

CMS | Romania fights “shrinkflation” by requiring traders to inform consumers of reduced product weight/ volume



The Romanian Consumer Protection Authority (ANPC) issued Order 539/2024 on the information of consumers regarding the trading of pre-packed products whose volume or weight has decreased (Order 539), officially published in the Official Gazette on 10 September 2024.

Order 539, which will come into force on 10 October 2024, is a response to shrinkflation, the practice, now under scrutiny, of reducing product quantities while prices remain the same.

This order requires traders selling products for consumption on the shelves of sales premises to fully, correctly and accurately inform consumers about the changes in the product when the volume or weight has been reduced but the presentation, packaging, shape, and price remain identical.

Key requirements for traders

Order 539 requires traders selling pre-packed products in physical stores and marketplaces to:

- ◆ display the price per reference unit;

Traders must display the price per reference unit, which the change in volume/weight of the product has been applied. This information should allow consumers to understand that, although the product's price remained the same, the price per reference unit has increased.

- ◆ inform consumers of the reduced volume/weight;

Traders should inform consumers that the volume/weight of the product has been modified, even if the selling price for the product is the same.

The information must be displayed in the same field of vision, in a legible and visible form, by using a specific format provided by the ANPC in the annex to the order. The notification placard must measure 15 cm by 10 cm, featuring the product's image and a statement, written according to prescribed fonts and sizes, that the weight/volume has been reduced but the price remains unchanged.

The information must remain visible for at least 30 days after the product with reduced quantity has been placed on the shelf.

Exclusions and sanctions

Order 539 does not apply to distance sales (e.g. online shopping).

According to its preamble, Order 539 was issued based on provisions 18-20 of Consumer Protection Government Ordinance 21/1992 regarding the information that should be provided to consumers. Failure to comply with these obligations, which also includes the obligations established by Order 539, is a misdemeanour punishable by a fine of between RON 1,000 and RON 10,000 (EUR 200 to EUR 2,000). Additional penalties may be applied, such as temporarily banning the trader from selling the non-compliant products, until corrective measures have been taken.

For more information on Order 539 and on consumer protection rules in Romania, contact your CMS client partner or these CMS experts: Cristina Popescu and Carmen Turcu.