

# THE RETAIL AND CONSUMER HUB

Welcome to the Autumn edition of our Retail & Consumer newsletter. After over three months of shock from the Brexit result, you'll be pleased to see that this is a Brexit-free newsletter – no doubt we will return to it in the coming months as we get more clarity as to how the negotiations will proceed.

Another recurring theme is food and drink fraud – we focus on a recent report relating to fraud in the fisheries industry. As noted by Professor Elliott, the author of the Government's review into the Integrity and Assurance of Food Supply Networks and a regular tweeter and commentator on this issue, the driver of the fraud is economics. The fraudsters will follow where they think the most profit can be made, whether that be in alcoholic beverages, extra virgin oil or fish. Being vigilant as to supply chains and the source and labelling of ingredients has never been more important for food & drink companies.

We also focus on the opening up of the Iranian market. There has been much talk of this in the press since the lifting of most of the financial and economic sanctions, but what is the reality of doing business there and where do the opportunities lie for retail & consumer businesses? AG's experts on Iran team up with Mahasti Razavi of August & Debouzy to answer some of these questions.

In addition we look at recent events in Germany where Facebook were prevented from collecting data from WhatsApp users, as well as insights into the consumer class actions regime in France and updates from Poland, Romania, Slovakia and the Czech Republic. We hope you enjoy this newsletter and as always if there are topics that you would like us to cover in future editions, please let us know.



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## This month's articles...

### Germany stops Facebook collecting data from WhatsApp users

Further to the order issued in Germany, our data specialist team have provided a well-researched [article](#) on the block on data sharing between Facebook and WhatsApp.

Last month our team also prepared an article regarding the Information Commissioner's Office (ICO) reviewing WhatsApp's privacy policy, you can take a look [here](#).

### Fighting Food Fraud & Drink Fraud

Read our [article](#) discussing the progress in fighting food & drink fraud and what risks remain for retail and consumer businesses.

### August & Debouzy

Benoît Javaux, an arbitration and litigation specialist at our French preferred firm, August & Debouzy, provides us with an [insight](#) into how the French consumer class actions law (which came into force in 1 October 2014) is working in practice.

### Doing business in Iran

Our team with substantial experience of the Iranian market has produced this [article](#) together with comments from Mahasti Razavi from August & Debouzy, who recently launched their Iran Desk.

### What is happening with the Pension Scheme 2016?

Read our [article](#) about the latest announcements regarding VAT recovery on pension schemes.

## Our events

You may recall from our previous newsletter, we hosted a Food Safety Sentencing seminar in London and Manchester. We have pulled together an [infographic](#) with some of the key findings from the event.

### Fair game or foul play?

These days most businesses operate in a highly competitive market. But what can commercial rivals get away with saying about each other? We will be hosting a seminar in our London office to discuss how a business can best protect and defend itself from (and avoid liability for) such advertising and sales tactics, including the relevant legal and regulatory framework, remedies, practical hints and tips, including in relation to social media, Q&A with our IP, advertising, reputation and information lawyers.

For more information about the event, the attendee list, and to reserve your place email [Sarah Storer](#).

**Date:** Wednesday 2 November 2016  
**Time:** 5:15 – 7.15pm  
**Venue:** Addleshaw Goddard LLP, Milton Gate

### Logistics Report

In November we will be launching our Logistics report, which looks at product movement 'cradle to grave' and the challenges and opportunities facing businesses along this journey.

Our launch event will be hosted in our London office on 22 November 2016, please contact [Alyce Wood](#) if you would like any further information.

## What else has been happening?

### ► AG Competitive Edge

In this edition of Competitive Edge, our competition team takes a detailed look at the European Commission's eagerly anticipated preliminary findings from its e-commerce inquiry. [Click here to view.](#)

### ► AG Advertising Update

In this edition of our Advertising Update, our commercial team look at the possibilities of augmented reality advertising through Pokemon Go, the growth in mobile advertising and the recent ASA ruling on Kelloggs' Special K porridge. [Click here to read the full article.](#)

## In the news this month...

### ► Alton Tower's towering fine

The owner of Alton Towers have been fined £5 million for the health and safety offence of failing to ensure the health and safety of non-employees following the Smiler rollercoaster incident in June 2015. [Find out more information.](#)

### ► Ex-Tesco execs plead not guilty

Three individuals have appeared in court charged with fraud and false accounting, as part of the continuing fall-out from the SFO's investigation into Tesco's £326m overstatement of income between February and September 2014. All pleaded not guilty to the charges and will reappear at Southwark Crown Court on 20 October. The SFO investigation is still ongoing and we will wait to see if any other charges are brought against Tesco or any further individuals.

## International Spotlight



Huge thanks to our colleagues at **Noerr**, who have contributed content from across Czech Republic, Slovakia, Poland and Romania.

### Noerr

Czech Republic: [Strengthening the position of a debtor in the Consumer Credit Act](#)

Slovakia: [New type of payment order approved by the Slovakian government](#)

Poland: [European Commission questions Polish turnover-based tax on the retail sector](#)

Poland: [Prohibition of Sunday trading in Poland - draft bill tabled in the Sejm](#)

Romania: [Exchange of Information in M&A Transactions - Competition issues](#)

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