

The business entity advertised its product by stating that the use of the appliance would result in lower consumption of energy and washing powder. However, at the time of the proceeding, the business entity was not able to prove the adequacy of this statement.

The business entity distributing water softener products made misleading statements in its advertisement comparing the use of vinegar and its water softener product in washing machines. In relation to using vinegar as water softener, the advertisement stated that it might damage the washing machine. The behaviour of the business entity was found as unfair commercial practice as the advertisement was able to influence consumers' choice and it implied that vinegar may cause the corrosion of the washing machine.

The company using PKL-combibloc packaging by stating that it is environmentally friendly misled consumers about the environmental impact of its product. Indicators, such as 'environmentally friendly', which indicate that a product or process has only positive or no effect on the environment, can only be used if they are based on firm knowledge. The Competition Council found that it made an unproven, unsubstantiated claim on this complex topic, The GVH found that the undertaking misleadingly claimed that its product, 'Exclusive Mild' was "the purest black", which "comes from the most carefully tended plantations in the world, using environmentally friendly technologies." The Competition Council was of the opinion that if an undertaking bases its claims about the uniqueness of its product, it has to prove that the product has a more special, superior character than others. It was insufficient that the undertaking only proved the quality of processing, not mentioning that there were no authentic data serving as evidence on the conditions of crop production.

The GVH alleged that the undertaking misled the consumers by applying an icon on the packaging that suggested the environmentally friendly nature of the product. The icon was allegedly easy to confuse with a certification that only those products can receive that meet certain conditions. However, the GVH concluded that consumers to whom this attribute matters the most, due to their knowledge and experience in the field of environment protection, are able to differentiate the two icons, thus are not influenced by it against their intentions.

The GVH concluded that the undertaking misleadingly used the Biokontroll trademark. The Biokontroll trademark may be known primarily to health-conscious and environmentally conscious consumers in relation to foodstuffs produced in the context of organic farming. The presentation of the Biokontroll trademark on the communication tools for the promotion of Ilesí cosmetics may have suggested to consumers that Ilesí cosmetics qualify as a biocosmetics certified by Biokontroll Kft. However, the products offered by the undertaking are not equal with the individual herbal ingredients to which the certification actually applies.

The GVH found that the undertaking – among others – made misleading claims regarding its products by stating that they are „100% Bio”. In its reasoning, the Competition Council concluded that the fact the products in question received the Ecocert certification does not substantiate the “100% Bio” claim, as it was proven during the proceeding that not all of their ingredients were bio-certified.

The GVH found that the undertaking misled consumers by claiming that the Vitamin product family was “100% natural”, whereas it could not substantiate the 100% natural origin of the

products. During the proceeding, the undertaking stopped using the contested claim, instead it started using similar claims (“full natural”, “natural in every aspect”, “exclusively of natural origin” etc.) The GVH decided that the latter communication was also misleading on the same bases as the previous.

In another case, a company operating a solarium franchise network claimed that its service was ‘bio’, ‘green bio’, ‘with force of the nature’. The GVH eventually concluded that the way these claims were presented they qualified as claims on the impact of the service on health, and not specifically a green claim. Although it did not turn out to be a straight-forward misleading green claims case, it is an interesting example of how a seemingly green claim can infringe the consumer protection law on a different legal ground. Having failed to substantiate its claims, the GVH imposed a fine on the company, and obliged it to cease the unlawful communication