9th PROGRESS REPORT ON THE IMPLEMENTATION OF THE PRODUCT SAFETY PLEDGE

Introduction

The conclusion of the **Product Safety Pledge**[1] was facilitated by the European Commission with the objective of increasing the safety of products sold online by third-party sellers via online marketplaces. This initiative, which was the first of its kind in the product safety area internationally, sets out specific voluntary actions in 12 different areas that go beyond what is already established in EU legislation and to which online marketplaces can pledge to. In the meantime, a number of other jurisdictions and international organisations have followed this example. Currently **eleven**[2] **online marketplaces** are signatories of the Pledge, both large international and smaller regional players. They also committed and signed up for the Product Safety Pledge+[3], a new and more extensive commitment framework. They will apply it from 1st December 2023.

As part of the Pledge, the signatories have committed to report to the European Commission every six months on the measures taken to implement the Product Safety Pledge, including also on their quantitative figures by using the relevant Key Performance Indicators (KPIs).

This ninth progress report covers the period from **1 December 2022 to 31 May 2023**. This is the third progress report for which **all 11 signatories** provided data. A third-party aggregator combined their inputs.

Quantitative Report: Key Performance Indicators (KPIs) on the removal of listings of dangerous products

As explained in the previous progress reports[4], signatories have committed to provide absolute numbers when reporting on their KPIs as detailed below in aggregate terms. That allows for easier monitoring of the performance of the Pledge and comparability of the KPIs.

It is important to underline that several signatories introduced new policies that significantly improved the search for similar/identical listings that corresponds to products indicated in governmental notices or alerts in the Safety Gate or other recall portals. As a result of their effort, they were often able to follow up on the listings within the 2 days deadline reflected in the KPI, with some exceptions still in place. One signatory mentioned that for one alert they removed more than 6.000 listing from their platform. These very high number of listings concerned by their follow up are the main reason requiring in certain cases longer than 2 days to duly follow up the "identical/similar listings".

Therefore, to put the below figures in context it is important to underline that **Pledge signatories improved their performance regarding the proactive identification of similar / identical listings** (for example 2004 governmental notices resulted in over *twenty-three times more identified product*

---

[1] https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/product-safety-pledge_en
[2] Allegro, AliExpress, Amazon, bol.com, Cdiscount, eBay, EMAG, Etsy, Joom, Rakuten France and Wish
[3] https://commission.europa.eu/system/files/2023-03/Pledge%2B_final_new.pdf
[4] https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/product-safety-pledge_en#documents

listings – 47452 listings). In certain cases signatories needed longer time for their identification and takedowns as explained above. This is also strongly reflected in the KPIs below.

It is also important to recall that the sheer number of product listings doesn't fully correspond to the number of dangerous products actually introduced into the European markets through the signatories' marketplaces: these listings do not account for the actual available stock of products, they are often duplicated by each seller on several marketplaces (or even on each marketplace) and they do not reflect sales. For example, one concrete product can be listed several times on one marketplace by different sellers and at the same time it can also be listed on various marketplaces.

Moreover, when comparing the figures of this monitoring report to the previous one, both the higher number of governmental notices sent and the number of takedowns carried out within the reporting period covered by this report demonstrates that the Pledge mechanism is used more and more by all the relevant actors.

KPI 1:

- **83%** of identified product listings removed within two working days, based on governmental notices provided to the established single contact points.
    - Total number of governmental notices received: **2,004**
    - Number of identified listings removed following a governmental notice, including the one notified and similar ones: **47,452**
    - Number of identified listings (as defined above) removed within 2 working days following a governmental notice: **39,549**

KPI 2:

- **79%** of identified product listings removed within two working days found through the monitoring of public recall websites, such as the EU Safety Gate. ***This demonstrates a continued high-level performance of the Pledge mechanism.***
    - Number of detected alerts that link to a live listing available to customers on a marketplace taken from the EU Safety Gate or other EU government databases of products available to EU customers: **3,299**
    - Number of identified listings following an alert on the EU Safety Gate or other databases: **103,401**
    - Number of identified listings removed within 2 working days following an alert on the EU Safety Gate or other databases: **81,467**

Qualitative Report on the actions taken on the 12 points contained in the Pledge

During the monitoring period, the following **progress and new actions** were reported by the signatories (focusing on the main improvements):

- Several signatories signalled that they **expanded their teams working on product safety issues**.
- All marketplaces confirmed that following their commitments they are regularly monitoring the EU **Safety Gate** (many on a daily basis) and follow up on identified listings that are affected by the measures notified. Almost all signatories have also established similar practices in

relation to a number of national and international recall pages. For example, one signatory confirmed that it continually updates its monitoring scope to ensure customers' safety and monitors the Safety Gate, as well as the ACCC, UK, CPSC, Canadian an OECD[5] Product safety websites on a daily basis. Another signatory confirmed that daily it monitors twice over 43 websites, including Safety Gate and OECD.

