

## Surprise Boxes: Mystery or Risk for Consumers?

In recent years, the concept of “mystery boxes” or “surprise boxes” has become increasingly popular, taking a central place in the marketing strategies of many companies. While the element of surprise and intrigue offered by these products is highly appealing, it also raises various legal questions regarding whether the delivered items actually meet consumer expectations.

The Advertisement Board (“Board”), at its meeting dated September 11, 2025, placed on its agenda mystery boxes offered for sale without any information regarding their contents and issued decisions that may be considered as setting principles with respect to such mystery boxes.

- The Board determined that, in the sale of mystery boxes marketed with expressions such as “*Electronic Surprise Box*”, “*Mystery Jewelry Jar 20 Piece Bijouterie Set*”, “*Surprise Natural Stone Box*” and “*Surprise Cosmetics Box*”, no information or explanation provided regarding the contents of the boxes. The Board further assessed that mystery box sales and similar methods may lead consumers to enter into a consumer transaction that they would not normally engage in under ordinary circumstances. Accordingly, the Board concluded that these practices were in violation of Consumer Protection Law (“Law”) and decided to impose a suspension order on these advertisements.
- The Board also assessed that mystery boxes marketed with expression such as “*Surprise Jersey Package Mystery Jersey Whatever Comes Out (European Teams)*” likewise constitute an unfair commercial practice, are misleading to consumers, and violate the principles of fair competition. Accordingly, the Board decided to impose a suspension order on the advertisement in question.
- In another decision, the Board found that the products that could come out of the box such as robot vacuums, smart watches, game consoles, earphones and speakers were promoted using their visuals, while at the same time a fake countdown timer was displayed under the heading “time left until the discount ends, don’t miss this opportunity.” In its decision, the Board determined that consumers were not clearly informed about the products that could come out of the boxes or the probability of receiving them, and that the fake timer pressured consumers into making hasty decisions. Because no information was provided regarding the actual likelihood of receiving these products and an artificial sense of time pressure was created, the commercial practice was found to be unfair and misleading. Accordingly, the Board ordered the removal of the content in question and stipulated that, should the removal not be effected, access to the content shall be blocked.

The Board in its decisions, assessed that mystery boxes marketed under general categories such as “electronics”, “cosmetics” or “natural stones”, as well as those more specifically described such as “European team jerseys” do not provide sufficient information or disclosure. Furthermore, the Board emphasized in its decisions that, where the mystery box may contain products such as robot vacuums, smartwatches, game consoles, headphones, or speakers, consumers must be clearly informed of the likelihood of receiving each of these products. The Board considers that such mystery boxes may lead consumers to enter into a transaction they would not normally engage in under ordinary circumstances in and that the uncertainty regarding the nature of the goods or services offered through distance sales renders mystery box promotions an unfair commercial practice when advertised.

According to Article 7/5/a of the Regulation on Commercial Advertisement and Unfair Commercial Practices (“Regulation”), titled “Truthfulness and Honesty”, advertisements must not contain statements or images that could directly or indirectly mislead consumers regarding the characteristics of the product, including its “*composition, structure, supply, benefits, risks, accessories, method and date of manufacture, fitness for purpose, manner of use, lifespan and application areas, technical specifications, efficiency and performance, quantity, origin and environmental impact*.” Even if the general information about the products contained in the box is provided in advertisements for mystery boxes, where there is a disproportion in terms of economic value or utility among the possible products, or where no information

or explanation is provided regarding the probability of receiving specific products, such advertisements are considered not to be prepared in accordance with the Article 7/3 of the Regulation, taking into account the perception of the average consumer and the potential impact of the advertisement on them. In light of the Advertisement Board's decisions, it is assessed that if different colors and concepts of the same products are included in a mystery boxes, providing information about the products that may be contained in the box, and ensuring that no product is disproportionately dominant over the others, such advertisements may be considered complaint with the Law and the Regulation.

The announcement[1] shared by the Ministry of Trade regarding these decisions also states that e-commerce platforms offering such products were warned to take preventive measures to stop the sale of the relevant items. In light of these developments, it can be concluded that the Board considers promotional materials for mystery boxes that do not provide information about the products contained within or their probability of occurrence to be in violation of the Law and the Regulation, and that it will continue to closely monitor products marketed as mystery boxes.

[1] <https://ticaret.gov.tr/haberler/ticaret-bakanligi-reklam-kurulu-gizemli-kutu-satislariyla-kararli-mucadelesine-devam-ediyor>

**Author:**

<https://gun.av.tr/people/baran-guney>

<https://gun.av.tr/people/zeynep-berfin-ekinci>