MILLENIUM MEDICA FINED FOR UNFAIR PRACTICES AT SHOWS

* **Inviting people for medical examinations and using the results to encourage them to purchase mattresses – this was Millenium Medica's modus operandi.**
* **UOKiK President Tomasz Chróstny ordered the company to immediately cease these practices and fined it nearly PLN 280,000, including almost PLN 50,000 for providing untrue information during the investigation proceedings.**
* **Additionally, the company must notify consumers that they may pursue claims in court.**

**[Warsaw, 8 September 2021]** Millenium Medica (formerly Centrum Remedium) based in Ostrów Wielkopolski conducted sales at shows. Consumers would be invited to undergo a "*free examination without a doctor's referral*", with such examination to analyse all of their "*systems and organs*" Through it, they were to find out the state of their digestive system, spine, joints, cardiovascular system and nervous system, among other things. However, the flyers advertising the shows made no mention of their commercial nature. The only indication included on the flyers was a fine print line reading "*While the results are pending, the rehabilitation centre's offer will be presented*". Meanwhile, the show's primary purpose was to sell mattresses.

Yet another practice called into question by UOKiK consisted in misleading consumers about their health. The medical examination was conducted using an HSR pulse oximeter. In December 2018, the President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products has withdrawn this device from the market and from use. The reasons for his final decision read as follows: "*the results of a single test cannot constitute the basis for a planned therapy or drawing diagnostic conclusions, especially in cases where this device (programme) is used by individuals who are not physicians*." Nonetheless, at shows organised by Millenium Medica, pulse oximeter tests were performed by people without university-level medical education – mainly salespeople – who then convinced visitors to buy products supposedly designed to support treatment or rehabilitation.

*"Misleading consumers is unacceptable and is particularly reprehensible when it concerns such sensitive issues as health. Had the flyers not suggested that the show was of a medical nature and truthfully informed consumers of its commercial character, many of them would likely have opted not to participate. Furthermore, Millenium Medica exploited consumers' health concerns and provided them with unreliable test results to influence their purchasing decisions and induce them to buy mattresses*," said Tomasz Chróstny, President of the Office of Competition and Consumer Protection*.*

Effective immediately, Millenium Medica must cease all practices called into question by UOKiK. Additionally, UOKiK President fined the company a total of PLN 275,212, including PLN 50,000 for providing false information during the investigation proceedings. When asked to produce the show invitation flyers sent to consumers, the company sent only a generic template with information about the purpose, location, meeting date and an opportunity to receive a voucher while also denying that it uses other flyer versions. Regardless, thanks to information from consumer advocates and the Trade Inspectorate, UOKiK President already knew about flyers encouraging people to sign up for free medical examinations.

*"Entrepreneurs are legally obliged to provide all the necessary information and documentation upon request of UOKiK President. They must provide it fully and reliably; meanwhile, Millenium Medica attempted to mislead us and impede the investigation",* said UOKiK President Tomasz Chróstny.

The company must also notify all consumers with whom it has entered into contracts about the unfair trade practices discovered by UOKiK President. Additionally, such notifications are to include information about each injured party being entitled to request compensation for the damage done and pursue claims in court. The final decision concerning the above practices issued by UOKiK President will be helpful in this regard as it will also be binding upon the court. Consumers are encouraged to reach out to consumer advocates if they require litigation support.

**Product shows – draft legal changes**

[UOKiK has prepared draft legal regulations](https://www.uokik.gov.pl/news.php?news_id=17598) meant to eliminate numerous unfair practices used during sales at shows. The government has commenced work on this project, with arrangements and consultations already underway. Here are the most important changes proposed:

* Right of withdrawal from certain off-premises or remote contracts for the provision of health care.
* Ban on concluding financial service contracts during shows and tours.
* Ban on accepting payment before the deadline for withdrawal from a contract concluded during a show, tour, or unscheduled visit to a consumer's home.
* Ban on the off-premises sales of medical devices.

**Consumer assistance:**

Tel.: 801 440 220 or 22 290 89 16 – consumer helpline
E-mail: porady@dlakonsumentow.pl
[Consumer right advisers](https://uokik.gov.pl/pomoc.php) – in your town or district