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Decreased fine for Bonux

Bonux has no extraordinary cleaning power, therefore the Hungarian Competition Authority (GVH) was right to find the distributor of the product, Procter & Gamble Hungary guilty of having misled consumers – decided the Appeal Court of Budapest. However the court of second instance found the fine of HUF 315 million imposed for the infringement too high and decreased it to HUF 105 million.

The competition supervision proceeding was initiated in connection with “Bonux” detergent ads provided by Procter & Gamble Hungary Wholesale Trading Partnership (KKT) (Procter & Gamble) on TV and with the help of hostesses between August and November 2005. Advertising films claimed that the cleaning power of “Bonux” was extraordinary in comparison with other washing powders with similar price available in hypermarkets. As the GVH pointed out, consumers - and even Procter & Gamble - classify not only the washing powders “Tomi” and “Biopon Takarékos” tested together with “Bonux” into the group of “washing powders with similar price”. As for other detergent brands, however, Procter & Gamble has no evidence available for underpinning the statements made in the advertising films. Moreover the GVH found that even in the case of “Tomi” and “Biopon Takarékos”, the statement that compared to them Bonux had extraordinary cleaning power was not correct. That is to say, the results of the tests do not prove this “extraordinary feature”; thus the statement can be considered to be exaggerated. Hence, Procter & Gamble was fined HUF 315 million for the infringement.

The undertaking which was found to have misled consumers turned to the Municipal Court of Budapest and appealed the decision, however the Court dismissed the appeal and affirmed the decision in the first instance. Also the Appeal Court of Budapest upheld the decision in the second instance except that it found the amount of the fine imposed too high and thus it decreased that amount to HUF 105 million.

Case number: **Vj-54/2006.**

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