CLEAR PRICES ON BLACK FRIDAY

* **Since the beginning of this year, entrepreneurs who inform about price reduction for goods or services have been obligated to inform about the lowest price from 30 days before the reduction.**
* **This rule is specifically important in view of the incoming biggest sales festivals, that is, Black Friday and Cyber Monday.**
* **Now consumers will indeed notice whether each promotion is a bargain.**

**[Warsaw, 20 November 2023] This year’s Black Friday will fall on 24 November, but entrepreneurs have been advertising various promotions as part of the Black Month or Black Weeks for long. After Black Friday, we may expect some sales because of Cyber Monday whereafter Christmas promotion season will start. 2023 has been the year of changes which have affected the method of presenting bargains. The Omnibus Directive has imposed an obligation to inform about the lowest price for goods and services during the period covering 30 days prior to the reduction. For consumers, it involves providing the information of whether the purchase is attractive and advertised.**

***- Before launching new regulations, consumers did not have any actual tool, benchmark with which they could verify marketing slogans promising exceptional bargains. As the laws have been amended, it is enough to rad the lowest price from 30 days before the reduction which must be visible on the goods or service. This should be the basis for entrepreneurs for computing discounts - and now this is the most important information for shoppers* - says** Tomasz Chróstny**, President of UOKiK.**

**Benchmark**

**“You will save PLN 50”, “-20%”, “less by PLN 100” - price benefits must be computed on the basis of the lowest price from 30 days before the reduction. The new rule is intended to prevent price juggling - raising prices just before a sale to give the impression that the discount is more attractive than it actually is. This used to be a very common practice that consumers were not always able to protect themselves from. Now they should be provided with some comprehensive, reliable information about the promotional price and the lowest price for which you may purchase the goods or service in the period covering 30 days before the launch of the price reduction. If the lowest price from 30 days before the reduction is more favourable than the sales prices, the bargain may be fictitious.**

***- If consumers are informed that they may take advantage of a special bargain, that a big sale or promotion is waiting for them while the lowest price from the period covering 30 days proves this to be fake, they have thus been misled. In the event of encouraging to do the shopping with a reduced price, the consumer must be given comprehensive information allowing them to check if the bargain is real. This mechanism will enhance the protection from unfair marketing practices -* adds** Tomasz Chróstny**, President of UOKiK.**

**The information about the lowest price from 30 days before the discount should appear wherever the entrepreneur announces discounts for a specific goods or services, i.e., for example, in an advertisement, next to the product on a shelf, on a display, in the chain’s newsletter, in a conditional sale, in a loyalty programme, in the search results of an online shop and on a specific product card. If a shopping platform or price comparison website provides tools for retailers to display price discounts, it must also ensure that the lowest price from 30 days before the discount is displayed appropriately and correctly.**

**The Omnibus Directive has been in force since 1 January 2023. President of UOKiK has been monitoring the way in which entrepreneurs have aligned to the new obligations - he has already pressed charges for four entrepreneurs in connection with a misleading presentation of their promotions, he has issued more than 60 soft calls, there are 14 preliminary investigations into traditional stores pending. Following the acts assumed by President of UOKIK, including the publication of the** [explanations on how to present discount information correctly](https://uokik.gov.pl/download.php?plik=27128)**, a vast majority of entrepreneurs have duly aligned their practices.**

**Sales without secrets**

**Consumer, we encourage you to watch our** [webinar “Black Friday - a bargain or a trap?”](https://www.youtube.com/watch?v=zQ6aeRLHVdA) **Ms. Ewa Jarczewska-Gerc, a social psychologist and business coach will elaborate on some psychological tricks used by traders during “big” sales and on methods of protecting themselves from them. The theme will additionally appear in the** [“Sales” podcast](https://www.youtube.com/watch?v=r3deoDlxfV8) **which reveals the background of some marketing attempts.**

**For information on the new consumer legislation not only on price discounts, but also, for example, on complaints or sales at shows, see**  [prawakonsumenta.uokik.gov.pl](https://prawakonsumenta.uokik.gov.pl/)

