

## ANEC Response to the Public consultation on cross-border delivery

### V - Questions to the public or representative organisation or institution

"Affordable, high-quality cross-border delivery services can build consumer trust in cross-border online sales. Stakeholders complain about a lack of transparency, the excessive costs of small shipments and the lack of inter-operability between the different operators typically involved in a cross-border shipment and the resulting lack of convenience for the final consumer.

A self-regulation exercise by industry will report to the Commission in June 2015. This exercise is concentrated on quality and investment aspects like "track and trace" and speedy delivery of parcels but does not cover the price dimension. The Commission will assess action taken by industry and launch complementary measures to improve price transparency for European deliveries and enhanced regulatory oversight of the cross-border parcel markets to ensure effective competition".

(Digital Single Market Communication, 2015)

**Q1 - Do you agree there is an issue with both affordability and regulatory oversight of the cross-border parcel delivery market?**

**Yes                  No**

ANEC answer: **Yes**

**Q1a - Please explain your views (1,000 character(s) maximum)**

From a consumer perspective key aspects to be tackled are:

**A N E C - The European Consumer Voice in Standardisation**  
Av. de Tervueren 32, box 27, B-1040 Bruxelles, Tel.: +32 (0)2 743.24.70, Fax: +32 (0)2 706.54.30  
[anec@anec.eu](mailto:anec@anec.eu) - [www.anec.eu](http://www.anec.eu)

***Raising standards for consumers***



ANEC is supported financially by the European Union & EFTA

- **Clarity and transparency of information** (on price, returns policy and procedures, delivery);
- **Effective tracking and tracing** of parcels;
- **Quality of delivery service:** timely and efficient delivery, to the correct address/person, without damages to the purchase;
- **Affordability and accessibility** of the services remain essential principles.

As regards **affordability**, high delivery prices and return costs are clear obstacles to cross-border e-commerce. The cost of making some returns in cross-border items as well as the fear to incur in customs duties could put off consumers purchasing cross-border items. Large differences exist among EU countries.

National consumer organisations also register complaints about delivery being time consuming and the necessity for the end consumer to notify the online seller of a problem with delivery. The revised consumer sales law should not burden the consumer with the responsibility of damage during the return transport.

Another issue is the difference among parcel- delivery companies in treatment of confidentiality of communication and delivery to other persons than the contracted consumer.

**Q2 What regulatory response, if any, would you consider useful to address the current issues and how could it be addressed? Please explain your views. 2,000 character(s) maximum**

We welcome the [Digital Single Market strategy](#) includes harmonised EU rules on contracts and consumer protection when buying online. While awaiting a legislative proposal to complement consumer rights directive in this area, initial implementation of EC M/517 'Mandate on horizontal service standards', and the subsequent prioritised items for future standardisation can be of relevance.

There is also a need to properly enforce applicable existing legislation (Postal Services Directive, Directive on Alternative Dispute Resolution, regulation on Online dispute resolution, and Consumer Rights directive).

Technical standards can underpin legislation to provide guidance and support in the achievement of the relevant requirements. For e.g. to facilitate the achievements set in ADR/ODR we suggest providers take into account ISO

10002 and ISO 10003 Standards on complaints handling and dispute resolution as well as work of CEN TC 331.

**Transparency of information:** Retailers' websites need to include clear and comparable information on delivery price, **complaint handling** (including possibility to make complaints through [ECC](#)) and track and trace options. Standardisation of pre-contractual information would also be useful to increase transparency and comparability of the services.

We think it is important that a **trust mark** is developed at the European level to avoid consumer confusion. This must of course require third party certification.

**Cooling-off period:** When using his/her right of return, the consumer should be in the same position as before doing the purchase. The consumer should not be burdened with the responsibility for any accidental damage or deterioration of the good during the return transport. Liability of the postal operator needs to be clarified in new rules on online purchases.

**Track and tracing:** ANEC has been involved for several years in the European standardisation committee [CEN TC 331 'Postal Services'](#). We participated in drafting a standard on '[Postal Services method for measurement of parcel transit time for cross-border parcels within the European Union and EFTA using Tracking and Tracing](#)'. It would be helpful for EC to promote the use of this standard, once approved, among all relevant postal operators.

Another relevant CEN TC 331 deliverable that should be taken into account and used by operators is the [TS 6819 Postal Services technical features of parcel boxes, prevention of damage to postal items](#).

**Q3 - We would appreciate if you would share with us any extra information you may find useful concerning your views on European cross-border delivery. Do you want to upload a document?**

ANEC answer: **Yes. (ANEC-SERV-2015-G-042)**