

## **THE CZECH MEMBER OF ECCG INPUT ON THE ISSUE OF SAFETY OF PRODUCTS FROM E-SHOPS**

At ECCG meeting held on 23-24 March 2015, the ECCG Members were invited to help the European Commission identifying the best ways to inform and educate consumers about safety issues associated with e-commerce. More specifically, Members were asked to help determine:

- The key information that consumers should know when buying online  
(e.g. safety requirements exist – consumers should look for safety information; Member States monitor the market, but their capacity to check the internet is limited; there are specific pitfalls associated with e-commerce);
- The best ways and tools to convey this information to consumers  
(e.g. media, campaigns, websites, cooperation with consumer organisations).

All the Czech consumer organizations were addressed via the National ECCG Network (see [here](#)) being asked to provide their background for this output. Only the Czech Consumer Association and the Association for Food Safety and Consumer Protection provided the required answers.

The Czech Consumer Association and the Association for Food Safety and Consumer Protection can confirm their willingness to support this initiative of EC by cooperating with authorities in our consumer information/education activities.

### **Introduction**

1. We realize the huge problems of performance and carrying out market surveillance on the digital market.

We have a large experience to demonstrate it concerning the national market, where the e-seller is established in the Czech Republic.

Even the bigger lack of competence to perform properly the surveillance arises when the seller is located outside the country. Unfortunately, even in cases where the seller is established within the internal market (EU).

In these cases, however, the European Consumer Centres play a quite positive role.

In cases when the e-seller is established outside EU (including within the EEA!), however, competencies of surveillance authorities are at “the level of zero” and the consumer protection is practically excluded from the competencies of the national authorities. Nor European Consumer Centres can help in these cases!

European Commission policy should be in the future, therefore, focused on support for tackling the situation.

## Feedback and suggestions to consumer education:

2. We recommend to warn consumers that products purchased on the net from an e-dealer established outside the EU/EEA may not meet the safety requirements of EU legislation and standards.

For some products may not be guaranteed approval with European homologation.

Therefore, consumers should be aware of these risks and they should take the risks into account when making purchases to eliminate them.

3. First and foremost, the consumer should require guidance and instructions for use of the product, particularly in relation to the safe use of the product.

Consumers should be aware of possible language barriers to understand instructions and in particular the importance of a misunderstanding of the text should not be underestimated.

4. We do not recommend that consumers should require information on specific safety requirements for the product or require proof of compliance with such requirements.

Particularly, we do not agree that the e-seller should be obliged to inform about safety requirements;

Evidence of compliance with specific safety requirements is usually very complex issue, often made on the basis of a risk assessment.

Such information aimed at the consumer would be necessarily greatly simplified, and therefore completely inaccurate and misleading to consumers and therefore confusing.

Similarly, consumers are not intended for information about compliance with the mandatory requirements in the EU (Declaration of Conformity, CE marking, if the affixing is required under EU law, etc.). The consumer can not understand the content and meaning of the declaration of conformity, whether or not to be affixed CE marking and other information that are determined for market surveillance authorities and not for consumers.

5. We see that certain information and claims related to product safety can be rather misleading (certificates not based on EU principles, references to doubtful studies, professors and doctors ...).

Such statements are often totally untrue or taken out of the context, in any case, again misleading and confusing the consumer.

6. It would be useful to inform consumers about existing reliable marks (labels) of quality and safety in the EU Member States, or outside the EU, respectively. The product with such a mark can be a guarantee of safety and quality.

Consumer organizations should be encouraged and supported to carry out the credibility of quality marks.

It would be a very helpful to develop methodology based on European cooperation for the credibility of such marks.

7. We will recommend consumers in our campaigns, to use of the instruments of credible references, comparative modules and general experience of other consumers with e-sellers at internet.

### **Conducting educational campaigns, information dissemination**

8. We have not much to add to the tools and means for consumer education- as set out in the specification above - ie: media, campaigns, websites, cooperation with consumer organisations.
9. All of these means are to be used. But what is essential, the consumer organisations need appropriate support to carry out such campaigns to be really effective and meaningful.

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