Unfair practices at shows - two decisions by the President of UOKiK

* **Consumers were invited to meetings under false pretences, misled about prizes and cancellations of contracts, and their money was not refunded.**
* **This is how Med Professional and Medical Factory operated, organising sales shows across the country.**
* **The President of UOKiK imposed a fine of more than PLN 700,000 on each company and a total of half a million zlotys on the manager of both companies.**

**[Warsaw, 5 February 2025]** **Social actions to save jobs, meetings to support the Polish economy, activities to raise awareness of Polish brands or events to promote a new household appliances and consumer electronics chain. The array of false pretexts under which Wysogotowo-based Med Professional invited people to the sales shows it organised across the country was wide. Telemarketers calling on behalf of the company unfoundedly amplified their message by referring to the Social Advertising Foundation or the Nationwide Polish Action for Entrepreneurs. They arranged for consumers to collect gifts: e.g. a tablet, a laptop, a TV. Also during the ongoing show, they misled participants by suggesting that they would receive gifts, that they had been selected in a raffle or selected for a special prize and a massage mat or food processor would go to them. In fact, a condition of receiving anything was the purchase of any of the products on display, at a greatly inflated price.**

**Another company, managed by the same person - Medical Factory from Wysogotowo - operated in a similar way. Consumers received an invitation to a free eye test or a meeting to pick up a TV, tablet or laptop that was, for example, a form of promotion for a supposedly newly opened company. In reality, these were sales shows - tests were not carried out and gifts did not always match the assurances (e.g. a children’s toy tablet with a stylus was given instead of a laptop).**

**President of UOKiK Tomasz Chróstny issued two decisions in which he imposed a total penalty of almost two million zlotys on both companies and the person who managed them.**

**Raffle trap and other tricks**

**-** It is difficult for consumers to realise that, contrary to the telephone information, the meetings are in the nature of a sales show aimed exclusively at selling the goods in the company’s current offer. Meanwhile, entrepreneurs have an obligation to provide consumers with clear, reliable information and must not mislead about the true purpose of the invitations, says President of UOKiK Tomasz Chróstny.

**The companies used various manipulative techniques. The element of surprise, creating a sense of being chosen and even having an impact on the supposed prizes, e.g. choosing their colour, was important. During the shows, consumers were forced to rush into purchasing decisions, despite not being given specific and truthful information about what they were agreeing to and what they were actually signing up for.**

**One of the complaints reads “***The conclusion of the contract came about as a result of a raffle draw for creams and a special prize, which my wife and I drew. We allegedly drew all the items on the table, but they didn’t say I had to pay for it. The euphoria of winning a prize especially a massage mat caused me to be careless and agree to pay PLN 50, and it was only when I got home that I read from the 1 copy of the contract document I had received that I would be paying about PLN 10,000 in instalments for this even though I had not received the loan agreement****”* (complaint against Med Professional).**

**Another one reads: “*During the show, I received a message that I had ‘drawn’ and ‘won a massage mat (stated value of PLN 11,900) and 3 gifts: a cordless hoover, an air purifier and a cordless belt. I was asked for my identity card and pensioner’s card. I was enthused about winning. I was in amok, I had never won anything before. The gentleman was very nice. I didn’t know what game he was playing”* (complaint against Medical Factory).**

**Cancellation? We have a problem**

**The companies were also misleading with regard to the right to withdraw from the contract. Consumers who wanted to cancel their purchase were told that they could only enter into an addendum reducing the amount to be paid and return only part of the goods. Sometimes they received no explanation as to why a refund was not possible, and other times they were informed that they would have to pay for the gifts they had received. This was to dissuade them from cancelling their contracts.**

**Consumers who nevertheless successfully cancelled the contract were not reimbursed by entrepreneurs, despite such an obligation under Article 32 of the Consumer Rights Act.**

**In the case of off-premises contracts, and this was the operating model pursued by Med Professional and Medical Factory, the right of withdrawal is a fundamental consumer right. They always have 14 days to do so. The entrepreneur should return the payments made by the consumer without delay, but no later than within a further 14 days of receipt of the consumer’s statement. Moreover, thanks to the** [Omnibus directive](https://uokik.gov.pl/aktualnosci.php?news_id=19189)**, there is a prohibition on entering into financial contracts during a show or excursion and a prohibition on accepting payment before the withdrawal deadline - for shows, excursions and non-contracted visits to the consumer.**

**Fines not only for companies**

**The President of UOKiK ordered the company to immediately cease and desist the contested practices. Once the decision becomes final, entrepreneurs will also have to inform all consumers with whom they have concluded off-premises sales contracts of the decision. As well as about refunds, in the event of a successfully submitted cancellation of the contract.**

**The fine imposed on Med Professional is more than PLN 744,000 (PLN 744,514), on Medical Factory more than PLN 719,000 (PLN 719,660). A financial sanction of PLN 250,000 each (PLN 500,000 in total) was also imposed on the companies’ managing director, Robert Piotr Kaczmarek, in connection with the wilful admission of violations of the law.**

**The decision can be appealed to the** [Court of Competition and Consumer Protection](https://bip.warszawa.so.gov.pl/artykuly/296/xvii-wydzial-sad-ochrony-konkurencji-i-konsumentow)**.**

The President of UOKiK [constantly monitors and verifies](https://uokik.gov.pl/en/president-of-uokik-takes-a-closer-look-at-companies-organising-product-demonstrations) the activities of companies running sales shows, notifies the public prosecutor’s office in the case of dishonest entrepreneurs (this was also the case with Med Professional and Medical Factory) and initiates proceedings.

**Consumer support:**

Consumer helpline: 801 440 220 or 222 66 76 76
contact form: [poradydlakonsumentow.pl](https://poradydlakonsumentow.pl/)
[Consumer Ombudsmen](https://uokik.gov.pl/pomoc.php) – in your town or district