CHILE / ECONOMY / ENGLISH EDITION

Conadecus Files Class Action Against Five Brands for Selling Mackerel as Jack Mackerel, Seeks CLP $54 Billion for Consumers

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The class action filed by CONADECUS details an alleged chain of violations by CV Trading S.A., Walmart Chile S.A., Rendic Hermanos S.A. (Unimarc/SMU), and Innovaciones, Productos y Servicios SpA (IPS), which marketed mackerel as jack mackerel, affecting thousands of consumers nationwide.

Chile’s National Consumer and User Corporation (Conadecus) filed a class action after confirming that five canned fish brands marketed mackerel as jack mackerel—a deceptive practice that impacted thousands of shoppers in supermarkets nationwide. The lawsuit cites violations of the Consumer Law and seeks reference compensation totaling CLP $54 billion.

Conadecus alleges a «chain of violations» by CV Trading S.A., Walmart Chile S.A., Rendic Hermanos S.A. (Unimarc/SMU), and Innovaciones, Productos y Servicios SpA (IPS), the companies behind the canned jack mackerel brands.

According to evidence gathered by the organization, the companies engaged in illegal practices such as:

- Species substitution: The five brands labeled and sold the product as “jack mackerel” when the actual content was mackerel.
- Inaccurate nutrition information: Product labels provided false or incorrect data on key components such as sodium, fat, protein, and even the actual drained weight.
- Deceptive advertising: Consumers were induced to buy a product that did not match the characteristics of the item they believed they were choosing at the point of sale.
- Sale of a falsified product: Marketing mackerel under the jack mackerel name, undermining trust in a mass-consumption food.

Requested remedies and sanctions

In this context, Conadecus, representing all affected consumers, asks that the defendant companies assume the following responsibilities:

1. Compensate affected consumers and face the highest fines allowed by law, assessed specifically for each violation and each affected consumer.
2. Publicly acknowledge the product alteration and the violations of the Consumer Law, accepting the corresponding compensation.
3. Impose maximum statutory penalties on the companies involved for each violation and for each affected consumer.

Concretely, the collective action requests administrative fines equivalent to 6,600 UTM (approximately CLP $457,150,000) for CV Trading, Walmart Chile, and Rendic/Unimarc, and double that amount—13,200 UTM (approximately CLP $914,000,000)—for IPS.

Regarding damages to consumers, the lawsuit estimates CLP $54,000,000,000, calculated on a base of 30 million cans sold or in circulation, at a reference price of CLP $1,800 each.

Recommendations for affected consumers

Given the scale of the case, Conadecus shared specific recommendations for consumers who may have been affected by purchases of these products:

-Keep receipts or proof of purchase and the product packaging whenever possible.

-For questions or complaints, contact Conadecus and/or the official complaint channels of the competent authority so your information can be recorded if you were affected. The organization has offered to centralize complaints and advise consumers.

-Avoid consuming the product if its labeling or characteristics raise doubts.

Fuente: El Ciudadano