

Italy – Indication of Prices; from the Consumer Code LD 2005 No.206

Law	Consumer Code - LEGISLATIVE DECREE 6 September 2005, n. 206
Title of relevant section	<ul style="list-style-type: none">- Article 13 (Definitions)- Article 14 (Scope of application)- Article 15 (Methods of indicating unit price)- Article 16 (Exemptions)- Article 17 (Sanctions)- Article 17-bis Price reduction announcements <p>Arts 13-17 are contained in Section I: Indication of prices per unit of measurement OF Chapter III: Special information methods OF Title II: Consumer Information OF Part II: Education, Information, Advertising.</p> <p>This translation is unofficial and non-binding. Most recent clauses are from Legislative Decree No. 26 of March 7, 2023, which transposed the requirements in promotional pricing from the 2019/2161 Directive (the Omnibus Directive). These clauses are shown under article 17-bis.</p>
Article 13	<p>Definitions</p> <p>1. For the purposes of this Chapter the following definitions are used:</p> <ul style="list-style-type: none">a) <u>selling price</u>: the final price for a unit of the product or a given quantity of the product, including VAT and all other taxes;b) <u>unit price</u>: the final price, including VAT and all other taxes, for one kg, one litre, one metre, one sq. metre or one cubic metre of the product or a different single unit of quantity which is widely and customarily used in the marketing of specific products;c) <u>products sold in bulk</u>: products which are not pre-packaged and are measured in the presence of the consumer;d) <u>products sold individually</u>: products that cannot be separated without altering their nature or properties;e) <u>packaged product</u>: a group of homogeneous pieces contained in a package;f) <u>pre-packed product</u>: the unit for sale destined to be presented as such to the consumer and to the public is composed of a product and its packaging, in which the product has been placed prior to being put up for sale and is wrapped entirely or in part in said packaging, but in any event in such a way that its contents may not be changed without opening or modifying the package.
Article 14	<p>Scope of Application</p> <p>1. In order to improve consumer information and to facilitate price comparison, products offered by traders to consumers shall bear, in addition to the indication of the selling price, according to provisions in force, an indication of the unit price, without prejudice to the provisions of Art. 16.</p> <p>2. The unit price is not required to be shown if it is identical to the selling price.</p> <p>3. For products sold in bulk only the unit price shall be indicated.</p> <p>4. All forms of advertising and catalogues shall bear the indication of the unit price when the selling price is indicated, except in the case of exemptions pursuant to Art.</p>

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- 16.
5. This Section shall not apply:
- to products supplied in the course of the provision of a service, including the provision of food and beverages;
 - to products sold by auction;
 - to works of art and antiques.
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Article 15**Methods of Indicating Unit Price**

- The unit price refers to a quantity declared in accordance with provisions in force.
 - For the methods of indicating unit price the provisions of Art. 14 of Leg. Decree no. 114 of 31 March 1998, reforming the law on trade, shall apply.
 - For pre-packed food products immersed in a brining liquid, whether frozen or deep-frozen, the unit price shall refer to the net weight of the drained product.
 - Indication of the unit price of multiples or sub-multiples, decimals of the unit of measurement, is permitted where certain products are generally and customarily sold in said quantities.
 - The prices of petroleum products for motor propulsion, displayed and advertised at automatic petrol fuel filling stations, shall only be those effectively charged to consumers. It is compulsory to display the prices offered to consumers so that they are visible from the road.
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Article 16**Exemptions**

- The obligation to indicate the price of products shall be waived where such indication would not be useful because of the products' nature or purpose or would be liable to create confusion. The following products shall belong to this category:
 - products marketed in bulk that, in accordance with the implementing provisions of Law no. 441/1981 (as amended), containing provisions on the sale of goods at their net weight, may be sold individually or packaged;
 - products of various types included in the same package;
 - products sold at vending machines;
 - products destined to be mixed for a preparation and contained in a single package;
 - pre-packed products that are exempt from the obligation to indicate the net quantity, according to the provisions of Art. 9 of LD 109/1992 (as amended) concerning implementation of EC directives with regard to labelling of foodstuffs;
 - pre-cooked, or prepared foodstuffs, or those to be prepared, formed of two or more separate items contained in a single package, requiring additional preparation by the consumer before the finished product is obtained;
 - fancy goods;
 - single-portion ice-creams;
 - non-food products that can only be sold individually or by the package.
 - The Minister for Economic Development may, by decree, update the list of exemptions under para. 1, and may expressly indicate non-food products or categories of non-food products to which the said exemptions shall not apply.
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Article 17**Sanctions**

- Anyone neglecting to indicate the unit price or failing to indicate it in accordance with the provisions of this Section shall be subject to a fine pursuant to Art. 22, para. 3 of LD no. 114/1998, to be imposed in accordance with the procedures provided therein.
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Article 17-bis**Price reduction announcements**

1. Any price reduction announcement states the price that was previously applied by the trader for a specific period of time before the application of the reduction.
 2. Previous price means the lowest price applied by the trader to consumers generally in the thirty days prior to the application of the price reduction.
 3. The provision referred to in paragraph 2 does not apply to agricultural and perishable food products referenced in Article 2, paragraph 1, letter m), and in article 4, paragraph 5-bis, of the legislative decree of 8 November 2021, no. 198.
 4. For products that have been on the market for less than thirty days, the trader is required to state the period of time to which the previous price refers. Exceptions are 'introductory prices', typified by subsequent announcements of price increases, which are not subject to the provisions of this article.
 5. In the event that the price reduction is progressively increased, during the same uninterrupted sales campaign, paragraph 2 applies to the first price reduction and, for subsequent reductions, the previous price is the price without the reduction prior to the first application of the price reduction
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