John Lewis plc response to the CMA's consultation on the draft unfair commercial practices guidance

What is your organisation or group's name?

John Lewis plc (which includes Waitrose Limited)

Do you have any comments on the structure or clarity of the Draft Guidance?

No

Do you have any comments on the illustrative examples of commercial practices applying the prohibitions? Are there any areas where you think additional examples could usefully be reflected in the Draft Guidance?

No

Do you have any comments on the Draft Guidance on the 'drip pricing' provisions in the DMCC Act (found in the 'Material pricing information' section of Chapter 9 of the Draft Guidance), including the illustrative examples? In particular, are there any specific pricing practices that have not been included in the 'drip pricing' illustrative examples which you think it would be helpful to include, and if so, what should such further guidance specifically cover?

No

Do you have any comments on the Draft Guidance on the banned practice relating to fake consumer reviews (found in Annex B to the Draft Guidance)?

In Annex B.20 could you please clarify the circumstances in which you would consider it misleading to present the reviews of a different product to consumers. We would assume for example that where there are different sized products with an identical composition (eg. 15 ml and 30 ml face serum), it would be ok to merge the reviews received on both sized products? Likewise different colour product reviews could be merged provided that the colour aspect wouldn't impact a consumer's use/enjoyment of a product? What about if the composition of a food product has been updated slightly but that the overall look/taste is the same as previously, would that require reviews relating to the original product to be removed? Any further clarity you can provide in this area would be appreciated.