

## COMPLAINING BEHAVIOUR AND CONSUMER SAFETY: RESEARCH ON ROMANIA ONLINE SHOPPING<sup>3</sup>

*In the last decade, new economic phenomena have emerged and their implications regarding consumer wellbeing need a thorough analysis. Synthesizing statistics in the European Union, it revealed a tendency in recent years of increasing the number of notifications on products that pose safety or security risks to consumers as well as a rising number of buyers resorting to online shopping. Utilizing new data collected through the statistical survey research method, the paper represents a study on the complaining behaviour of Romanians who opt to purchase products from online stores, as members of the European Union, their consumer safety regarding online shopping and the degree to which they are properly informed and know their rights. The results showed that Romanian consumers are circumspect about purchasing products online. However, they tend to be occasional buyers and they are reluctant regarding registering complaints concerning noncompliant products purchased online due. The paper provides an original study on complaining behaviour and consumer safety in Romania regarding products purchased from the internet and the identified solutions can lead to an improvement of consumer protection in the online environment.*

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### Introduction

The need to improve the consumer's protection arises from the fact that the damage or the injury suffered by an individual through the acquisition or use of property with deficiencies may be extended to all persons whose rights were violated (Negrea, Voinea, 2013). It is therefore necessary to protect the entire community from potential abuses of producers or traders by removing or repairing defective products from the first reported problem. Currently, due to the expansion of markets and the increasingly easy access to new forms of sale, new measures to enhance consumer protection are required.

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It is also necessary to intensify the measures for consumer's protection, considering the fact that there is currently a multiplication of unfair competition practices, and an increase in the number of aggressive forms of selling, especially in the online environment, which may induce consumer the pressure to purchase the respective good or service. Manufacturers have new ways available in order to approach consumers, such as the Internet or global networks television. Financial services have experienced a spectacular development, generating new problems for the consumers regarding their use and the intensifying competition in the global market leads to a monopoly tendency of companies or practices that are detrimental to consumers. Therefore a new analysis of the problems posed by these phenomena to consumer safety is required, followed by the identification of measures aimed at improving the consumer protection, especially in the online environment, which has seen a notable increase in the number of transactions. In 2012, 45% of European consumers in the European Union member states have made at least one purchase online. This represents an increase of 2% over 2011 and an increase of 5% on the 2010 figure.<sup>4</sup>

## Background

Consumer protection represents an assembly of laws and organizations aimed mainly to ensure consumer rights, fair competition between producers, distributors and buyers, as well as free access to accurate information on market products and services. For this purpose, a number of specialized activities are combined to maintain the bio-psycho-social integrity of the person, as a user of goods and services sold or distributed (Miron et al., 2011). Both in literature and in practice, two components of consumer protection can be distinguished: *state protection*, assured by the state and *self protection*, which represents that adequate information and education carried out both at the individual level and in within consumer associations (Dinu, 2011). Under the current conditions of the market economy in which citizens and businesses have the opportunity to achieve global trade, benefiting from a wide range of products and services, and the development of new ways of selling, like e-commerce a new set of consumer protection measures should be established in order to maximize new opportunities offered.

The need for a set of laws and the institutional framework to implement them derived from unbalanced ratio that lies between consumers and businesses. The latter have numerous ways to obtain information advantages, economic or legal. Therefore authorized associations must be created acting on behalf of consumers to balance the unequal forces.

There is a permanent interest at a global level on how consumer protection is put into practice through the emergence and continuous development of organizations to develop an

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<sup>4</sup> European officials estimate that by 2015, 50% of the European population will resort to Internet shopping (European Commission, 2013b).

appropriate institutional framework for their protection.<sup>5</sup> The most important organizations involved in the sphere of consumer protection are:

There are numerous legal regulations at the national level in every country, due to the significant uncertainties regarding health and environmental risks. These discrepancies may impede the easy adoption of decisions in international commercial disputes. Some analysts believe that the diversity of regulations in this area constitute a serious threat to international trade regimes (Bernauer, 2002), companies not having a clear set of criteria when they want to extend their offer to other states.

