

3-19-1991

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Khol, Barbara. "Brazil: Consumer Rights Legislation Takes Effect." (1991). <https://digitalrepository.unm.edu/notisur/6230>

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Brazil: Consumer Rights Legislation Takes Effect

by Barbara Khol

Category/Department: General

Published: Tuesday, March 19, 1991

On March 14, consumer rights protection legislation took effect. According to officials, the law is the first of its kind in South America. Manufacturers, retailers, wholesalers and the service industry face fines of up to \$1.6 million or up to two years in jail for false advertising or selling defective products. Officials say the law may initially cause shortages. Some of the more common abuses prohibited under the new law are listed below. 1) Refusal to repair or replace defective merchandise. 2) Absence of detailed information about ingredients, date of manufacture and side effects on packaged goods such as food, medicine and cleaning products. 3) Bait-and-switch, in which a customer is lured into a store by an advertised sale and then informed that the product is sold out. 4) Misleading or "abusive" advertising, defined as that which leads to "violence, exploits the fears and superstitions of the consumer and takes advantage of a child's innocence." 5) Forcing unwanted products on a customer. For instance, many bakeries reportedly sell milk only if the customer also buys a couple of loaves of bread. The law was signed by President Fernando Collor de Mello six months ago. The delay was to give manufacturers time to comply. The main adjustment was the inclusion in packaged goods of product specifications. The food industry claimed it needed still more time, and the government granted an extension until April 25. Until then, product specifications must be clearly printed on posters placed on supermarket shelves. (Basic data from AP, 03/14/91)

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