

LightingEurope Online Mystery Shopper Exercises

Light + Building 2024

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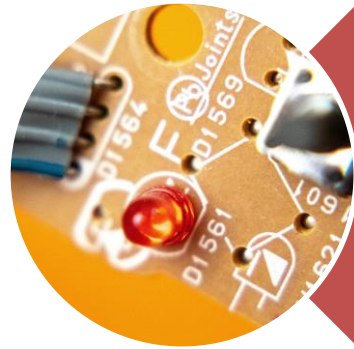
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Our key message

How to address product compliance online?

LightingEurope and Enforcement



Safety
Level playing field



High non-compliance within the EU Market



Liability for those who make available non-compliant products (online and offline) in the EU Market



Engagement with EU and national stakeholders to raise awareness

LightingEurope and Enforcement

Brussels, 25 September 2023

20 March 2023

Green Deal ambition for sustainable products threatened by gaping online sales loophole

United NGOs and European industry warn that millions of products sold online including textiles, electronics, furniture, and cosmetics will be able to escape the EU framework on product sustainability currently being negotiated. Some online sellers will undermine the Green Deal by dodging current and future EU legislation without having to face any consequences.

The online sale of goods to consumers in cases where traders are located outside of the EU and do not have an EU-based economic operator that can be held liable for the traders' products and activities presents a serious loophole for Green Deal policies attempting to improve product sustainability – threatening the competitiveness of European businesses and Europe's environmental objectives, as well as misleading consumers.¹



There cannot be a Green Deal without a strong enforcement framework

EU policymakers are now moving ahead with the legislative process and have entered trilogue negotiations on the **Ecodesign Sustainable Products Regulation (ESPR)**. NGOs and European industries are once again joining forces to **warn about the risk of overlooking the need for strong enforcement provisions**. Without an effective and efficient enforcement of the new requirements, both the competitiveness of the internal market as well as the overall credibility and impact of EU rules will be undermined. The online sale of non-compliant products to customers should also be addressed as part of the ESPR.



LE also launched an informal gathering on Enforcement that gathers multiple stakeholders to address the lack of Compliance in the EU

SUSTAINABLE PRODUCTS IN A DIGITAL AGE - E-COMMERCE COMPLIANCE IN THE ESPR AND THE GREEN DEAL

23 MAY 2023
12:15 - 13:30 CEST
HYBRID EVENT:
EUROPEAN PARLIAMENT
ROOM: ASP 3H1 / ONLINE

HOSTED BY MEP
ALESSANDRA MORETTI

ENVI RAPPOREUR FOR THE 'ECODESIGN FOR SUSTAINABLE PRODUCTS' REGULATION



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JOIN THE DISCUSSION:

TWITTER:
@EPINTERGROUP_SD



1st mystery shopper exercise – 2020–2021

Through 2020–2021 LightingEurope carried out the first Online Mystery Shopper Exercise.

Action	# Products inspected	# Compliant GLS replacement lamps	# Compliant desktop luminaires
Products inspected online	61	5	0
Products ordered & physically inspected upon delivery	30	6	1

The results were far from promising

2nd mystery shopper exercise – 2023

LightingEurope carried out a mystery shopping exercise throughout 2022–2023.

Purpose:

