



‘Healthy solarium’ was found actually not healthy; consumers are entitled to a refund

20 October 2020, Budapest – The claim of the Chocolate Brown network regarding their solariums being healthy is unfounded. The Hungarian Competition Authority (GVH) has obliged the operator of the franchise network to, amongst others, provide compensation to consumers and conduct an awareness raising campaign.

Last year, the GVH [launched an investigation](#) against the operator of the Chocolate Brown tanning franchise network, Sun System Kft., due to its messages that may have given the impression that the consumers could tan in a healthy way, without any damage to the body. However, according to scientific consensus, tanning is associated with an increased risk of developing skin cancer, has a detrimental effect on health in the long term and accelerates skin ageing.

The recently completed investigation of the authority has found that the undertaking suggested to consumers in a misleading way that its solariums are ‘*healthy*’, ‘*skin-friendly*’ and ‘*contribute to maintaining health*’. Advertising messages concerning effects relating to the improvement of health, the prevention of illness and the decrease of any risk thereof – in particular relating to fighting influenza – have also been proven to be infringing.

The undertaking cooperated with the competition authority during the proceeding: in part, it admitted to having infringed the law and abandoned the messages in question, also warning its franchise partners on several occasions to refrain from making statements in relation to health. The GVH has thus decided not to impose a fine; instead it ordered the undertaking to implement its commitments to compensate for the infringement. As part of this, consumers who purchased their first seasonal pass during the period of the misleading advertisements (i.e. between March 2018 and March 2019) must be refunded. In addition, the undertaking will conduct an awareness raising campaign regarding the general risks and effects of tanning. The undertaking also has to introduce an internal company compliance programme, obligatory for its franchise partners as well, to prevent similar infringements in the future.

The official registration number of the case is: **VJ/25/2019**.

GVH Press Office