

Toy shop owner convicted of engaging in misleading omission commercial practice

A toy shop owner was convicted and sentenced to carry out 200 hours of community service today (January 7) at Kowloon City Magistrates' Courts for engaging in commercial practices involving misleading omission, in contravention of the Trade Descriptions Ordinance (TDO). He was also ordered to offer a total of \$11,210 compensation to three victims.

Hong Kong Customs earlier received information alleging that a toy shop owner had engaged in unfair trade practices in the sale of toy models through a social media platform page.

An investigation revealed that the owner knew the risks of late delivery but failed to explain such risks to consumers. Eighteen types of toy models were sold through the page. In some of the posts, the owner specified delivery dates without regard to the risks of delay.

Customs reminds traders to comply with the requirements of the TDO, and consumers to procure products at reputable shops.

Under the TDO, any trader who engages in a commercial practice that omits or hides material information or provides material information in a manner that is unclear, unintelligible, ambiguous or untimely, or fails to identify its commercial intent and as a result causes, or is likely to cause, an average consumer to make a transactional decision commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected violations of the TDO to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).