

Dear [Mr/Ms xxxxx]

I am writing in my capacity as Commissioner for Justice and Consumers.

Your platform is a key actor in the digital markets and an important contributor to the EU economy to the benefit of consumers and businesses across the Union.

Following the recent outbreak of the new Coronavirus, there has been a proliferation of **deceptive marketing techniques** on the Internet to exploit consumers' fears in order to sell products, such as protective masks, detergents or other substances, by falsely claiming that they can prevent or cure an infection with **COVID-19**. At the same time certain traders are luring consumers into buying such products at exorbitant prices playing on their fear that such products may cease to be available.

As a result, **Consumer protection (CPC) <sup>1</sup>authorities are currently in state of high alert** and will closely cooperate with each other across the EU and with the Commission, as well as other relevant authorities (e.g. health authorities) at the national level, to ensure a prompt response to these deceptive practices and scams.

It is in the interest of platform operators like you to keep the environment safe and their users free from the risks posed by illegal commercial practices which may harm EU consumers in a moment where they are most vulnerable due to the tragic current events which are affecting the Union as well as the rest of the world.

The EU legal framework, in particular Directive 2000/31/EC ("e-commerce Directive")<sup>2</sup> and the professional diligence requirements under Article 5 of Directive 2005/29/EC on Unfair Commercial Practices, requires platform operators that are active in the EU to take appropriate corrective measures, whenever they become aware of any illegal activity taking place on their websites.<sup>3</sup>

In this context, the European Commission and the Consumer Protection Cooperation (CPC) Network **would like to inform you about the most commonly reported breaches of EU consumer law** which exploit the Coronavirus situation, **as these require urgent action on your side**. You can find a list of these cases in the common position of the CPC Network, referring to **the applicable EU consumer legislation**, as Annex to this letter.

I trust that this can serve as a guidance to you and provide you with the necessary information to take corrective action on your platform as appropriate including by removing illegal content when necessary to ensure compliance with EU law.

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<sup>1</sup> Under the Consumer Protection Cooperation (CPC) Regulation (EU) 2017/2394, the competent authorities of the Member States and EEA countries, with the support of the European Commission, have the legal obligation to cooperate in cross-border cases to enforce the EU consumer law in the Single Market. Since January 2020, this Regulation equips Member States' consumer protection authorities with new minimum powers to effectively address infringements, especially in the online world, and provides for strong coordinated mechanisms to tackle widespread infringements. Where a widespread infringement has a Union dimension, because it concerns most Member States, the Commission acts as the coordinator of the CPC Network

<sup>2</sup> Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'), OJ L 178, 17 July 2000, p. 1–16, (<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0031&from=EN>).

<sup>3</sup> See also [Commission Recommendation of 1 March 2018 on measures to effectively tackle illegal content online](#) (C(2018) 1177 final) on clearer 'notice and action' procedures for notifying illegal content, including fast-track procedures for 'trusted flaggers'.

I would appreciate if you could inform the Commission, as a matter of urgency and at the latest by **Friday 27 March**, what measures you have taken or you are planning **to take to remove illegal marketing campaigns** from your platform.

I would also like to invite you to make easily and permanently accessible to national competent authorities, **by Wednesday 25 March, adequate contact information, including an email address**, so that your company can be contacted rapidly and communicated with in a direct and effective manner if there is a need to signal specific additional cases. This information can be sent to the following mailbox [JUST-E3@ec.europa.eu](mailto:JUST-E3@ec.europa.eu) and the Commission will coordinate dissemination to the competent national authorities.

I would like to thank you in advance for your cooperation. The Commission and the CPC Network remain available to answer questions and to assist platform operators during this process.

Yours Sincerely

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