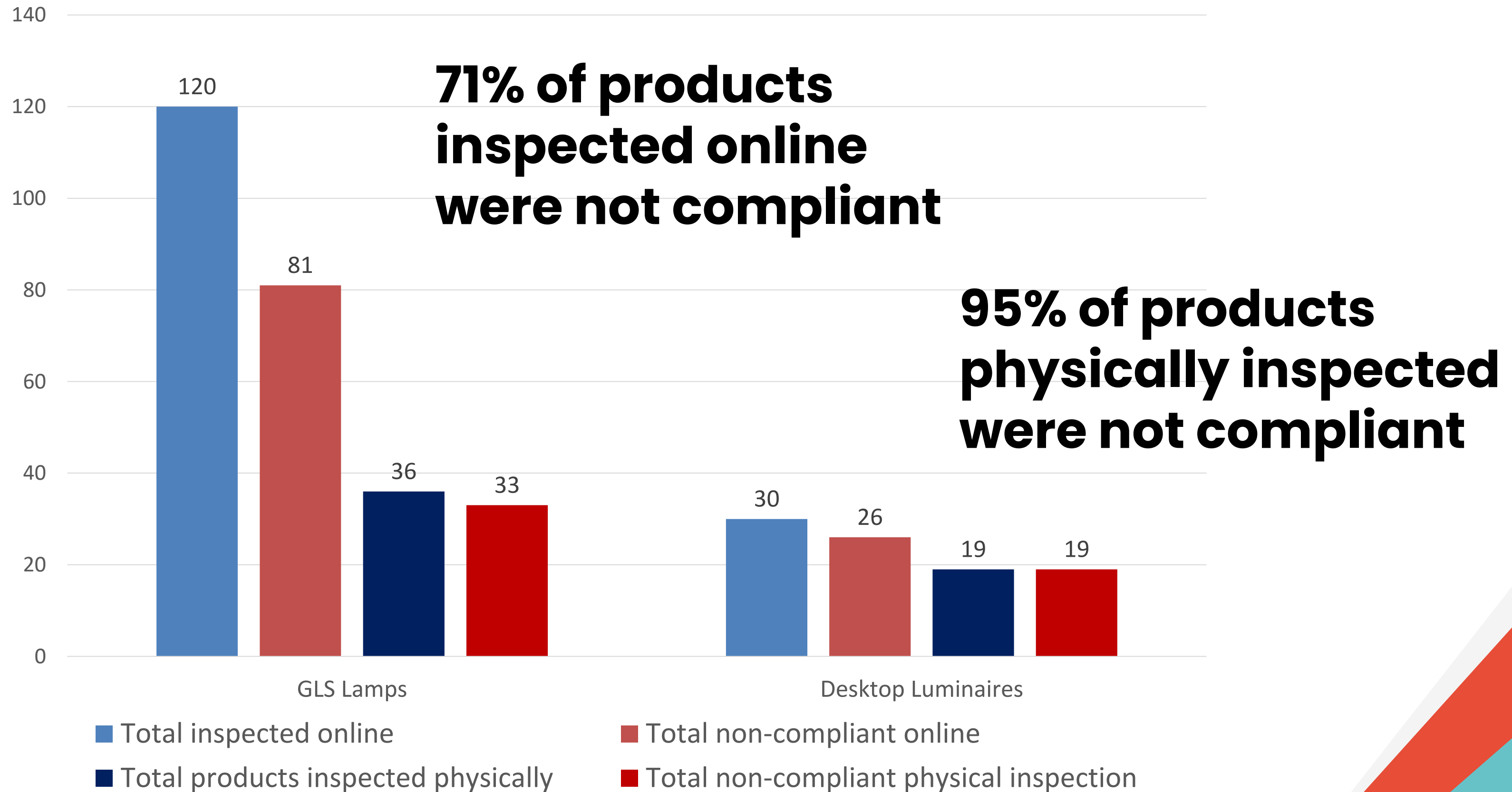
- How many **non-compliant products are sold online** via marketplaces **immediately accessible to European users?**

Methodology:

