

Information Release

The Government of Spain opens sanctioning proceedings against major e-commerce operators for alleged deceptive discounts

Several companies in the sector are said to have raised the prices of products before Black Friday and then reduced them to their original price.

Madrid, May 7, 2024. The Ministry of Social Rights, Consumption, and Agenda 2030 has decided to initiate sanctioning proceedings against major e-commerce operators for alleged deceptive discounts during Black Friday. According to the Ministry, the practice involved these operators raising the prices of various products before Black Friday and then reducing them to offer them at their original price.

The Ministry has collected information on these types of unfair practices during a previous investigation, which would constitute a violation under Article 47 of the General Law for the Defense of Consumers and Users. Under this provision, such practices can be classified as serious offenses with fines of up to €100,000, which can be exceeded to reach between four and six times the illicit profit obtained.

This investigation began in October 2023 with daily monitoring of 1,140 products coinciding with Black Friday. The European Commission's Price Reduction Tool was used to identify alleged non-compliance by various e-commerce operators. Currently, sanctioning proceedings have already been initiated against two major operators, but the investigation remains open to other companies that may have also engaged in this practice. Among the wide range of products sold by the investigated operators, appliances, electronics, sports, or cosmetics stand out.

From now on, a maximum period of 9 months is opened for the instruction of sanctioning proceedings and for their resolution by the competent bodies of the Ministry of Social Rights, Consumption, and Agenda 2030.

Retail Trade Organization Law

According to Article 20 of the Retail Trade Organization Law, whenever items are offered at a reduced price, the previous price must be clearly indicated on each of them to enable a correct comparison. In this case, the law also states that the previous price must be the lowest price that had been applied to identical products in the thirty days preceding.

Source of information: [Ministry of Social Rights, Consumption, and Agenda 2030](#)