

# NJORD Estonia: How to avoid being trapped in unfair trading methods?

Misleading and aggressive trading methods are prohibited in the European Union and while being trapped in them, the consumer may, in the worst case, be deprived of a large amount of money. The Consumer Protection and Technical Regulatory Authority (CPTRA) is trying to remove the companies, practising prohibited commercial methods, from the market or to adjust their activities correspondingly. However, consumers can also protect themselves against trader fraud by recognizing them easier. The following is a description of the most popular trading methods, which may be misleading and aggressive for the consumer.

1. **The trader advertises that the right given to consumers by law applies only on the trader's online shop.** This advertisement is misleading, as all consumers making purchases in an online shop have the 14-day right of return of goods.
2. **The trader claims that the purchase is accompanied by a gift, but it later turns out that the gifts have run out.** This is a good example of both, a misleading and aggressive trading method. The buyer has already spent the money, possibly also on the postal costs of the gift separately. Such behaviour by the trader is a prohibited activity.
3. **The trader sends goods to the consumer by post for advertising purposes and includes an invoice with this delivery.** In case the receiver of such delivery has not concluded any agreement with the relevant trader (incl. an order in an online shop), the consumer has no obligation to pay the invoice.

If in doubt, the consumer may check the so-called " blacklist", where the Consumer Disputes' Commission of the CPTRA adds traders, who have not complied with the commission's decisions to stop incorrect trading methods. Before making a purchase, it must be carefully considered, in case of traders on the blacklist, whether it is wise to purchase goods from them. In the event of immediate recognition of unfair commercial practices, each consumer can avoid fraud accompanied by a risk to lose both, money and the precious time on pending dispute resolution. In a situation where the consumer senses unfair trading methods, we advise each consumer to turn to the CPTRA and if necessary, consult a legal advisor.



**KATRIN SARAP**  
ATTORNEY AT LAW,  
PARTNER

(+372) 66 76 440

KATRIN.SARAP@NJORDLAW.EE