The EU consumer protection Policy has established four key objectives (European Commission, 2013b):

- Protecting consumers against products or services that pose serious risks and threats that they cannot face on their own;
- Adopting necessary measures to facilitate consumer access to clear, accurate and consistent information on which to make optimal choices;
- Protecting consumer rights and establishing rapid and effective procedures to resolve trade disputes;
- Adapting consumer rights to economic and social development, particularly in the food, energy, transport and digital sector.

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<sup>5</sup> Worldwide, the most important organization in this field is Consumers International (CI), established in 1960, aiming to provide a safe sustainable and honest future for all consumers in terms of increased diversification of markets and the influence international corporations. This global organization of more than 200 consumer organizations in 115 countries and The US cooperates with agencies, including UNICEF (United Nations Children's Foundation), ISO (International Organization for Standardization), WHO (World Health Organization) and others to promote ethical behavior of companies.

- The Federal Trade Commission (FTC), established in The United States, aims at preventing business practices which are anti-competitive, unfair or deceptive to consumers. FTC seeks also to raise awareness among consumers to facilitate their understanding of competitive processes (FTC, 2012).
- The Australian Consumer and Competition Commission (ACCC) is an independent Australian government authority and statutory established in 1995. ACCC seeks to promote competition and fair trade in the market in order to benefit consumers, business as well as the community and ensures compliance with Commonwealth competition by individuals and companies (ComLaw, 2011).
- The most important European organizations that provide consumer protection are: The Directorate of General Health and Consumers (DG SANCO), European Bureau of Consumer Unions (BEUC) and The European Association for the Coordination of Consumer Representation in Standardization (ANEC). An important EU mechanism that helps authorities monitor products on the market is RAPEX, the rapid alert system for unsafe consumer products, not including food, pharmaceuticals or drugs.
- In Romania, The Consumer Protection Association (CPA) established in 1990, defends and promotes the rights and economic interests of consumers and increases their degree of information, providing advice, information and assistance to resolve consumer complaints.

### **The Arising of Social Media and the Implication on Consumer Safety**

The development of internet services has led to the facilitation of information to consumers, both through faster access to data and information presented on websites by specialized institutions and the emergence and development of social sites, blog or review sites or groups of communication. Consumers can submit feedback on products or services used in the communities, they can organize collaborative purchasing (European Commission, 2012), in a reduced time they can contact various organizations that provide advice and as a result they can solve problems faster. Companies and entrepreneurs have the opportunity to utilize the test or review websites to promote or launch new products.

Although the internet is a vast source of information, it can represent a source of confusion for consumers who find it difficult to discern which sources are reliable and which are not. The problem which arises regards the veracity of the information presented on websites relating to the products or services. The impact of these on-line activities flows on off-line markets, consumers checking these products online before they buy them, so companies interested in attracting a large number of buyers, can influence the development of positive reviews, even if not the case.

Also, a new way of marketing for businesses appeared recently, called affiliate marketing. This involves providing certain gratuities, discounts or percentage of the value of purchases made by new clients brought on site, to those users of social media that promote the products. The latter have a direct interest in increasing the number of buyers for the products, their feedback is no longer objective.

However, another issue is that this type of marketing can target children and minors, considered a vulnerable group of consumers (Dinu, 2011). These social networking sites and other types of user-generated content are associated with privacy issues, especially on minors. These and other categories of consumers can share a variety of information, such as names, addresses, phone numbers or e-mail with others (Ionescu et al., 2014). If the sites allow unlimited access to user information this facilitates offenders to locate off-line users, including minors, or commit identity theft (FTC, 2008).

Due to the proliferation of new media, consumer expectations regarding control over the information they want to receive has changed. However, personal data requested by merchants to facilitate the commercialization of products are collected, maintained, and used in a way that is not always transparent and in accordance with the law. Companies can use this information for commercial purposes, to select which advertisements will be sent to, the so-called spam. These actions involve risks data security and privacy if the basics are misused by companies in the marketing chain (FTC, 2008). It is unknown whether consumers realize the extent to which personal information is collected and used to provide advertising, although we consider that an analysis of this topic is necessary.