**On the other hand, the entrepreneurs wishing to find out more about the correct method for price labelling should read the** [Explanations of President of UOKIK](https://uokik.gov.pl/download.php?plik=27128) **as well as watch** [webinar: About prices during sales - for entrepreneurs”](https://www.youtube.com/watch?v=TzEfedKK5n4&feature=youtu.be)**.**

**The Omnibus Directive has introduced a range of important modifications for consumers, such as the new rules for making complaints. among others. As early as on the incoming Wednesday, that is, on 22 November 2023 at 1:00 pm we invite you to watch the latest episode of our webinar, this time on your right to make a complaint on services - “At a hairdresser, mechanic or at a laundry... or how to successfully make complaints about services”. Link to the meeting:**[infoliniakonsumencka.pl/live/](http://www.infoliniakonsumencka.pl/live/) **Transmission also on the** [channel of the ProPublika Foundation to YouTube](https://www.youtube.com/%40Fundacja-ProPublika)

**Consumers, please remember:**

* **Give yourself time to think**

**The shopping, not only those available on sales, should be careful. Marketing slogans and promises are tempting but always verify whether they are true. It is enough to pay attention to all prices which have been provided, especially the lowest one from 30 days before the reduction. Entrepreneurs are additionally likely to use different tricks which evoke time pressure and encourage to do prompt and hasty shopping (so-called dark patterns). Do not let yourself be deceived, give yourself time to think, consider whether you actually need a specific product.**

* **Not all prices are equal - compare**

**Always compare the lowest price from 30 days before the reduction and the promotional price. Other values stated by entrepreneurs, such as reference price or initial price, do not constitute a reliable benchmark. Remember to check offers at various traders. Especially online shopping gives you the opportunity to find out promptly whether the item of our interest may appear at a similar price in a number of places, not only temporarily.**

**Pay attention to the price when finalising your shopping. It may happen that a price at a traditional store the prices on a tag or label will be different than the price at a till. If at your receipt the price is higher, you will have the right to do the shopping at the price available at the tag or get a refund of the monies being the difference.**

**It is worth comparing prices also because of various product packagings. In such a case, a unit price is helpful - it is the prices per unit of measure, such as 1 liter, 1 kilo, 1 meter or 1 item. It may occur that it is the item basic weight rather than a price reduction will tell you which offer is more attractive. You find the unit price on a label. You should pay special attention to the goods offered in multipacks - as you compare the basic weight, and the unit prices it may occur that the purchase is not as profitable as it seems.**

* **You have the right to make a complaint**

**The items purchased during promotion may be complained under the same rules as the items purchased at regular prices. An exception may be a specific defect of the product which was the grounds for the discount and about which you were informed prior to your shopping. In such a case, this defect may not be complained about, but you are entitled to complain about every single other defect related to the same product.**

**Since the beginning of this year, since the effectuation of the Omnibus Directive, complaints are made on the basis of the “responsibility for inconsistency of the goods with the agreement”. In the first place, you may demand a repair or replacement of the defective goods. Reimbursement (partial or full) will be possible at the next stage of the claim. The trader will be liable for defects for 2 years from the delivery of the goods. The complaints will become time-barred after 6 years. The trader should respond to the complaint within the period of 14 days from the date of receiving it. If failed, then it is concluded that the trader has accepted the complaint.**

* **Buying online?**

**You will have a right to withdraw from the contract within 14 days. This will be the time for you to think and consider the reasonableness of your purchase as well as the capacity to familiarise yourself with the product. It happens that traders extend this timeframe.**

**The right to return a product will not apply if it has been prepared upon a special order, such as engraved jewellery or tailored suit.**

* **Doing shopping in a traditional store?**

**You will be able to return the goods purchased exclusively upon the discretion of the trader. Make sure to check whether and on what terms the store provides for such an option. It may occur that the return will be made toy a gift card or it will not be possible at all.**

**Consumer Support:**

Consumer helpline: 801,440,220 or 222 66 76 76
E-mail: porady@dlakonsumentow.pl
[Consumer Ombudsmen](https://uokik.gov.pl/pomoc.php) – in your town or district