Coimisiún um Iomaíocht agus Cosaint Tomhaltóirí | Competition and Consumer Protection Commission

Compliance Notice

Section 75 of the Consumer Protection Act 2007

Nike Retail B.V.,
Kildare Nike Factory Store,
Kildare Village,
Nurney Road,
Kildare,
R51 TD32,
Ireland

Competition and Consumer
Protection Commission
Bloom House
Railway Street
Dublin 1
D01 C576

I, [redacted], an Authorised Officer of the Competition and Consumer Protection Commission (the "CCPC"), duly appointed under section 35 of the Competition and Consumer Protection Act 2014, hereby give Nike Retail B.V. notice, pursuant to section 75(2) of the Consumer Protection Act 2007 (the "2007 Act"), that I am of the opinion that it has engaged in a misleading commercial practice as described in section 43(1) of the 2007 Act in relation to a matter set out in section 43(3)(c) of that Act, such a misleading commercial practice being a prohibited act or practice as defined by section 67(a) of the 2007 Act.

A. Statement of alleged contravention:

1. That Nike Retail B.V., a trader for the purposes of the 2007 Act, on 20 April 2026,engaged in a misleading commercial practice by providing false information in relation to the price of a product, the manner in which that price is calculated or the existence or nature of a specific price advantage and that information would be likely to cause the average consumer to make a transactional decision that they would not otherwise make.

2. Such a misleading commercial practice, being prohibited under section 42(1) of the 2007 Act as described by sections 43(1) and 43(3)(c) of that Act, is an offence contrary to section 47 of the 2007 Act.

3. Further, such a misleading commercial practice is a "prohibited act or practice" in accordance with section 67(a) of the 2007 Act.

B: My opinion

1. I am of the opinion that you, Nike Retail B.V., engaged in the prohibited act or practice outlined in the statement of alleged contravention above by providing false information in relation to the price of a product, the manner in which that price is calculated or the existence or nature of a specific price advantage and that information would be likely to cause the average consumer to make a transactional decision that they would not otherwise make.

C: The reasons for my opinion

1. My opinion follows an inspection on 20 April 2026 at Kildare Nike Factory Store, Unit 34, Kildare Village, Nurney Road, Kildare, K51 TD32.

2. The reasons for my opinion are based on the following:

   a. Nike Retail B.V., is a legal person and can be described as a "trader" for the purposes of the 2007 Act. Trader is defined in section 2 of the 2007 Act.

   b. The product identified below was displayed for sale to consumers at a certain price but scanned at the till at a price different to that displayed, namely:

      - **Nike Heritage ankle socks with a display price of €10.99 less 30% off discount (final price €7.69), scanned price: €15.99 less 30% off discount-final price €11.19**

   c. Section 2 of the 2007 Act defines "transactional decision" as being:

"…in relation to a consumer transaction, whether or not that transaction is completed, any decision by the consumer concerning whether, how or on what terms to do, or refrain from doing, any of the following:

(a) Purchase the product;

(b) Make payment in whole or in part for the product;

(c) Retain or return the product after its purchase;

(d) Dispose of the product;

(e) Exercise a contractual right in relation to the product;"

3. In my view, where the price displayed for a product differs from the price charged at the till, the average consumer is likely to make a transactional decision that they would not otherwise have made. Specifically, the consumer may decide to select and place the product in their basket on the basis of the displayed price. Had the correct price been displayed, the consumer may not have selected the product, may have chosen an alternative product, or may have decided not to proceed with the purchase.

D: Compliance direction and requirement

1. Nike Retail B.V. is herby directed to ensure that all price indications provided to consumers are accurate, clear and correspond to the price charged for the relevant product at the point of purchase.

2. You must comply with this compliance direction and requirement by **5 October 2026.**

E: Appeal procedure

1. You may appeal this Compliance Notice to the District Court in the district in which the notice is served **within 14 days after its service**.

2. The form and manner of such an appeal is to be found in the District Court Rules. This form is available from the registrar at your local District Court office or on the Courts Service website www.courts.ie.

3. In the event that you decide to appeal the Compliance Notice, you must, at the same time, notify the CCPC of the appeal at, Bloom House, Railway Street, Dublin 1, D01 C576. You must also notify the CCPC of the grounds for the appeal.

4. If an appeal is not made in accordance with section 75 of the 2007 Act and within 14 days after service of the notice, this notice will be treated as not disputed, you will be deemed to have accepted the notice and have agreed to comply with the compliance direction and requirement. Any failure or refusal to comply with this notice is an offence and, on summary conviction, you will be liable to the fines and penalties set out in Part 5, Chapter 4 of the 2007 Act.

Signature:

[redacted]

_____

[redacted]
Authorised Officer
Competition and Consumer Protection Commission
14 September 2026

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This information is intended for information purposes only and does not constitute part of the Compliance Notice.

Compliance Notice Notes

Consumer Protection Act 2007 (2007 Act)

1.	Section 75(6) of the 2007 Act requires a person, when lodging an appeal, to, at the same time, notify the Competition and Consumer Protection Commission (CCPC) of the appeal and the grounds for the appeal. The CCPC is entitled to appear, be heard and adduce evidence on the hearing of the appeal.
2.	If on appeal the compliance notice is not cancelled, the notice takes effect on the later of the following: a) the day after the day on which the notice is confirmed or varied on appeal, b) if the appeal is withdrawn by the appellant the day after the day it is withdrawn, c) the day specified in the notice.
3.	If there is no appeal under section 75(5) of the 2007 Act, the compliance notice takes effect on the later of the following: a) 14 days after the notice is served. b) the day specified in the notice.
4.	An Authorised Officer may: a) withdraw a compliance notice at any time, or b) if no appeal is made or pending under section 75(5) of the 2007 Act, extend the date by which the recipient is to comply with the compliance direction and requirements.
5.	Withdrawal of a compliance notice does not prevent the service of another compliance direction or requirement specified in a compliance notice, whether it relates to the same matter or a different matter.
6.	In accordance with section 75(13) of the 2007 Act, if a compliance notice takes effect, the CCPC is required to publish the compliance notice, or cause it to be published in any form or manner it considers appropriate.

Bloom House,
Railway Street,
Dublin 1, Ireland.
+353 1 402 5500

7.	Section 86 of the 2007 Act requires the CCPC to maintain a "Consumer Protection List" of names and addresses of persons together with a description of their trade, business or profession and the particulars of the matter occasioning any enforcement actions taken by the CCPC. This includes persons against whom compliance notices have taken effect.
8.	Any person who, without a reasonable excuse, fails to comply with a direction or requirement specified in a compliance notice commits an offence and, on summary conviction, is liable to the fines and penalties set out in section 79 of the 2007 Act.
9.	Section 79(1) of the 2007 Act provides that a person guilty of an offence under the 2007 Act is liable on summary conviction to the following fines and penalties: a) a Class B fine not exceeding €4000 or up to 6 months imprisonment or both, b) on any subsequent summary conviction a fine not exceeding €5000, or imprisonment for a term not exceeding 12 months or both. If, after being convicted for an offence, a person continues to contravene the requirement or prohibition to which the offence relates, the person is guilty of a further offence on each day the contravention continues and for each such offence is liable on summary conviction to a fine not exceeding €500.
10.	According to section 75(14) of the 2007 Act the issuing of this notice does not prevent the commencement of proceedings for an offence.