

Case law

Case Details

National ID: 231/13.3TPPRT.P1

Member State: Portugal

Common Name: link

Decision type: Court decision in appeal

Decision date: 12/03/2014

Court: Court of Appeal of Porto

Subject:

Plaintiff: PUBLIC PROSECUTOR

Defendant: B. S.A.

Keywords: goods, price, price indication

Directive Articles

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

Headnote

The lack of visible indication of selling prices in shop windows shall be regarded as an infringement of consumers' right to information.

Facts

The defendant displayed products for sale in the shop window of his retail store without a visible indication of their selling price.

Legal issue

The court considered that the lack of visible indication of selling prices in shop windows is as an infringement of consumers' right to information, as per article 3.1 of Directive 98/6/EC (implemented into Portuguese law by article 1 of Decree-Law No. 138/90 of 26 April) and article 8 of Decree-Law No. 138/90 of 26 April, which establishes that the prices of products displayed in shop windows must be visible to consumers.

Decision

Shall the lack of visible indication of selling prices in shop windows be regarded as an infringement of consumers' right to information?

URL: <http://www.dgsi.pt/jtrp.nsf/c3fb530030ea1c61802568d9005cd5bb/f9372f80e45cf72b80257ca900433822?OpenDocument>

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Result

The court upheld the first instance court's judgment.