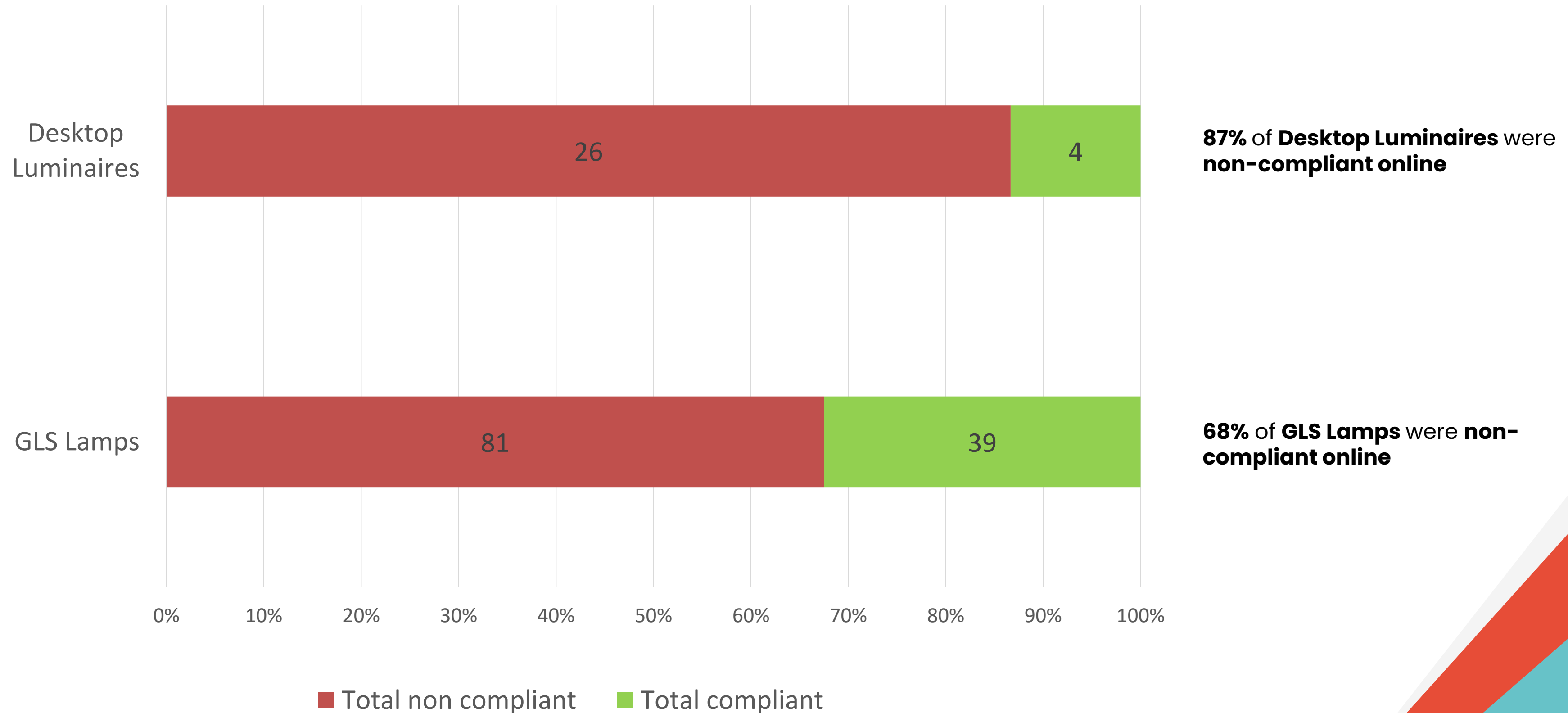
- Risk-based approach
- 2 product types: GLS Lamps and Desktop Luminaires
- 4 online marketplaces
- 6 EU countries

Once again, the results demonstrate that **non-compliant lighting products are easily accessible online.**

