



GAZDASÁGI  
VERSENYHIVATAL

### **Deception of Consumers by Aquarius-Aqua Ltd.**

The Competition Council of the Hungarian Competition Authority established in its decision that Aquarius-Aqua Ltd. deceived consumers by the advertisement of Veritas Gold mineral water. Aquarius-Aqua was fined HUF 2 million.

Aquarius-Aqua entered the competition of the International Taste & Quality Institute (iTQi), Brussels, a leading independent chef- and sommelier-based organization in October 2005 and the company won the “Superior Taste Award with \*\*” in May 2006. Thereafter the company advertised its Veritas Gold mineral water with the attributes “At the top of the World”, “the best Taste Award winner mineral water”, and “the best Taste Award winner Hungarian mineral water”.

Undertakings can attract consumers most effectively by advertisements. However, advertising practices, which deceive consumers, can disturb the operation of the market. It is a general requirement that consumers should get genuine information about a certain product.

Aquarius-Aqua was unable to prove that the attributes used in the advertisements corresponded to reality. Veritas Gold is not “at the top of the world” since it did not win the “Award with \*\*\*” in Brussels; only 25 mineral waters competed for the Award which did not mean the whole world. All characteristics of a mineral water should be excellent if it belongs to the top mineral waters of the world.

As the winner of the “Superior Taste Award with \*\*” Aquarius belongs to the top waters but only in respect of its taste. According to the opinion of the GVH, the “Superior Taste Award” is the name of a competition and not the name of an award with various number of stars.

Consequently, the exaggerated statements imply more in the advertisements of Veritas Gold than the gaining of the Award means.

According to the standpoint of the GVH, the advertisements of Veritas Gold conveyed the message to consumers that this mineral water would taste better than others. Moreover, since taste is to the same extent important as price is, it might have a misleading effect on consumer choice.

Aquarius-Aqua was fined HUF 2 million. The GVH regarded as mitigating circumstances that it was the first time the GVH “condemned” Aquarius-Aqua, the undertaking stopped the unlawful behaviour, and an official translation bureau translated the name of the award used in the advertisements.