The electronic means of payment, such as credit and debit payments facilitated online payment for consumers, who, more recently have other means of payment available, such as stored value cards or ACH debits (payment method available in the United States America through which companies can electronically withdraw money from the bank account of buyers using bank routing number and account number, requiring authorization

from the buyer). Although these tools facilitate payments and have proven useful, they nevertheless present serious problems for consumers. It is about who can fall victim to fraud or data security problems (FTC, 2008). Also, certain categories of consumers may be unfamiliar with these methods of payment and protective methods are needed against losses caused by fraud.

### **Data and Methodology**

The present analysis is conducted in three steps. Firstly, using data from The Rapid Alert System for Unsafe Consumer Products (RAPEX) we provide the picture of consumer complaints relating to the non-compliant products, the country of origin of these products, the extent to which the products pose a serious risk to health and safety and the percentage of Europeans that have ordered online products. Secondly, we examine the situation in Romania in order to identify the existence of a direct correlation between these data and the consumer complaining behaviour recorded in Europe.

The third part of the research represents a study on the complaining behaviour of Romanians as members of the European Union, their consumer safety regarding online shopping and the degree to which they are properly informed and know their rights, utilizing the statistical survey research method.

### **Results and Discussions**

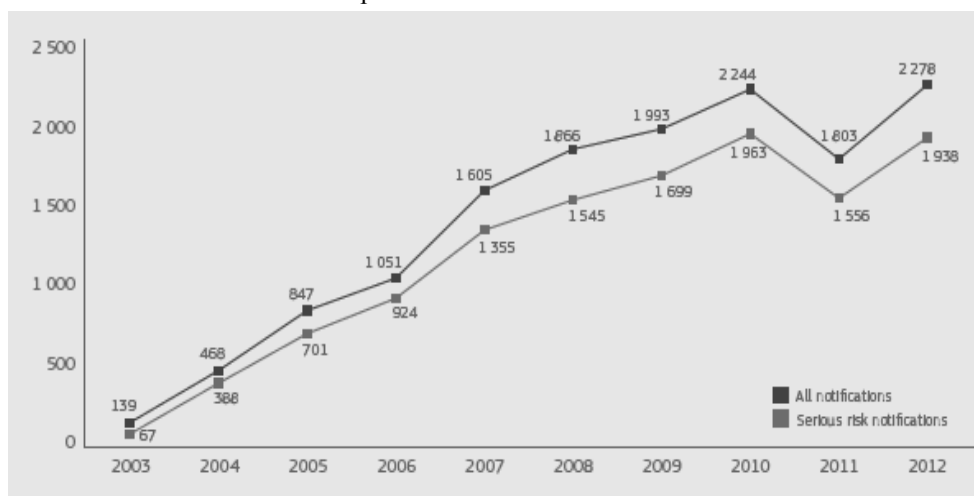
The data concerning the number of complaints at European level were collected and processed from the analysis reports provided by RAPEX including the period 2003-2012. The information is analyzed both qualitatively and in terms of quality, in order to provide optimal solutions for reducing the number of complaints regarding quality. The results of the analysis of information at European level prove their usefulness both theoretically and practically, since the data encompasses many statistical reports, represents an investigation of the context of European consumer protection issues for a significant period of time that has undergone many legislative changes, there has been a diversification of commodity markets and an increased interest of companies in terms of online presence.

There is a dramatic increase both the total number of complaints, as well as those classified as high risk between 2003 and 2012, more precisely an increase of about 1540% and 2800% (figure 1). This can be explained mainly by the integration of new countries into the EU, thus increasing the number of inhabitants of countries and their default notifications on product quality or service. Another argumentation for the situation is the development of technologies, especially during the period 2003-2012, along with the increasing tendency of people to complain in case of problem identification.

Also, trade liberalization has led many poor quality products to enter European market, mainly from Asian countries, threatening the safety and health of consumers, and this condition was exacerbated by the emergence and development of electronic commerce.

Thus, buyers can purchase from international distributors including property on which there is suspicion of not have undergone compliance checks and not meeting the safety standards. However, the Internet has facilitated information to citizens who know their rights and address complaints when they believe they are entitled to.