- All signatories confirmed their **internal processes** linked to the takedown of listings of dangerous products. One signatory has established a single point of contact for all authorities, as well as additional channels for their biggest markets that operate in the local language of the authority. Another signatory has built and launched a **Portal** which empowers participating authorities from around the globe to report listings offering non-compliant or illegal items for an automated and swift removal. The portal also enables authorities to send customised messages to sellers, and buyers upon item removal. Many of the signatories also advertise their commitments by including information about the pledge on their webpage.

- Some signatories also reported on a specific trusted flagger system they developed to allow for close cooperation with new groups of stakeholders. This trusted flagger system allows for notifications to be treated automatically. These signatories also highlighted that thanks to the participation in **the Product Safety Pledge Pilot Project** with participating consumer organizations (BEUC, Euroconsumers and ICRT) they have widened their trusted flaggers pool. Many signatories noted that their established single point of contact for all consumer organizations participating in the Pledge Pilot Project is proving to be a very useful tool.

- As regards the **two days deadline** commitment for removing illegal product listings all signatories confirmed that they can comply with the vast majority of the requests in this timeframe.

- All signatories reported on certain progress regarding their internal solutions **allowing consumers to signal product safety concerns**. Several signatories also confirmed that consumer complaints related to unsafe products are prioritised by default to enable their teams to take timely action. One signatory explained that products with a low customer satisfaction the listings are checked manually, amongst other issues, against safety concerns. Another signatory reported that it has updated the features of an existing customer reporting tool on its product detail pages to further enable customers to have an easy mechanism to report in more detail safety concerns and illegal issues.

- Regarding the **cooperation with authorities** a signatory raised that in a number of cases, the authorities asked to provide wide-ranging information on sellers and consumers. This included, but was not limited to, information on manufacturers' and sellers' names, addresses, contact details, and the number of certain products sold into certain markets and these requests often lacked the necessary legal safeguards, which would make it difficult for the signatory to comply with them. Several signatories confirmed that they have developed a process for notifying their sellers on the relevant recall notices following information received from the authorities.

- Signatories have carried out a number of **information and training activities**. Many signatories ensure that their sellers continuously receive updated information on applicable legislation. One signatory reported on tailoring their educational campaigns to sellers to new regulations

---

[5] https://globalrecalls.oecd.org/#/

- or areas where they receive many alerts. Some of the signatories also directly inform consumers on the recalls, who bought the product in question via their interfaces.

- Several signatories voiced again their appreciation for being able to cooperate **with the SPEAC Project**[6]**,** to share contents relating to product safety and compliance.

- Some companies have taken new measures to **prevent the reappearance of dangerous products**, and **against repeat offenders**, which include, but are not limited to, a penalty system for repeated offenders, the blocking of keywords and risk search engine/system analytics, to ensure that products that have been removed would not be searchable and/or purchasable again by the relevant consumers in question even if the products are re-listed on the platform. One signatory reported adding almost 100 images per month to their image library that checks for duplicated listings.

  Regarding the **use of new technologies for product safety purposes**, one company reported on using AI image algorithms to recognise recalled product. Another signatory is looking into working with image recognition tools to identify unsafe products. A third signatory uses algorithms to preselect potentially dangerous products to manually review them.

At the initiative of one of the companies, all signatories agreed to be part of the **innovative Pilot project** launched in September 2022 that stimulates cooperation **between consumer organisations** (BEUC, Euroconsumers and ICT) and **online marketplaces that are signatories of the Pledg**e. In the context of this Pilot, signatories received direct notifications of the test results carried out by consumer organisations, and were able to follow up on the products that were signalled as unsafe. At the same time, consumer organisations also notified the relevant market surveillance authorities. Several signatories highlighted the importance of opening this new communication channel allowing them to take into account the tests carried out by the consumer organisations. Many of them also showed openness to turn the Pilot into a more structured and permanent cooperation avenue once it can be adapted based on the evaluation of the Pilot and its lessons learned. This evaluation is still ongoing and could potentially lead to launching a second phase of the Pilot in the near future.

---

[6] https://speac-project.eu/