



AESGP Position Paper

Paving the way for the digitalisation of the self-care sector

Excerpt — E-Commerce

February 2021



E-Commerce

E-commerce of self-care products including non-prescription medicines is allowed in the EU and there is a harmonised approach to registering e-Pharmacies, including requiring the registered sites to display an EU common logo. However, national governments take different approaches across which product classes can be sold online, which entities can sell which product class, as well as the requirement for e-Pharmacies to have a physical presence or not.

The most frequently cited reason for people to buy self-care products online is affordability and convenience (1). The COVID-19 global pandemic, for obvious reasons, has increased the popularity of e-commerce including to purchase self-care products.



KEY SELF-CARE INDUSTRY ASKS REGARDING E-COMMERCE

1. Raise AWARENESS of rules applicable to online medicine retailers

European regulators and governments are already working to educate people regarding the safe online purchase of self-care products and promote the use of the logo for registered e-Pharmacies. Unfortunately, this does not prevent fake websites from using the logo or legitimate websites from appearing without the logo. We believe more can be done in collaboration with industry and retailers to ensure that people who choose to buy online have the necessary knowledge to recognise legitimate sellers of self-care products.

2. Further ENFORCE food rules applicable to online sales

Official controls on internet offers and sales need to be strengthened. AESGP welcomes the Commission's initiatives on coordinated control plans on eFood (2). Competent authorities need to increase cooperation at European level in order to ensure the proper application and enforcement of the relevant EU rules for food products (including food supplements) marketed via the Internet which are very often traded cross-border. Innovative mechanisms such as direct contacts between control authorities and eCommerce platforms, social media, credit card brands and payment service providers should be further developed to efficiently remove non-compliant products from the online market.

3. Online sales of medical devices

Adequate resources should be engaged to ensure that only compliant EU MD apps are available on the market and to ask for the removal of those that are not placed on the market as MDs but should be.

(1) Available at <https://www.igvia.com/en/library/white-papers/e-pharmacy-and-the-new-consumer-whitepaper>. Consulted December 9th 2020.

(2) COMMISSION RECOMMENDATION of 24.7.2017 on a coordinated control plan on the official control of certain foods marketed through the Internet and annexes 1 to 3 - Available at <https://ec.europa.eu/transparency/regdoc/rep/3/2017/EN/C-2017-4986-F1-EN-MAIN-PART-1.PDF> ; <https://ec.europa.eu/transparency/regdoc/rep/3/2017/EN/C-2017-4986-F1-EN-ANNEX-1-PART-1.PDF>; Analysis of the main outcome of the implementation of the Commission Recommendation on a coordinated control plan on the official control of certain foods marketed through the Internet available at https://ec.europa.eu/food/sites/food/files/oc_oof_analysis_main_outcome_en.pdf. Consulted December 10th 2020.



4. Positioning eCommerce execution to regulators

Although eCommerce is indeed allowed in the EU, regulators need to understand how, in some respects, eCommerce is different to selling through "traditional" stores and notably, understand the different mechanics of an eCommerce "digital shelf" and particularly the importance of retailer search algorithms. This is why for example:

- 1) product titles can be used that are different from the product name;
- 2) optimised images can be used in place of a genuine pack shot.



SPECIFIC ENABLERS

1. Collaboration between regulators, law enforcement authorities and digital companies

Collaboration between regulators, law enforcement authorities, eCommerce platforms, social media, credit card brands and payment service providers within and outside the EU/EEA are needed in order to ensure that illegitimate sellers of self-care products have no chance to operate online.

2. Regulators should dedicate more resources to securing online space

AESGP is aware that there are only limited resources available to regulatory authorities regarding the oversight of online space as well as cross-border cooperation on these matters. As the online channel continues to gain popularity, it is important to ensure that adequate resources are allocated so that people who choose to buy their self-care products online can do so safely.





About

The **Association of the European Self-Care Industry (AESGP)** is a non-profit organisation which represents the manufacturers of non-prescription medicines, food supplements and self-care medical devices in Europe, an area also referred to as consumer healthcare products.

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