Figure 1  
The number of notifications on products posing health and safety risk to consumers – the period from 2003 to 2012



Source: European Commission, 2013c.

The chronogram highlights a significant decrease of about 20% in the number of dangerous products reported in 2011 compared to 2010, but this trend was not maintained the following year, when there was an increase of about 26% in the number of complaints, thus accounting for a similar level in 2011. We consider that this decrease was mainly due to the decrease in consumption of goods and services in the member states of the European Union, whose economy has been hit hard by the economic crisis, as fewer products or services are purchased, hence less problems are encountered.

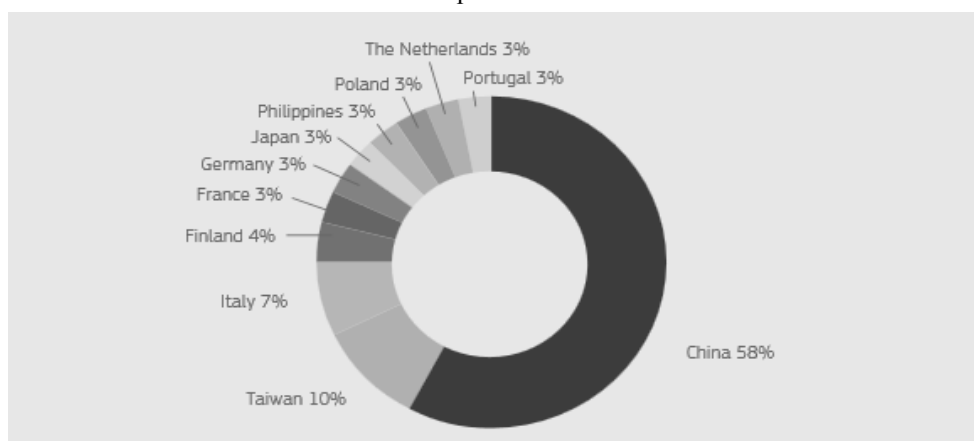
Underlying this statement is the fact that the number of RAPEX notifications depends on checks performed on products in the European market, due to complaints, prioritizing risks, accidents, new products emerged on the market or other similar actions. Therefore, in a time when consumption has declined and companies aimed primarily at maintaining themselves on the market, while launching new products was placed in the background, reducing the number of complaints about improper quality of products or potential risk that they may have on consumers is entirely justified. In the situation when the offer is greater than the demand, if certain firms start neglecting the consumer trust, these can be avoided by clients, leading to their elimination from the market.

The categories confronted with most problems in 2012 were: clothing and textiles, with a percentage of 34% of the total number of complaints received, followed by toys, with a rate

of approximately 19% of all complaints (European Commission, 2013c). Over half of RAPEX notifications have reported products whose country of origin is China (58%) (figure 2). The European country with the most notified products is Italy (7%).

Figure 2

The percentage of notifications received by RAPEX by country of origin of the notified product



Source: European Commission, 2013c.

Countries that have sent the most RAPEX notifications in 2012 were: Hungary 294 notifications, 15% of the total, Bulgaria with 271 notifications (14% of total registered) and Spain recorded 199 complaints, totalling about 10% of the total (figure 3).

