



## **An obligation to indicate online a product passport linked to a specific batch number is impractical and unduly burdens economic operators**

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The undersigning associations call to remove from the [Commission's proposal on the Detergents and Surfactants Regulation](#) the obligation to indicate in the product passport the information on the batch number, as it indirectly hinders retailers' capacity to sell detergents online. Considering how the supply chain works, an obligation to provide in online sales a product passport that contains an individual batch number, or linked to a specific batch as foreseen by the proposal is unfeasible for economic operators and it could mislead consumers. As the separation between online and offline commerce is gradually disappearing and the retail sector is increasingly becoming omnichannel, there should be a harmonised set of rules for products regardless of the sales channel through which they reach the consumer.

**Our key asks for the co-legislator is to remove reference to the individual batch from Article 18, paragraph 2 point a), and replace it with a reference to the product 'model'.**

Our key points:

- 1. Top-up rules for online/distance sales must be avoided:** The obligation in Article 18, paragraph 2 point a) results in an indirect obligation to provide individual batch numbers or a unique product identifier correlated to a specific batch of detergents at the moment of the online offer for the sale of detergents. It goes beyond what is feasible for retailers. For instance, **offline retailers are not obliged to indicate the batch or serial number of the product in the store.** When buying from a physical store, consumers have access to such identification numbers only at the moment of purchase/collection of the product they bought, i.e. at the pick-up point of the store.
- 2. The complexity of the supply chain makes it difficult to display a product passport linked to a specific batch:** Online retailers have limited stocks. Some online offers do not match what is available at the warehouses/shops of the retailers. Furthermore, it is unlikely that manufacturers of detergents would be able to provide the precise batch number (or unique identifier correlated to a specific batch) of the product at the moment the retailer orders such a product. Additionally, in the case of drop-shipping, the detergent is directly dispatched by the manufacturer to the consumer. Hence, **in some cases, the retailer does not have access to the batch information (or other identification number).**
- 3. Making the batch or serial number available at the moment of the online offer brings no benefits to consumers.** The identification of a product is important in cases of recall. In these circumstances, when a product is recalled, the consumer who purchased a product online can access its batch number as if it was bought in-store. However, **indicating a product's batch number in other circumstances, e.g., when displaying an online offer, brings no benefit to consumers, and it creates an unnecessary and disproportionate impact on the supply chains.**

4. **The indication of batch or serial numbers is technically burdensome:** For online stores, indicating the batch (or a passport that refers to an individual batch number or other identification number correlated to a specific batch) would require a new offer to be placed online every time a new batch or series is sold, requiring a separate pop-up window for every single consumer browsing online. Additionally, it cannot be determined before shipping the sale from which batch or series the product bought by the consumer originates. **Distance sales catalogues would need to cite all available serial numbers of every detergent product, which would lead to extremely extensive and confusing brochures.** The cost entailed would be disproportionately high for small and medium retailers. **Moreover, such an obligation will be impossible to implement for groups of independent retailers, as every single member retailer of the group is an independent entrepreneur and hence manages his/her own inventory.**

Taking into account the reasons above, **we believe that an obligation to indicate a product passport that contains an individual batch number or relates to an individual batch when selling detergent products online is not appropriate and impracticable for economic operators.**

In any event, this issue was explicitly recognised by the co-legislators when revising the General Product Safety Regulation (leading to the disappearance of the obligation to provide individual batch numbers in online offers). It was also recognised by the European Commission in its recent proposal for the revision of the Toy Safety Regulation (requesting the product passport to refer to the toy model, and not to the individual batch). Therefore, **we call on the co-legislator to remove reference to the batch from Article 18, paragraph 2 point a), and instead refer to a specific “model” of detergent** (where ‘model’ will be defined by the Detergent or Surfactant manufacturer).

#### **About Ecommerce Europe**

[Ecommerce Europe](#) is the sole voice of the European Digital Commerce sector. As a result of joining forces with EMOTA, Ecommerce Europe now represents, via its national associations, more than 150,000 companies selling goods and services online to consumers in Europe. Ecommerce Europe acts at European level to help legislators create a better framework for online merchants, so that their sales can grow further. Find more information on our [website](#), on [X](#) and on [LinkedIn](#).

#### **About EuroCommerce**

[EuroCommerce](#) **EuroCommerce** is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 27 countries and 5 million companies, including leading global players and many small businesses. Over a billion times a day, retailers and wholesalers distribute goods and provide an essential service to millions of business and individual customers. The sector generates 1 in 7 jobs, offering a varied career to 26 million Europeans, many of them young people. It also supports millions of further jobs throughout the supply chain, from small local suppliers to international businesses. EuroCommerce is the recognised European social partner for the retail and wholesale sector. Find more information on our [website](#), on [X](#), and on [LinkedIn](#).

#### **About Independent Retail Europe**

[Independent Retail Europe](#) is the European association that acts as an umbrella organisation for groups of independent retailers in the food and non-food sectors. Our members are groups of independent retailers, associations representing them as well as wider service organizations built to support independent retailers. Independent Retail Europe represents 23 groups and their 462.000 independent retailers, who manage more than 737.000 sales outlets, with a combined retail turnover of more than 1,385 billion euros and generating a combined wholesale turnover of 604 billion euros. This represents a total employment of more than 6,39 million persons. Find more information on our [website](#), on [X](#), and on [LinkedIn](#).