

Judikatúra

Údaje o veci

Národný identifikačný prvok: P/0157/03/2016

Členský štát: Slovensko

Všeobecný názov: N/A

Typ rozhodnutia: Správne rozhodnutie, prvý stupeň

Dátum rozhodnutia: 17/10/2016

Súd: Slovenská obchodná inšpekcia

Predmet:

Žalobca: N/A

Žalovaný: PIMA, s.r.o.

Kľúčové slová: advertising, consumer rights, unlawful practice

Články smernice

Misleading and Comparative Advertising Directive, [Article 2, \(a\)](#)

Úvodná poznámka

(1) A case when the seller does not state the unit price in the advertising brochure constitutes a legal reason to impose a fine due to the violation of the provisions set forth in Act No. 250/2007 Coll. on consumer protection, as amended.

(2) The fact that the infringing party corrected the missing advertising requirement, after the decision of the Slovak Trade Inspection on the infringement, is not a reason to disregard the imposition of the fine in accordance with Act No. 372/1990 Coll. on infringements, as amended, due to the fact that the correction of missing requirements is an obligation of an infringing party not a punishment.

Skutkový stav

On 02.06.2016 the legal entity PIMA, s.r.o., which specializes in the sale of alcohol beverages, wines, soft drinks and additional assortment, was inspected by the Slovak Trade Inspection in order to verify the correctness and completeness of the information provided in its temporary advertising brochure for the purpose of protection of the consumers.

During the inspection, it was discovered that in the temporary advertising brochure of PIMA, s.r.o., the company offered 71 different kinds of products. The company stated only the selling price of these products and omitted the unit price. In accordance with Act No. 250/2007 Coll. on consumer protection, as amended, the seller is obliged to state information about the unit price in the advertising brochure.

Právna záležitosť

(1) Does the situation when the seller does not state the unit price in the advertising brochure give reason for the imposition of fine because of the violation of the provision stated in Act No. 250/2007 Coll. on consumer protection, as amended?

(2) Is the fact that the infringing party corrected the missing advertising requirement, after the decision of the Slovak Trade Inspection on the infringement, a reason to disregard the imposition of the fine in accordance with Act No. 372/1990 Coll. on infringements, as amended?

Rozhodnutie

After the inspection, the Slovak Trade Inspection decided that the company PIMA, s.r.o. violated the provisions of Act No. 250/2007 Coll. on consumer protection, as amended. The Slovak Trade Inspection stated, that the fact that PIMA, s.r.o. corrected the missing advertising requirement is not a reason for the Slovak Trade Inspection to disregard the imposition of the relevant fine and punished the company in accordance with Act No. 372/1990 Coll. on infringements, as amended.

Celé znenie: [Celé znenie](#)

Súvisiace veci

Nie sú k dispozícii žiadne výsledky

Právna náuka

Nie sú k dispozícii žiadne výsledky

Výsledok

The Slovak Trade Inspection imposed a fine of 300,00 EUR on the company PIMA, s.r.o. for the breach.