

Sodna praksa**Podatki o zadevi****Nacionalna ID:** UL0008176**Država članica:** Slovenija**Splošno ime:** N/A**Vrsta odločbe:** Sodna odločba, prva stopnja**Datum odločbe:** 30/01/2014**Sodišče:** Upravno sodišče**Zadeva:****Tožnik:** Unknown**Toženec:** The Market Inspectorate of the Republic of Slovenia**Ključne besede:** average consumer, confusing marketing, confusion, price reductions, retail price**Členi direktive**Price Indication Directive, [Article 3, 1.](#) Price Indication Directive, [Article 4, 1.](#)**Uvodna opomba**

Offering goods at a retail price and labeling that the price is 5% lower upon payment in cash does not mean that two prices are determined for these goods, but only that the price is reduced because of payment in cash.

Dejstva

The Market Inspectorate found out that the plaintiff labelled goods in two ways, namely with a "retail price" and a price for "calculation for cash". The Market inspectorate also found out that the latter price was 5% lower than the retail price. On that basis, the Market Inspectorate concluded that such labelling would confuse an average consumer.

Pravna zadeva

Does labelling goods with a retail price and reduced price upon payment in cash mean that two purchase prices are listed?

Odločba

The court found that offering of the goods at a retail price with a label that the price is 5% lower upon payment in cash does not mean that two prices are determined for these goods, but only that the price is reduced because of a payment in cash. This kind of marking the prices is in fact to the benefit of the consumer, therefore the court sees no reason why the trader could not label the goods in such a way, if it is clear from the labels that there is a price discount because of the payment in cash. However, the court noted that the defendant did not perform an assessment as to whether such labelling of prices constituted a misleading commercial practice, and whether it deceived or was likely to deceive an average consumer to take a transactional decision that he would not have taken otherwise. The court concluded that because of the wrong application of substantive law, the facts remained incomplete, and therefore granted the plaintiff's request.

URL: http://www.sodnapraksa.si/?q=id:2012032113076721&database%5bSOVS%5d=SOVS&database%5bIESP%5d=IESP&database%5bVDSS%5d=VDSS&database%5bUPRS%5d=UPRS&_submit=išči&page=0&id=2012032113076721

Celotno besedilo: [Celotno besedilo](#)

Povezane zadeve

Zadetki niso na voljo

Pravna literatura

Zadetki niso na voljo

Zadetek

The plaintiff's request was granted.