatively both requirements, i.e. have a designated selling price and designated unit price. The absence of any of them leads to violation of retailer overriding requirement introduced by law and therefore leads to engaging its administrative liability. The availability of price checker electronic device by which consumers can check the selling price of goods does not satisfy the requirement of the law for designation of the selling price in visual manner that does not mislead the consumer.

### Decision

Does the availability of an electronic price checker device at the retail store satisfy the requirement for proper indication of the selling prices of consumer goods?

URL: [http://asvr.comxa.com/2012/0061d812\\_20251512.htm](http://asvr.comxa.com/2012/0061d812_20251512.htm)

Full text: [Full text](#)

### Related Cases

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### Legal Literature

Sorted by [Member State](#) [Title](#) [Author](#) ▼

**Member State:** Bulgaria

**Title:** Topic IX, Legal Obligations for Manufacturers, Contractors and Other Vendors in the Sale of Goods and Provision of Service to Customers, Consumer Law, p. 43-50

**Author:** SUKAREVA, Z.

### Result

The court repealed the first instance court's judgment that awarded the plaintiff's appeal.