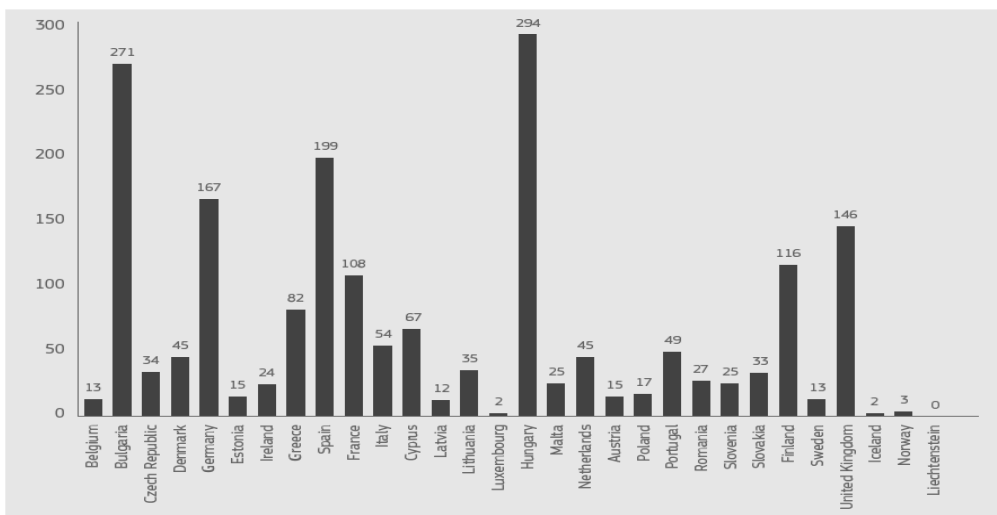
According to the figures, Romania has sent a small number of notifications compared to the total registered in the EU and compared to neighbouring countries. In Romania, consumers tend to be *passive*, often choosing not to make complaints waiting instead for economic operators to solve the problem.

In addition to these, we mention the following aspects that can prevent consumers from submit complaints, particularly in cases of purchasing products or services online:

- The buyer has difficulties in contacting the seller after the transaction was made, the contact information is either inaccurate or nonexistent;
- The consumers do not want to be held responsible for damaging the product;
- They consider reimbursement fees as too high to request repair or replace the product or refund of the amount paid;
- In the absence of providing a tax receipt, they have not proof that the purchase was made.

Figure 3

Total number of notifications depending on the country from which the notifications were received



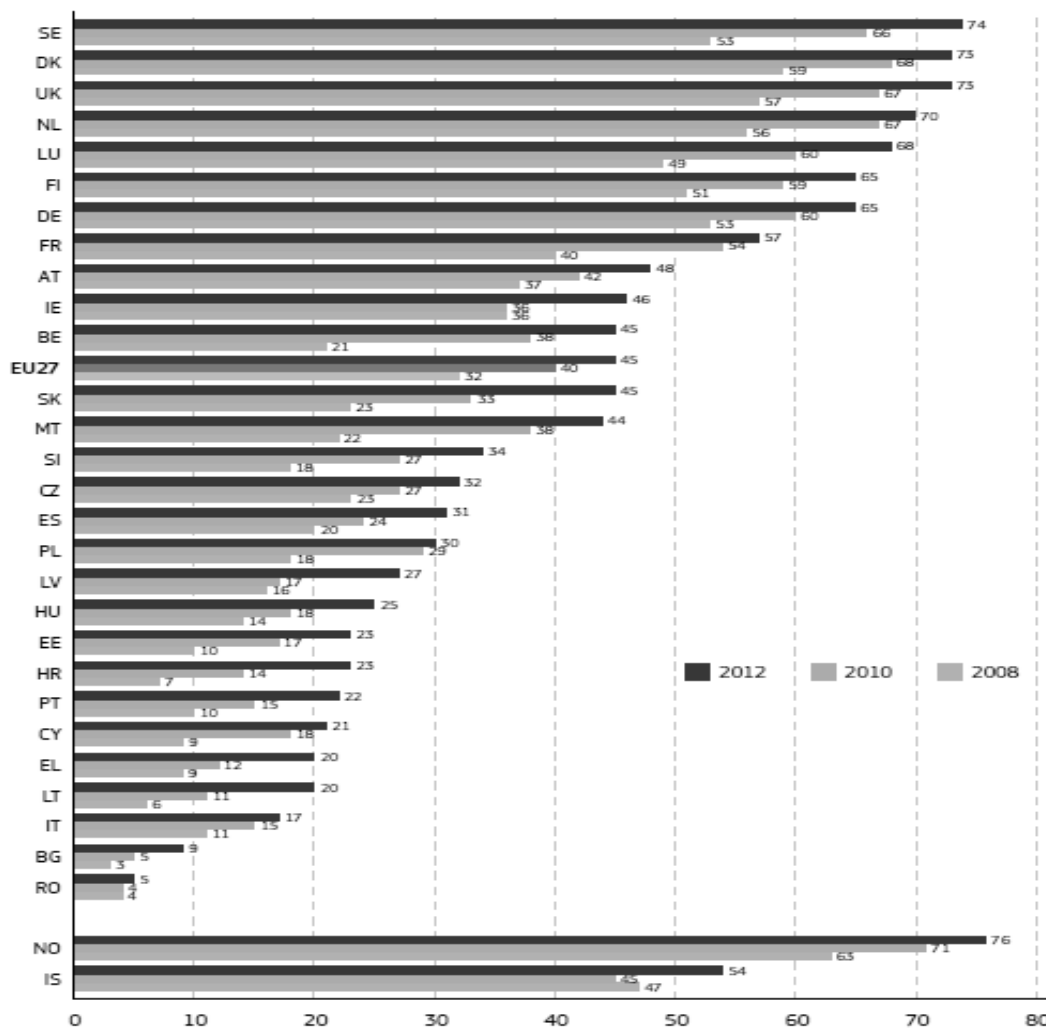
Source: European Commission, 2013c.

