

## Digital age needs fully harmonised consumer guarantee rules

The European Parliament Internal Market and Consumer Protection (IMCO) Committee is voting today on harmonising rules on consumer guarantees and contracts for the online and offline sale of goods. The IMCO text reflects a political compromise and harmonises the length of legal guarantees at two years. Member States may keep their existing rules, but not extend them. This means that countries such as Sweden with 3 years, or the Netherlands with a product-lifespan-proportional period, may keep these, but not revise them upwards.

Retailers and wholesalers have always argued that the key added-value of the legislative proposal was full harmonisation. Member States maintaining their existing rules means little change to the present fragmentation in Europe, and continued legal complexity for businesses and consumers selling or buying across borders. Other proposed amendments impose a number of potentially burdensome requirements, such as a 30-day deadline for repair or replacement, or the renewal of the guarantee period after replacement of the product or a spare part.

Speaking ahead of the vote, Christian Verschuere, Director-General at EuroCommerce, underlined the opportunity this approach is missing:

*“This proposal could have significantly simplified the rules for online and offline shopping and make them fit for the digital age. This would have enabled and incentivised traders to trade across borders and thus made a major contribution to achieving the Digital Single Market. With the imminent entry into force of the Geo-blocking Regulation, obliging traders to sell to consumers regardless of where they live in the EU, traders, particularly SMEs, more than ever need similar and practical business-to-consumer contract rules.”*

Under the Geoblocking Regulation, lack of harmonised consumer rules will hold back traders from delivering to their customers in other Member States in order to avoid the risk of falling foul of differing consumer protection rules. In this context, retailers and wholesalers urge the Parliament to uphold the principle of full harmonisation. Providing Member States with numerous options and exemptions on crucial provisions of the proposal undermines significantly the initial added value of this proposal.

On 20 February EuroCommerce sent a [joint letter](#) with BUSINESSEUROPE and UEAPME to the European Parliament underlining these points.

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*EuroCommerce is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 31 countries and 5.4 million companies, both leading multinational retailers such as Carrefour, Ikea, Metro and Tesco, and many small family operations. Retail and wholesale provide a link between producers and 500 million European consumers over a billion times a day. It generates 1 in 7 jobs, providing a varied career for 29 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.*