

Woman jailed for engaging in wrongly accepting payment in sale of surgical masks online

A woman who sold surgical masks online was convicted today (February 26) at Kwun Tong Magistrates' Courts for engaging in wrongly accepting payment, in contravention of the Trade Descriptions Ordinance (TDO). She was sentenced to three months' imprisonment.

Hong Kong Customs earlier received information alleging that a woman had engaged in unfair trade practices in the sale of surgical masks online. After investigation, it was found that the woman claimed that surgical masks could be offered for sale on a social media platform. Later, she offered to sell 400 boxes of surgical masks of a designated brand at \$120 per box to a consumer through an instant messaging application. However, only 7 800 items of loose-packed masks of various brands were supplied, none of which were from the designated brand. Investigation revealed that the woman involved in the case had intended to supply a product that was materially different from the masks of the designated brand at the time when payment was accepted.

Customs welcomes the sentence as the custodial sentence has imposed a considerable deterrent effect, and will continue to combat unfair trade practices with a view to protecting consumer interests. Customs also reminds traders to comply with the requirements of the TDO and consumers to procure products at reputable shops.

Under the TDO, any trader commits an offence if at the time of acceptance of payment the trader intends not to supply the product or intends to supply a materially different product, or there are no reasonable grounds for believing that the trader will be able to supply the product within a specified or reasonable period. 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 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).