In the last eight years online shopping has grown dramatically, from 20% of consumers engaged in online trade in 2004 to 45% in 2012. In 2012 there were 2% more internet shopping compared to 2011, when growth was reported by 5% compared to 2010. However, there are substantial inequalities between European countries, Norway recorded the highest percentage: 76%, while Eastern European countries are below the EU average (figure 4). Among them stands out Romania having the lowest percentage of people who shopped online in 2012, only 5% compared to the EU average of 45%. Note that there is a tendency for people to purchase products from national suppliers (41%) than from those in other EU countries (11%) or from outside Europe (European Commission, 2013c). People who are most likely to use the Internet to purchase goods are young, usually with high school or upper education and mainly from urban areas.



Figure 4

Percentage of population who shopped online in 2012



Source: European Commission, 2013b.

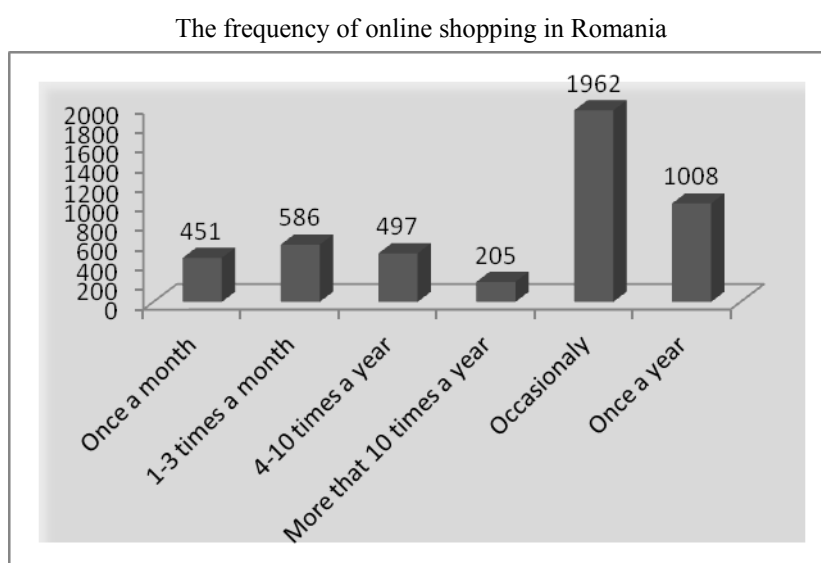
### Survey Results

In order to investigate the complaining behaviour of Romanians who purchase products on line a survey was conducted in towns covering all regions of Romania. The sample includes 4709 individuals between the ages of 18 and 70 who have purchased at least one product during the last 12 months. Both males and females were randomly selected, thus respecting

the requirements of the principles of probability in terms of age, education level or social level.

According to the results obtained and presented in figure no. 5, Romanians often buy products from online stores on certain occasions (41.66%) or once a year (21.41%), usually for Christmas gifts. Approximately 10% of the total sample (9.58) answered they buy products once a month, 12.44 % remembered they buy something online between once and three times a month and 10.55% mentioned that they purchase goods via Internet four to 10 times a year. The lowest percentage, 4.35% was recorded for more than 10 online purchases each ear for each buyer.

