



**national consumer agency**  
gníomhaireacht náisiúnta tomhaltóirí

putting consumers first

## **Consumer Protection List 1<sup>st</sup> January 2010 to 31<sup>st</sup> July 2010**

### **1. Undertakings obtained by the Agency (Section 73 of the Consumer Protection Act 2007)**

#### **Elgarbridge Limited t/a Northside Automotives**

(in respect of discrepancies in the odometer reading of a car)

On the 31<sup>st</sup> March 2010, Elgarbridge Limited, Cedair, Daly's Lane, Rush, Co. Dublin undertook to comply with the general prohibition on misleading commercial practices imposed by Section 42(1) of the Consumer Protection Act and undertook to compensate a consumer affected by the misleading commercial practice. An investigation by the Agency related to the sale of a vehicle to a consumer, which displayed a mileage reading different from that declared on a Registration of Used Vehicle form (VRT4) which had been previously submitted to the Revenue Commissioners.

#### **Killarney Crystal, China & Glass Co. Limited**

(in respect of infringements of hallmarking requirements relating to a jewellery item)

On the 10<sup>th</sup> February 2010, Killarney Crystal, China & Glass Co. Limited, 19 Maple Avenue, Stillorgan Industrial Park, Blackrock, Co Dublin undertook to comply with the general prohibition on misleading commercial practices imposed by Section 42 (1) of the Consumer Protection Act, refrain from committing an offence as provided for in Section 47 of the Act and recall any jewellery which may have been supplied that is not in conformity with the statutory Hallmarking provisions.

## **2. Prohibition Orders (Section 71 of the Consumer Protection Act 2007)**

**Favourite Motors Limited** (in respect of the sale of a clocked car)

On the 16<sup>th</sup> February 2010 the National Consumer Agency was granted an order by Limerick Circuit Court prohibiting Favourite Motors Limited, Ballysimon Road, Limerick from selling or offering for sale, motor vehicles with altered or reduced odometer readings, contrary to Section 42 of the Consumer Protection Act 2007.

The Agency also sought and was granted an order for costs in relation to the proceedings.

### **3. Compliance Notices (Section 75 of the Consumer Protection Act 2007)**

**Number of Businesses: 20**

**Number of Compliance Notices issued: 20**

**Traders who charged more for consumer goods than the price displayed in contravention of Sections 42 and 43 of the Consumer Protection Act 2007**

- Kads Supermarket Ltd. t/a Supervalu, Market Street, Cootehill, Co. Cavan
- Dunnes Stores (Henry Street) t/a Dunnes Stores, Henry Street, Dublin 1
- Fresh Opportunities Ltd. t/a Fresh, 1-4 Camden Street, Dublin 2
- Glenella Foods Ltd. t/a Eurospar, 129 – 131 Ballymun Road, Dublin 9
- Messrs. John and Edward Glennon t/a Eurospar, Northwood, Santry, Dublin 9
- Lidl Ireland GMBH t/a Lidl, North Road, Finglas, Dublin 11
- Marié Avondale Ltd. t/a Marié Centra, 19 Church Road, Ballybrack, Co. Dublin
- Joyce's Supermarket (Athenry) Ltd. t/a Joyces Supermarket, Athenry, Co. Galway
- Laiter Ltd. t/a Costcutter, St. Michael's Square, Ballinasloe, Co. Galway
- Triangle Stores Ltd. t/a Murphys Centra, Unit 5 An Triantan, Bothar An Choiste, Castlegar, Co. Galway
- Duet Holdings Ltd. T/a Supervalu, Ballyragget, Co. Kilkenny
- Ballindoolin Stores Ltd. t/a Eurospar, Castlecomer, Co. Kilkenny
- Griffin Group Hotels Ltd. t/a Hotel Kilkenny, College Road, Kilkenny, Co. Kilkenny
- Brinkhall (Tralee) Ltd. t/a Centra, Dillons, Monavalley, Tralee, Co. Kerry
- PSB Enterprises Ltd. t/a Gala Express, Cullahill, Co. Laois
- Equipet Retail Ltd. t/a Equipet, Unit 5, Ashbourne Retail Park, Ashbourne, Co. Meath

- Mursus River Ltd. t/a Centra, Main Street, Enfield, Co. Meath
- Mr. Fergus Byrne t/a Gala Service Station, Portarlinton Road, Tullamore, Co. Offaly
- Tesco Ireland Ltd. t/a Tesco Express, Main Street, Kilcoole, Co. Wicklow
- Tesco Ireland Ltd. t/a Tesco, Whitegates, Wicklow Town, Co. Wicklow

