



Specifying the new measures on the rationalisation and transparency of prices

On 30 January 2024, Ministerial Decision 6969/30.1.2024 (GG B'640/30.1.2024) was issued pursuant to article 38 par. 8 of Law 5082/2024, specifying the new measures for transparency in the consumer goods market, as said measures were introduced in the Greek legislation by virtue of Law 5082/2024 (GG A'9/19.1.2024).

In summary, the following were specified:

- **the categories of promotional activities** prohibited for the products referred to in article 38 par. 1 of Law 5082/2024;
- **the concepts of discounts, credits or other allowances** taken into account for the application of the price reduction of the products referred to in article 38 par. 2 of Law 5082/2024;
- **the categories of products** falling within the scope of article 38 par. 2 of Law 5082/2024;
- **the audit procedure and the procedure for applying sanctions;** and
- **the gradation of the fines** was also determined.

1. Pursuant to article 38 par. 1 of Law 5082/2024, any promotional activity for consumer products of businesses for which a price increase is announced, according to article 15 of Law 5055/2023, is prohibited for 3 months from the date on which the price increase is applied. Promotional activities for the implementation of the provision shall mean the following activities:
 - a. the sale of a product for which it is stated in any manner that it is sold at a lower price than any reference price;
 - b. the sale of a product for which it is stated in any manner that it is sold in a package containing an additional quantity as a “gift” for the consumer;

- c. the sale of a multi-pack, consisting of more than one packaged products identical to each other, for which it is stated in any manner that it contains one or more “BONUS” packs or that it is offered at a lower price than any reference price;
- d. the sale of a product for which it is stated that it is sold together with another, different, product as a “BONUS”;
- e. the sale of a product at a discount or offer granted by a discount voucher, gift voucher, reward points or other reward schemes;
- f. the inclusion in any brochure or advertisement of a retailer which states or implies that the product is offered at a price advantageous to the consumer.

It is noted that the foregoing also applies to products put **on the market for the first time**, under the same or another name, with the same or another packaging and a different barcode, following the withdrawal of another product of the same business with the same or similar properties, or which contain less or more than fifty percent (50%) of another identical or similar product marketed by the same business, with an increased unit price, or which are marketed by another new business that cooperates with or is linked to a business that has already been selling products of the same category to consumers.

1. Moreover, the **“categories of products”** under article 38 par. 2 of Law 5082/2024 are being specified, for which the businesses supplying the retail trade reduce the initial price, i.e.

the price before discounts, credits or other allowances, as of 01.03.2024, by a minimum of 30% of the total of credits, discounts or other allowances:

General cleaning products: Laundry detergents (powder, liquid or tablets), hand laundry detergents, dishwasher detergents (powder, liquid or tablets), hand dishwashing detergents, all types of surface cleaners, bleaches.

Personal hygiene products: Shampoos and conditioners, shower gels, liquid soaps, solid soaps, toothpastes, baby and children’s nappies.

At the same time, the concepts of discounts, credits or other allowances referred to in article 38 par. 2 of Law 5082/2024 are defined, which have the meaning of **discounts** on invoices and/or **credit invoices** issued by the business to the retailer.

2. Finally, a system of gradation of fines is established, according to which the fines imposed in cases of infringements of par. 1, 2 and 3 of article 38 of Law 5082/2024 will be calculated on the basis of the following formula:

$$\Pi = d/365 \times K_l \times (1 + p)$$

Π : The amount of the fine;

d: the number of days elapsed since the date on which the price increase was first applied for par. 1 or since 1 March 2024 for par. 2 and 3, until the day on which the infringement was ascertained by the competent audit authorities;

K_l : the amount of gross profit of the business in the product category for which the infringement was ascertained in the last financial year for which financial statements have been published; and

p: the percentage of the penalty on the business’s sales in the product category for which the infringement was ascer-

tained in the financial year starting in 2022, set at one hundred percent (100%);

At the same time, further minor adjustments to the fines are specified, based on, inter alia, percentages of reduction of the initial price when the infringement relates to article 38 par. 2 of Law 5082/2024, and compliance or non-compliance with a relevant recommendation, and in the case of article 38 par. 7 of Law 5082/2024, based on the company's turnover.

Contact us



Antonis Giannakodimos
Partner

a.giannakodimos@zeya.com



Nefeli Apostolopoulou
Associate

n.apostolopoulou@zeya.com

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, or stored in any retrieval system of any nature without prior permission. Application for permission for other use of copyright material including permission to reproduce extracts in other published works shall be made to the publishers. Full acknowledgement of author, publisher and source must be given.

Nothing in this newsletter shall be construed as legal advice. The newsletter is necessarily generalised. Professional advice should therefore be sought before any action is undertaken based on this newsletter.

Established in 1893, Zepos & Yannopoulos is one of the leading and largest Law firms in Greece providing comprehensive legal and tax services to companies conducting business in Greece.

280 Kifissias Ave., 152 32 Halandri, Athens, Greece
newsletters@zeya.com
Tel.: (+30) 210 696.70.00 | Fax: (+30) 210 699.46.40

www.zeya.com
Subscribe
LinkedIn