



LIGHTINGEUROPE
THE VOICE OF THE LIGHTING INDUSTRY

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Press release

LightingEurope calls on the EU Parliament to allocate liability for product compliance in the DSA

The Digital Services Act (DSA) is a unique opportunity to upgrade our rules for eCommerce and make them fit for today's market reality.

“LightingEurope's mystery shopper exercise showed that only 8% of the lighting products the algorithm proposed to our mystery shoppers complied with mandatory information obligations under EU law. Out of the 30 products delivered to their doorsteps, 77% did not comply with EU mandatory obligations. Some products did not have a CE mark, even though they were sold on websites clearly targeting the EU market. Others were not registered with a WEEE scheme and did not contribute to the cost of collection and recycling at end of life. This situation cannot be allowed to continue. It creates a safety risk for customers, distorts fair competition on the EU market and undermines the credibility and impact of EU rules,” said Ourania Georgoutsakou, Secretary General of LightingEurope.

The EU legal framework must prevent the listing and re-listing of non-compliant products and making them available to EU customers. “There is no value to EU rules on safety, sustainability or quality if they cannot be enforced also online against an economic actor within the EU jurisdiction. Regrettably, the general approach of the Council did not address the issue of the liability for product compliance when there is no economic operator in the EU. We call on Members of the European Parliament to maintain the ambition set in the draft report of MEP Schaldemose,” she added.

LightingEurope believes that the DSA must hold accountable online platforms that facilitate the initiation of transactions between traders and end-users via a strong liability regime and firm obligations.

Such platforms should not be exempt from liability when:

- They are aware of an illegal activity on their interfaces and do not take immediate action; or
- They exert a decisive influence on the trader or the transaction; or
- There is no party based in the EU that can be held liable for an illegal activity online on their platform; or
- They do not comply with their own DSA due diligence obligations, such as the know-your-business customer obligation.

LightingEurope's technical expertise remains at the disposal of EU lawmakers to help shape a new legal framework that ensures that EU laws are easily and swiftly enforceable online. This will allow EU citizens to access compliant lighting products that benefit human comfort, safety and well-being, and the environment and will foster fair competition and growth for the European industry.

For more details on the LightingEurope recommendations on the DSA, read [our position paper](#).

Full results of the LightingEurope online mystery shopper exercise are available [on our website](#).

Contact

For further information on this topic, please contact Ourania Georgoutsakou, Secretary General, ourania.georgoutsakou@lightingeurope.org.

About LightingEurope

LightingEurope is the voice of the lighting industry, based in Brussels and representing 30 companies and national associations. Together these members account for over 1,000 European companies, a majority of which are small or medium-sized. They represent a total European workforce of over 100,000 people and an annual turnover exceeding 20 billion euro. LightingEurope is committed to promoting efficient lighting that benefits human comfort, safety and wellbeing, and the environment. LightingEurope advocates a positive business and regulatory environment to foster fair competition and growth for the European lighting industry. More information is available at www.lightingeurope.org.