TRADE SHOWS - NEXT DECISIONS BY UOKiK

* **UOKiK punished Pollana Med and MEDISPOL (currently: Radnar) for infringing consumer interests.**
* **This is another action of the Authority in the fight against unfair presentations.**

**[Warsaw, 17 February 2020]** Older consumers are often exposed to unfair practices at presentations combined with selling. Traders take advantage of their health problems. UOKiK punished two companies selling in this way.

**Pollana Med** from Mrowina invited consumers to its product presentations featuring massage mats and belts, cleaning systems (specialised, multi-functional vacuum cleaners), kitchen utensils, knife sets and squeezers, while promising free gifts. Traders informed consumers who decided to make a purchase that they did not have the right to withdraw from the contract. According to the complaints received, the provisions on the right to withdraw were deleted from the model contracts by Pollana Med’s representatives. Allegedly, the reason was that the product was on promotional offer.

*“Pursuant to the Act on consumer rights, a sales contract concluded outside the business premises and at a distance can be withdrawn from within 14 days of its conclusion without giving a reason. It does not matter if the product was bought at a standard or promotional price. No one can be deprived of this right,”* says Tomasz Chróstny, President of UOKiK.

According to the information collected by the Authority, when consumers withdrew from the contract effectively and returned the goods, the company did not return the money despite requests for payment addressed to it. The Authority ordered to discontinue this practice. The undertaking ceased direct selling in December 2018. The imposed fine amounted to over PLN 1 million (PLN 1,052,684).

The MEDISPOL company from Stęszewo (currently: **Radnar** from Poznań) also sold products at shows. Its offer included a medical device for therapy with low-frequency pulsed magnetic field. It informed the purpose of the meeting were free preventive examinations. In fact, it was a presentation of commercial offer combined with selling. Moreover, during the presentation, sales representatives performed “examinations” with the AM Scan device, although this device is not a medical product designed for health assessment. Then, based on the results obtained in this way, they informed consumers about allegedly found ailments and thus misled consumers as to their current state of health. The sales representatives could thus influence consumers' decisions to purchase the offered magnetic therapy device.

The company ceased the questioned practices in May 2019. The fines for misleading consumers amounted to nearly PLN 400,000 (PLN 397,111). In addition, the undertaking must inform all customers who purchased its products between 29 December 2017 and 21 May 2019 about the UOKiK’s decision.

**Consumer, stay cautious at presentations!**

* If you are going to a presentation, remember that this is usually a trade show aimed to convince you to buy a product.
* When you receive an invitation to a meeting or a free examination, determine whether any goods or services will be offered there. Remember - there is nothing for free!
* Beware of "promotions", unique offers, when the seller says you have to make a decision right now, because the opportunity will not happen again - do not act under time pressure.
* Ask yourself whether the offer is really attractive.
* Do not present your ID card to anyone.
* Read contracts carefully, consult decisions with someone close to you.
* Do not take out a loan to buy equipment at the show, do not agree to visit bank with the seller.
* Remember you have 14 days to withdraw from a contract concluded outside the business premises.
* If you face any problems, seek help from a consumer ombudsman.

**Consumer support:**

Phone: +48 801 440 220 or +48 22 290 89 16 – consumer helpline
e-mail: porady@dlakonsumentow.pl
[Consumer ombudsmen](https://uokik.gov.pl/pomoc.php) – in your town or district
Regional Consumer Centres: Phone: +48 22 299 60 90 – [Dlakonsumenta.pl](http://dlakonsumenta.pl/)