

13 April 2012

Horizontal Regulation on Online Labelling Response

The horizontal regulation on online labelling study has only considered the option of displaying the label (although it concludes that this is not the best format for websites) where as it is the information that is important for consumers to receive. Not all of the suggestions in this proposal are likely to result in an improvement for consumers and it places a considerable burden on manufacturers. Each of the product labelling regulations includes an annex: 'Information to be provided in the cases where end users cannot be expected to see the product'ⁱ. An additional regulation will not necessarily help market surveillance authorities.

Using alternative layouts such as tables may enable consumers to compare products within a website more easily. The idea that the label may not be the best method for use online is a position supported by the customer surveysⁱⁱ in the commission study. The data even suggest that altering the order of data tends to improve its clarity.

Requiring websites to use the energy label image to display the data will necessitate considerable restructuring of many websites. Not all website formats used will be able to use this layering method of label image, and fiche data. This additional requirement to include the label and fiche may have severe impacts on the size of the website. The impact of larger websites will be considerably slower loading times especially in areas with poorer connection and cost for those operating on a per Mb tariff such as most mobile phones. The energy label is unlikely to be the best way of presenting the data on small devices such as mobile phones.

The cost for changes to websites is underestimated for SME who are unlikely to operate at the refresh rate of a redesigned website within 18 months.

The requirement for suppliers to supply the label and the supplementary information (fiche) to retailers electronically needs to be worded very carefully. This has the potential to place a large burden on suppliers. It should be left up to dealers and suppliers to sort out their own working relationships. Providing this data electronically to a contact in a dealer's organisation will not necessarily ensure it is received by the correct person. An alternative would be the option included in several of the label regulations which require the fiche information to be freely accessible on the manufacturer's website. This would allow consumers as well as dealers to check the required information without imposing an additional burden on both parties.

When multiple actors become involved in displaying the label there is more of a risk of the information being inaccurate. There are specific concerns during periods of



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transition from an old to a new label because although the product is the same the customer is likely to be disgruntled if they receive a different label to the one they viewed.

The requirement to provide some information exists already. It is not clear how specifying a mandatory format for information to be displayed will aid the consumer or make it easier for the regulator.

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¹An Example is Commission Regulation (EU) No 1015/2010 Annex IV.

²Bringing online in line Final report supplementary February 2012, pg 16 & pg 34.

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