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**Fair Trading Commission
v/s
Sodepak Industries Limited**

Case Number: FCA 89

Date: DECEMBER 2017

Complaint: In October 2017, the Fair Trading Commission (hereinafter referred to as “the Commission”) received a tip off regarding the price advert for alcoholic beverages published by SODEPAK INDUSTRIES LIMITED (“the Respondent”). It was alleged that there was an advert published by the Respondent which displayed the beverages with the message “Now for only R25”. The advert presented was partially damaged.

Commission’s Assessment: Following the above, the Commission initiated its investigation to determine whether there is case of resale price maintenance. The Commission conducted a site visit in the north of Mahé and the said advert was only found once. Despite being damaged, there appeared to be a disclaimer at the bottom of the advert which placed no obligation on the retailer. Other adverts published by the Respondent also contained a similar disclaimer that stated that the prices displayed were recommended and not binding. The Commission subsequently requested and received the original advert from the Respondent which contained a statement that the price was only a recommendation.

Conclusion: As such, the Commission was satisfied that in respect to the advert for alcoholic beverages presented to the Commission, the Respondent was not engaged in resale price maintenance. The case was discontinued in December 2017.