2nd mystery shopper exercise – 2023



2nd mystery shopper exercise 2023 – Online



2nd mystery shopper exercise 2023 – Physical Check



2nd mystery shopper exercise – 2023



LVD CE info requirements



WEEE Marking



WEEE info requirements



Repairability info



Lightsource energy class

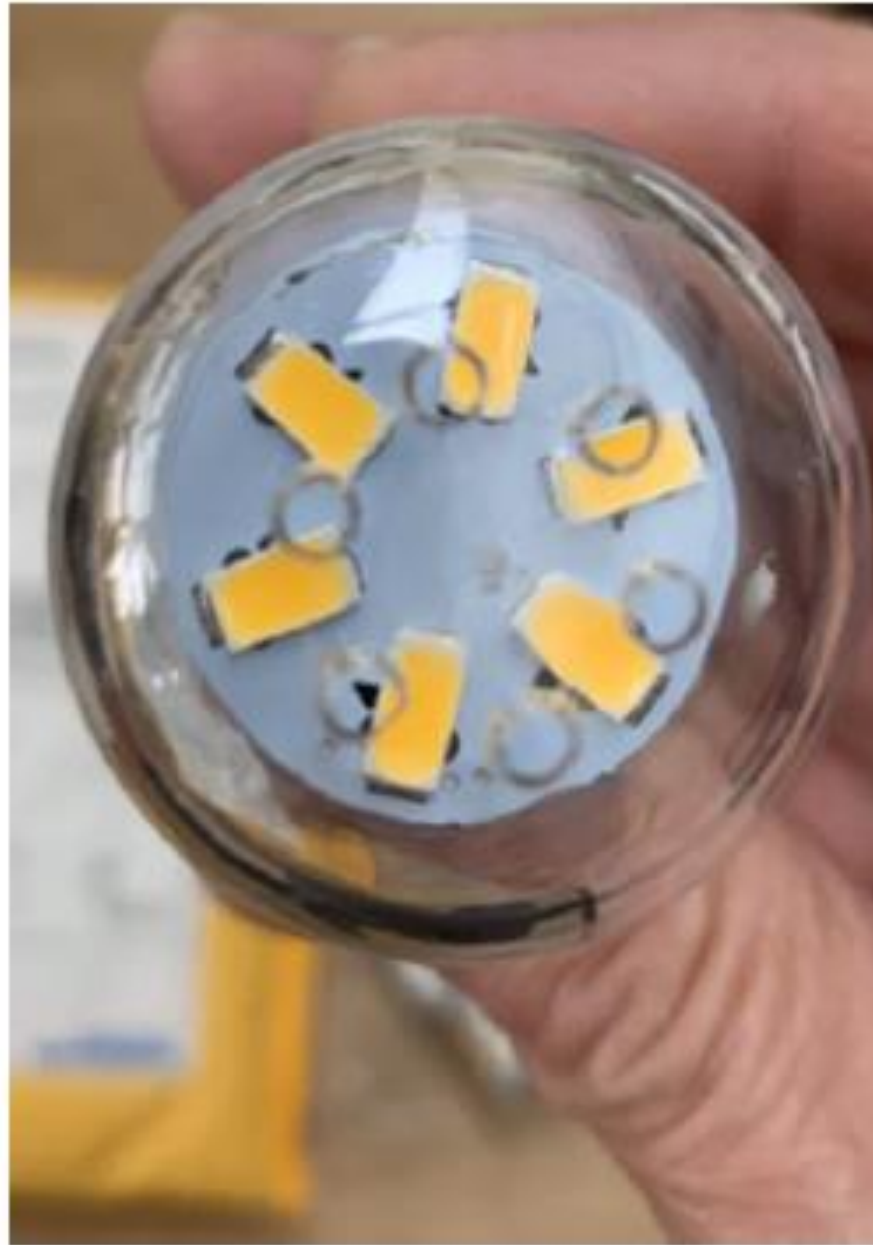


CE Mark



N.B. These are only some of the requirements checked

2nd mystery shopper exercise – 2023



Brand	×
Product identifier	×
Energy Label	×
Safety info	×
Luminous flux	×
Lifetime	×
Electrical interface details	×
Colour temperature	×
On-mode power	×
CE Mark	×

N.B. These are only some of the requirements checked

LightingEurope next activities on compliance

Building from the two previous editions, LE will launch for 2024 an Online Mystery Shopper exercise, with testing.



Looking at the future

“Everyone strives to attain the Law, how does it come about, then, that in all these years no one has come seeking admittance but me?”

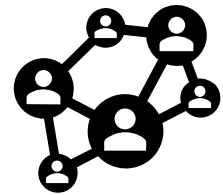
– Franz Kafka, The Trial.

Looking at the future – Our key messages

For the next EU political agenda we ask for:



Full enforcement of existing rules



Further **cooperation and alignment between MSAs** and the set up of an **EU agency for Market Surveillance**



Allocate **fair liability for non-compliant products, INCLUDING online marketplaces**: Products available for online sale to EU customers must comply with all EU rules.



Liability for product safety, AND for all product requirements, e.g., Ecodesign, Energy Labelling, and to waste recovery and recycling fees.



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THANK YOU



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