

Owner of chain retail store convicted of engaging in commercial practice involving misleading omission for selling clothes

An owner of a chain retail store was convicted of undertaking a commercial practice involving a misleading omission to consumers, in contravention of the Trade Descriptions Ordinance (TDO), and was fined \$30,000 at the Shatin Magistrates' Courts today (April 2). A total of 63 pieces of clothes involved in the case were also confiscated.

Customs earlier received information alleging that clothes with suspected false descriptions of the country of origin were put on sale in a chain retail store. Customs officers then test-purchased the clothes from three branches of the store located in Sha Tin and Tseung Kwan O. It was found that the clothes bore two country of origin labels, namely "made in korea" and "MADE IN CHINA". Customs subsequently took enforcement action against the three branches and seized a total of 63 pieces of clothes, with a value of \$9,000, which bore dual places of origin.

Under the TDO, any trader who engages in a commercial practice that omits or hides material information or provides material information in a manner that is unclear, unintelligible, ambiguous or untimely, and as a result causes, or is likely to cause, an average consumer to make a transactional decision, commits an offence of misleading omissions. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected violations of the TDO to Customs' 24-hour hotline 182 8080 or its dedicated crime-reporting email account (crimereport@customs.gov.hk) or online form (eform.cefs.gov.hk/form/ced002).