Figure 5



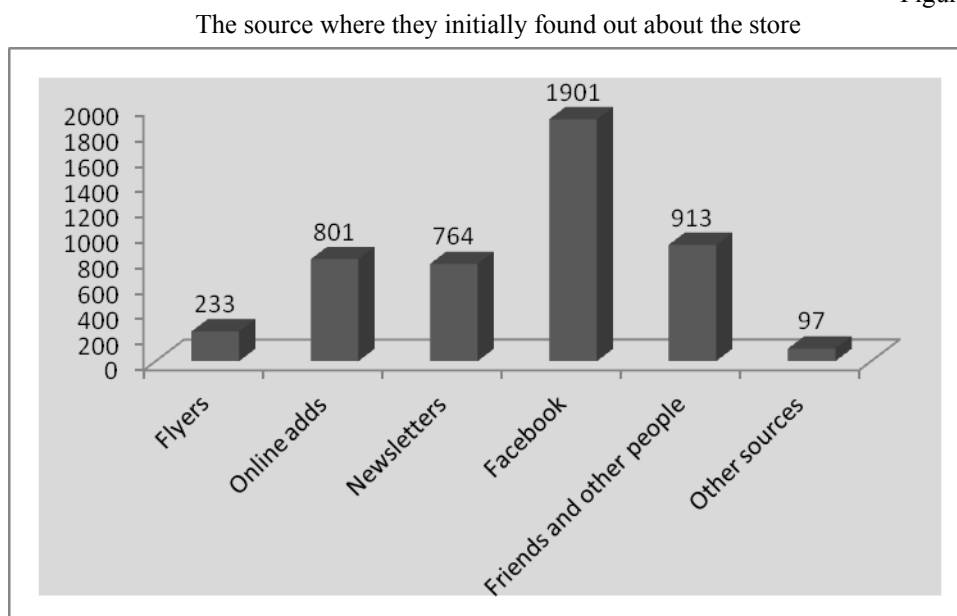
The reasons consumers do not choose online stores to a larger extent are diverse:

- 36% responded that they do not trust online payments and do not consider it safe. Therefore they purchase goods only from stores that allow them to pay on delivery;
- 13% of people said they do not have permanent Internet access, and 28% said they have no computer skills;
- 15% of them are sceptical about the quality of the products that are sold on the internet, but there are situations when they cannot find that certain product in a traditional store or the price is significantly higher for the latter;
- A rate of 8% of the respondents said mentioned they do not find the enough attractive online offers, some of them stating that they have searched the internet for information regarding some products, but they prefer to buy from stores off-line.

According to the survey, most products bought online were clothes and shoes: 32%, followed by consumer electronics 29%. Of those interviewed, 19% bought toys, 7% of them opted for food products, 8% for cosmetics, and 5% for others, not wanting to mention de precise product.

Regarding the source where the consumers of goods bought online, it was revealed that over 40% of the questioned people mentioned they saw recommendations on Facebook or suggestions from their list of friends (figure no. 6). It is not surprising taking into consideration the great influence this social network in particular has on people's lives and actions. Newsletters, online advertisements or friends and other people also have a great influence on individuals' decision on buying from a certain online store, with figures of 764, 801 and 913 respectively.

Figure 6



The online purchased products proved to be generally safe and qualitative. 69.12% of respondents stating they were satisfied with the quality of the products received, while 30.88% answered they encountered problems with the merchandise bought.

