

Dear Mr/Ms,

I thank you for your prompt reply to my letter of 23 March inviting you to actively cooperate with EU consumer protection (CPC) authorities to fight rogue trading practices related to the COVID-19 crisis. I appreciate the measures that you are proactively putting in place to detect and appropriately address all possible deceptive marketing practices in this respect. I encourage you to continue your efforts throughout the crisis and to strengthen them to take into account the evolution of misleading practices. Indeed, rogue traders are constantly improving their means to circumvent automatic checks. In this respect, various stakeholders alert me on a daily basis of dubious products and misleading advertisements that continue to populate our common digital space.

It is of the utmost importance to effectively protect our citizens from false claims, especially as regards ways of preventing or curing an infection.

The Commission and CPC authorities are particularly interested in receiving feedback on the effectiveness of your automated web-scraping measures and on emerging trends. I would appreciate if you could share with us data on the implementation of the measures you have undertaken, statistics concerning the scope of these actions, and eventually new trends that you have discovered on your platforms. This information should help us quantify the issues at stake and also develop further advice for consumers. As for your first reply, I suggest to publish the information you will provide as a reflection of our positive dialogue. I therefore propose to receive your contributions, both in a confidential and, where relevant, a non-confidential version, by **Friday 24 April 2020** to the following mailbox JUST-E3@ec.europa.eu. I would appreciate if you could also provide my services with subsequent updates on your measures and trends you observe every two weeks. Indeed, the sanitary crisis enters into its next crucial watch phase with the progressive de-confinement of European populations.

In addition to the practices highlighted in my letter of 23 March, there is a growing concern in the Union about food or food supplements with allegedly COVID-19 preventing and/or curing claims. According to EU legislation, those are marketed illegally and may pose significant risks to health.¹ I assume that the dedicated communication channel, that you have provided for facilitating the notification of misleading commercial practices by CPC authorities, can also be used by the national control authorities² for this legislation. That way, they can flag false health claims on food and food supplements to your services. Should you wish to have a separate channel for those authorities, thank you to let my colleagues know via the above-mentioned mailbox.

I would like to thank you again for your commitment. I welcome any further ideas on how the Commission and CPC authorities could further cooperate with your platform. Policy-makers, but also world level digital operators such as your company, need to remain on a state of high alert

¹ [Regulation \(EC\) No 178/2002 on General Food Law](#), [Regulation \(EU\) No 1169/2011 on Food Information to Consumers](#), [Regulation \(EC\) No 1924/2006 on Nutrition and Health Claims](#) and [Directive 2002/46/EC on Food Supplements](#).

² [Regulation \(EU\) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products](#)

during the next weeks. It is not only about ensuring that digital markets remain fair and safe for consumers, but more broadly to keep the trust of citizens that adequate means are implemented in the European Union to fight the crisis in all its dimensions.

Yours sincerely,

Didier REYNDERS