

## CPC sweep on COVID-19 related consumer scams and unfair marketing

### Context

Since the beginning of the COVID-19 pandemic there is a surge in COVID-19 related consumer scams and unfair online marketing practices. To fight against these practices in a coordinated manner, the [CPC Network](#) adopted a [common position](#) on 20 March 2020 outlining the most common breaches of EU consumer law. Commissioner Reynders also [invited](#) main internet platforms to cooperate closely with the CPC network and to take measures against these fraudulent practices. The platforms [replied](#) positively to the call for cooperation of Commissioner Reynders and proactively took measures.

Rogue traders are however creative and find new ways to scam consumers and to fly under the radar of the platforms. Therefore, to identify problematic cases and to identify new trends and prevent circumvention, CPC authorities agreed to rapidly carry out an online investigation exercise in a coordinated and simultaneous manner (so-called [Sweep](#)) on the issues outlined in this summary document.

This ad-hoc sweep is organised via two parallel avenues:

- **A high-level screening of online platforms** - linked to the prima facie investigation of the most common consumer scams, outlined in the CPC common position, and the analysis of their occurrence on online platforms. This high-level screening will also provide insights to the effectiveness of the measures [proactively taken](#) by the main internet platforms.
- **An in-depth screening of certain offers and advertisements** - to check in more detail traders' offers and advertising linked to products that are in high demand due to the COVID-19 crisis.

As this sweep of the CPC Network is part of national investigations that are confidential, only aggregated results will be published once the investigations are completed.

### What is covered by the high level screening of platforms?

CPC authorities choose which (international or national) online platform they screen. On the selected platforms they shall analyse:

- ❖ Which COVID-19 related product categories are available on the platform and whether online publishers are advertising these products/offers.
- ❖ Whether a prima facie examination of the offers/advertisements leads to a suspicion that illegal practices are (still) taking place on the platforms. The most common practices the authorities will check include unsupported claims on product's healing or preventive effects, pressure selling (with) excessive pricing.

### What is covered by the in-depth analysis of offers and advertisements?

CPC authorities will examine how COVID-19 related products are marketed online by analysing concrete offers and advertisements. CPC authorities will also indicate whether they found the concrete offers via online advertisement on publishers' sites.

They will proceed with an in-depth analysis on:

- ❖ Whether these products are marketed with explicit -or even implicit- unsupported claims as to their effectiveness against COVID-19;
- ❖ Whether they are sold at an excessive price while misleading about market conditions;
- ❖ Whether they are presented in a way that puts pressure to consumers to purchase, by claiming -for example- that they are in shortage or selling out fast;
- ❖ Whether clear information is available on e-commerce shops and platforms on the identity, the address (especially whether it is within or outside the EU) and the contact details of the trader from whom the consumer will purchase the products.

Through this exercise, CPC Authorities might also examine how clear the displayed information is on discounts, prices and delivery conditions of COVID-19 related products.

The websites or platforms that will be found with irregularities will be flagged for further investigation. CPC authorities will ensure full compliance of the traders concerned by activating their national enforcement procedures, or the CPC cooperation mechanism, where necessary.