

Netherlands – Product Pricing Decree

Title	Product Pricing Decree (<i>Besluit Prijsaanduiding Producten</i>)
Article 1	<p>For the purposes of this Decree:</p> <ol style="list-style-type: none">Selling Price: the final price for a unit of a product or a given quantity of a product, including sales tax and all other taxesUnit Price: the price for the unit of measurement used in the sale of a product, including sales tax and all other taxes.Seller: any natural or legal person who offers products for sale to consumers in the context of his trade, profession or business activity;Consumer: any natural person who purchases a product for purposes that do not fall within his trade, profession or business activity;Loose product: a product that is not pre-packed and is measured or weighed in the presence of the consumer.
Article 2	<ol style="list-style-type: none">The unit price is expressed in one of the following units of measurement or the decimal multiples or fractions thereof:<ol style="list-style-type: none">in case the quantity of a product is indicated in volume: 1 cubic metre or 1 litre, with the proviso that the measuring unit 0.1 litre can also be represented as 1 decilitre, 10 centilitres or 100 millilitres;in case the quantity of a product is indicated by weight: 1 ton, 1 kilogram or 100 grams;in case the quantity of a product is indicated in length: 1 metre;in case the quantity of a product is indicated in surface area: 1 square metre.If, on a pre-packaged product consisting of a solid component and a liquid medium, the drained weight is stated pursuant to Annex IX, point 5 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, the indication of unit price refers to the solid component of the product.
Article 3	<ol style="list-style-type: none">A seller offers a product, or a sample through which a product is offered, only for sale if it is accompanied by the designation of the selling price and the price per unit.The selling price and the unit price need not be indicated for a product listed in Annex I.By way of derogation from para. 1, the unit price need not be stated if:<ol style="list-style-type: none">There is no obligation for the product to display quantity indications on the basis of Community or national regulations;The unit price is identical to the selling price, orA product is sold in a manner as described in Annex IIBy way of derogation from para. 1, the selling price need not be included on products sold loose.

Article 4

1. The indication of the selling price and the unit price takes place on, in or near the product or the sample, or on the packaging or on the object upon which it is located. With regard to each selling price and unit price which is close to a product or a sample, it clearly shows which product this designation relates to.
2. The indication of the selling price and unit price:
 - a. is comprehensible and unambiguous;
 - b. is expressed in euros;
 - c. contains, in so far as this is necessary for a good understanding of the selling price and unit price, an indication of the sales unit and
 - d. is, if necessary after a superficial examination (cursory glance), legible at close distance, unless a product or a sample has been displayed in the manner referred to in the third paragraph.
3. If a product or sample is displayed in a shop window, the indication of the sales price is clearly legible from outside that shop window.

Article 5

1. If a seller, who offers products to the consumer for sale in an advertisement, mentions/ indicates the selling price or the unit price, articles 2, 3 and 4 (para. 2) of this decree shall apply.
2. If a seller offers products to a consumer for sale in the context of a "consumer purchase" as referred to in article 5 of Book 7 of the Dutch Civil Code which is also a "distance contract" as referred to in article 230g(1e), Book 6 of the Dutch Civil Code, this decree only applies to the indication of the unit price.

Article 5a

1. In announcements of price reductions, the seller indicates the lowest selling price applied by him during a period not less than thirty days prior to the application of the price reduction.
2. By way of derogation from the first paragraph, for products of categories designated by ministerial regulation to be those that deteriorate quickly or have a limited shelf life, the seller may indicate the sales price applicable immediately prior to the price reduction.
3. When a price reduction is progressively increased, the seller may, in derogation from the first paragraph, during a period of up to three calendar months after the start of the first price reduction, indicate the lowest selling price applied by him during a period not less than thirty days prior to the application of the first price reduction.
4. If a product has been on the market for less than thirty days, the seller may, in derogation to the first paragraph, indicate the lowest sales price in a period to be stated by the seller.

Annex I

- A. Antiques.
- B. Products that have been designed as an individual piece of work by an artist or have been produced to a significant degree as an individual piece of work by an artist.
- C. Products that are offered for sale at auction.
- D. Products supplied in the course of the provision of a service.
- E. Products that are offered for sale on the market to the audience present, with the help of eloquence, where the selling price or unit price of a product is generally not predetermined.

Annex II

- A. Products offered for sale in fantasy packaging or in fantasy form for special occasions.
- B. Pre-prepared and ready-made meals that are offered for sale in one package.
- C. Various products that are offered for sale together in one package.
- D. Products offered for sale by means of a vending machine.

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- E. Products that are usually offered for sale at a price per piece or pre-packaged per number of pieces.
 - F. Products normally offered for sale in packs not exceeding 15 grams or 15 millilitres.
 - G. Products that are displayed in a shop window.
 - H. Products packaged in fixed quantities and offered for sale:
 - in a shop (in which the customer is helped by a salesperson from start to finish), or a part of a self-service shop, in which the sale of products is largely over the counter;
 - in a self-service shop, where the number of persons employed, calculated on the basis of full-time work, does not exceed five;
 - on public roads outside the sales area of a shop (in which the customer is helped by a salesperson from start to finish);
 - at the homes of regular customers;
 - in a confined space that is part of a means of transport;
 - in the course of market and street trade and trade in water
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