

Second Newsletter JAHARP2021-09

WHAT IS THE STATUS OF NON-COMPLIANCE ON E-COMMERCE PLATFORMS?

ABOUT THE PROJECT

The [JAHARP2021-09 e-commerce](#) is a 24-months pan-European project which started in June 2022 and is now reaching its conclusion. The objective of this Joint Action is to support the efficient implementation of Regulation 2019/1020 with an emphasis on market surveillance on e-commerce.

KEY FINDINGS

The project initially performed a mapping of the legislative requirements for e-commerce platforms and a thorough overview of existing guidelines on e-commerce, from which it transpired that most of the legislative requirements concern ecodesign and energy labelling specifications.

The market surveillance authorities (MSAs) conducted an examination of the guidelines, from which they were able to draw useful instructions, for example on how to practically assess if the energy label is displayed “in proximity” to the price, as required by law. The guidelines also described several good practices regarding the evidence to be collected to back up a case against a website owner.

Starting in June 2023, the participating authorities executed a **surveillance campaign**, during which each MSA inspected 10 websites offering washing machines for sale. The participants inspected 2 products from each web-shop, with a total of **127 products**. All 127 product pages were inspected using a PC, and 108 of these were also inspected using a smartphone.

The results showed that **only 15 of the 127 product pages (12%)** were fully compliant, without giving rise to any remarks from the MSAs.

Multiple errors were found, from **missing energy arrow or label, arrows in wrong format or size, to broken links**.



PARTICIPATING AUTHORITIES

8 Market Surveillance Authorities from the following 8 Countries have participated in this Joint Action coordinated by [PROSAFE](#): Belgium, Ireland, Italy, Latvia, Lithuania, Poland, Portugal, and Spain.

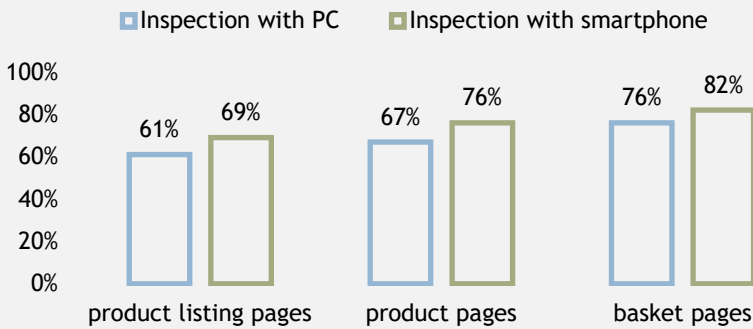
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Where were non-compliances found?



CAUTION! The reader is reminded that the criteria behind the selection of web-shops has a significant effect on the results. The figures on the side do not give a statistically representative picture of the situation on the market.

Enforcement is now ongoing. All inspected web-shops have been contacted and asked to take measures in order to ensure compliance with the regulations. All platforms have responded positively and will correct the errors. Experience shows that this may take time depending upon the IT-infrastructure behind the web-shop.

MAIN CHALLENGES

The challenges for MSAs in this sector remain consistent and relate to the **inability to enforce the European legislation for e-traders that operate from outside the EU.**

The Joint Action inspected **eight third country e-traders** to get some deeper understanding. All eight websites were found to be non-compliant. The participants contacted the economic operators behind the web-shops and explained the identified problems. Only three of the e-shops reacted, and two of them agreed to voluntarily bring their web-shop into compliance.

The Joint Action participants find it disappointing that so few of the e-traders reacted but are pleased to observe that some of them committed to bringing their website into compliance.

PRESENTATION TO ADCO GROUP

The Work Package Leader presented the Joint Action and its results to the **Administrative Cooperation Group (ADCO)** working in the field of Energy Labelling during their meeting held on 15-16 May 2024, and to the ADCO group focused on the Radio Equipment Directive on 13 March 2024.

The participants took note of the results and the tools that were developed by the Joint Action, including the recommendations for improving the cooperation between MSAs in different Member States.

FINAL CONFERENCE

The final conference of the project will take place online on 28 May 2024. The key results will be shared and discussed with the European Commission and stakeholders. If you are interested, you can join the conference at this [link](#).

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