CHILE / ECONOMY / ENGLISH EDITION

Mislabeled ‘Jack Mackerel’: Conadecus Sues Five Brands, Seeks CLP 54 Billion for Consumers

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The class action initiated by CONADECUS outlines a chain of violations allegedly committed by CV Trading S.A., Walmart Chile S.A., Rendic Hermanos S.A. (Unimarc/SMU), and Innovaciones, Productos y Servicios SpA (IPS), owners of brands that marketed mackerel as jack mackerel, affecting thousands of consumers nationwide.

The National Corporation of Consumers and Users (Conadecus) has filed a class-action lawsuit after confirming that five canned-fish brands marketed mackerel as jack mackerel, a deceptive practice that affected thousands of shoppers in supermarkets across the country. The complaint cites violations of Chile's 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), companies behind the canned jack mackerel brands.

According to records compiled by the organization, the companies engaged in illegal practices including:

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

Requested Remedies and Sanctions

In this context, Conadecus, representing all affected consumers, asks the defendant companies to accept the following obligations:

1. The obligation to compensate those affected and to be penalized with the highest fines allowed by law, considering each infraction and each affected consumer individually.
2. Publicly acknowledge the product alteration, admit violations of the Consumer Law, and accept the corresponding compensation.
3. Apply the maximum sanctions to the companies involved, with the highest fine for each infraction and for each affected consumer.

In concrete, quantified terms, the class action requests administrative fines equivalent to 6,600 UTM (approximately CLP $457.150.00) for CV Trading, Walmart Chile, and Rendic/Unimarc, and double that—13,200 UTM (approximately CLP $914.000.000)—for IPS.

Regarding consumer damages, the lawsuit estimates CLP $54,000,000,000, a figure calculated based on 30 million cans sold or in circulation, at a reference value of CLP $1,800 each.

Recommendations for Affected Consumers

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

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

-If you have questions or complaints, contact Conadecus and/or the official complaint channels of the competent authority to have your information recorded in case you were affected. The organization has made itself available to centralize complaints and advise consumers.

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

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Fuente: El Ciudadano