

A competition supervision proceeding has been initiated due to the sale of hand sanitisers on the ÉkszerTv programme

The Hungarian Competition Authority has initiated a competition supervision proceeding against Emporia Style Kft., which produces the programme ÉkszerTv, and against ATV Zrt., which broadcasts the programme, due to the sales methods used on the programme in relation to COVID-19 virus pandemic related products.

On the basis of a number of market signals received by the Hungarian Competition Authority relating to the sale of certain products (e.g. hand sanitisers) promoted in connection with the COVID-19 virus pandemic on the ÉkszerTv programme, which is broadcast by the national media service channel of ATV, the Authority became aware of the following:

- the original prices indicated on the programme were presumably not applied by Emporia, subject to the proceeding, either before or after the broadcast of the programme, even though the visual representation of the commercial communication and the narrative used by the presenters suggested otherwise,
- the programme gave the impression that the products on offer were only available for a limited period of time at a discounted rate and that stocks of the products were steadily declining; consequently, consumers were prompted to make an immediate decision and were deprived of the time and opportunity to make an informed decision, which is especially important in the current epidemiological situation.

In its proceeding, the GVH also investigates whether ATV Zrt. acted in accordance with the requirement of professional diligence when broadcasting the ÉkszerTv programme, as it was presumably aware of the fact that the commercial communication appearing in the programme, through its content and visual presentation, was likely to distort consumer behaviour.

It is probable that, through the above-mentioned conducts, the two undertakings have violated certain provisions of Act XLVII of 2008 on the Prohibition of Unfair Business-to-Consumer Commercial Practices.

The commercial communication practices of the undertakings subject to the proceeding are likely to have reached a wide range of consumers, especially in view of the increased consumer interest in the type of products promoted by the commercial communication under investigation as a result of the designation of COVID-19 as a pandemic by the United Nations World Health Organization (WHO) and similar products, and in view of the increasing amount of time that people are spending at home watching television due to the current restrictions on movement.

The initiation of the competition supervision proceeding does not mean that the undertakings have committed an infringement. The procedure is aimed at clarifying the

facts and thereby proving the alleged infringement. The time allowed for the procedure is three months, which may be extended twice if necessary, by a maximum of two months each time.

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