#### **4. Fixed Payment Notices (Section 85 of the Consumer Protection Act 2007)**

**In total, 34 fixed Payment Notices were paid to the Agency by 32 traders (3 by one trader) in respect of breaches of 3 areas of pricing legislation, namely :**

- **EC (Requirement to Indicate Product Prices) Regulations, 2002**
- **Retail Price (Beverages in Licensed Premises) Display Order, 1999; and**
- **Retail Price (Diesel and Petrol) Display Order, 1997**

#### **EC (Requirement to Indicate Product Prices) Regulations, 2002**

**Fixed Payment Notices paid to the Agency: 31**

**No of traders: 29**

- M & M Foodstore (Ballintemple) Ltd. t/a Ballintemple Centra, 2 Maryville, Ballintemple, Cork, Co. Cork
- Kerry Agri Business Trading Ltd. t/a Kerry Agribusiness, Kilmallock Road, Charleville, Co. Cork
- Petrogas Group Ltd. t/a Petrogas Hollyhill, Hollyhill, Harbour View Road, Cork, Co. Cork
- Crimdale Developments Ltd. t/a Supervalu, Hollyhill, Cork, Co. Cork
- Miletown Enterprises Ltd. t/a O'Callaghan's, Spa Square, Mallow, Co. Cork
- Comron Ltd. t/a Gormleys Centra, Circular Road, Letterkenny, Co. Donegal
- Kavanagh Retailing (Irl) Ltd. t/a Supervalu, Dynawood, Donegal, Co. Donegal
- Feng Yu t/a Fitz Deli, 18a Fitzgibbon Street, Dublin 1
- Mr. Brian Cullen t/a Shop 'n' Go, 58 St. Brigid's Road, Artane, Dublin 5
- BLM Stores Ltd. t/a Centra, Errigal Road, Drimnagh, Dublin 12
- Tesco Ireland Ltd. t/a Tesco, Boot Road, Clondalkin, Dublin 22
- Marié Avondale Ltd. t/a Marié Centra, 19 Church Road, Ballybrack, Co. Dublin
- Grafton Group Plc t/a Woodies, Ballydowd, Co. Dublin
- Laiter Ltd. t/a Costcutter, St. Michael's Square, Ballinasloe, Co. Galway
- Joyce's Supermarket (Knocknacarra) ltd. t/a Joyces Supermarket, Knocknacarra, Co. Galway (**Total Fixed Payment Notices Issued: 3**)

- Brian Fallon Hardware Ltd. t/a Brian Fallon Hardware, Dublin Road, Longford, Co. Longford
- Mr. Gerrard Whyte t/a Whytes Checkout Supermarket, Main Street, Legan Village, Co. Longford
- Mr. Michael Barrett t/a Barretts Costcutter Express, Keel, Achill, Co. Mayo
- Partridge Ltd. t/a Smyth's Service Station, Derry Road, Slane, Co. Meath
- Kinbay Ltd. t/a Summerhill Service Station, Summerhill, Co. Meath
- Suits Distributors Ireland Ltd. t/a Suits Distributors Ireland Ltd, Unit 4, Pier 17, Dingle Road, Tralee, Co. Kerry
- Ms. Sheila Brennan t/a The Sycamores, Freshford Road, Kilkenny, Co. Kilkenny
- Rankerr Retail Ltd. t/a Gala Express, 75 Main Street, Portlaoise, Co. Laois
- Xtra-vision Ltd. t/a Xtra-vision, Ormonde Centre, New Street, Carrick-on-Suir, Co. Tipperary
- M & M Mulligan Ltd. t/a Mulligans, 9 Roscommon Road, Athlone, Co. Westmeath
- Klubert Trading Ltd. t/a Dalys SuperValu, Church Road, Greystones, Co. Wicklow
- Quinns of Baltinglass Ltd. t/a Quinns Supermarket (Spar), Baltinglass, Co. Wicklow
- Quinns of Baltinglass Ltd. t/a Quinns Superstore, Mill Street, Baltinglass, Co. Wicklow
- Mr. Fergus Byrne t/a Gala Service Station, Portarlinton Road, Tullamore, Co. Offaly

**Retail Price (Beverages in Licensed Premises) Display Order, 1999**

**Fixed Payment Notices paid to the Agency: 2**

**No of traders: 2**

- P.J. Flaherty & Co. Ltd. t/a PJ Flaherty's Bar, Lower Salthill, Galway, Co. Galway
- Chicago Rock Café Ltd. t/a T.G.I Fridays, St. Stephen's Green West, Dublin 2

**Retail Price (Diesel and Petrol) Display Order, 1997**

**Fixed Payment Notices paid to the Agency: 1**

**No of traders: 1**

- Deced Ltd. t/a Costello's Service Station, Cappawhite Village, Cappagh, Co. Tipperary