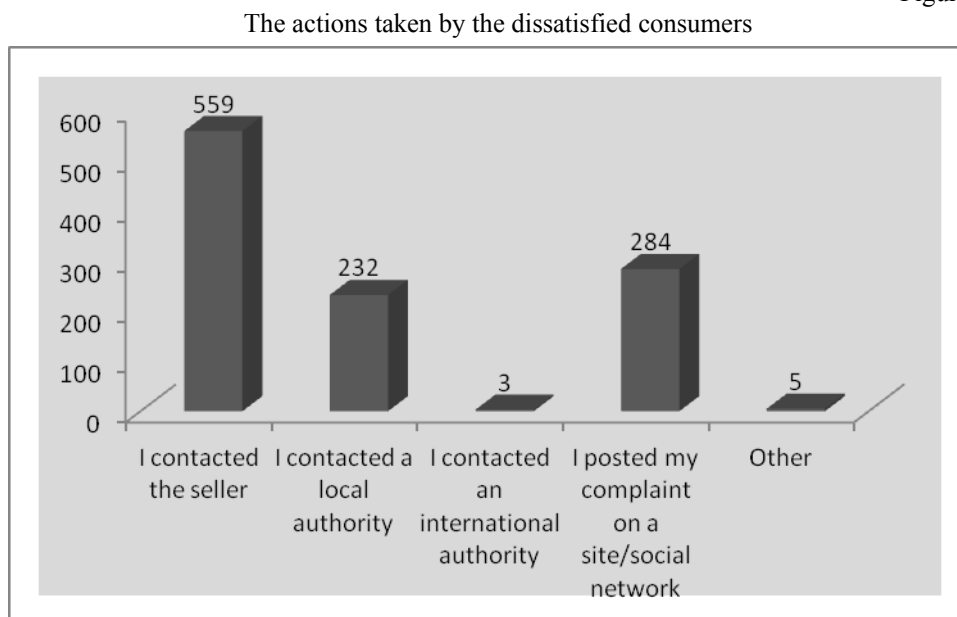
The problems encountered were:

- 42% have received a dysfunctional product or which showed signs of wearing;
- For 33% of those dissatisfied there have been problems with the clothing or footwear products in the sense that the sizes did not match, or the quality of the products was inferior to the one described;
- 14% said that they had received other products than those ordered;

- The lack of warranty was reported by 8% of respondents, while 3% had experienced other problems than those listed.

Of the 1454 dissatisfied, 74.48%, meaning 1083 of them decided to take action accordingly (figure 7): over 50% of them decided to contact the seller, almost a quarter posted their complaint on a site, including a social network, while 232 of them contacted a legal authority to find a convenient solution. Three of them contacted an international authority while five mentioned they took other action regarding their complaint.

Figure 7



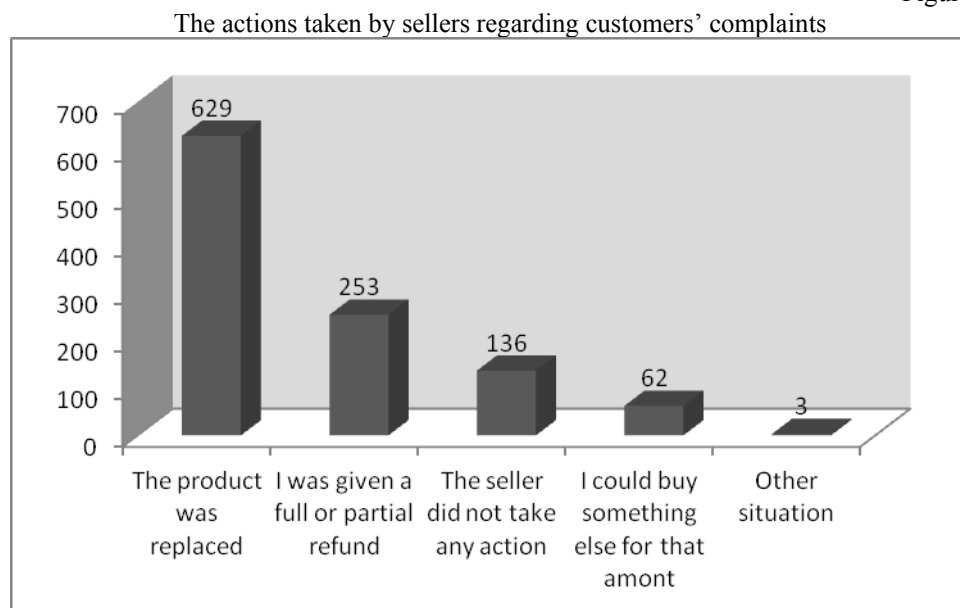
Romanian consumers choose not to file complaints for several reasons:

- They consider that they cannot have expectations on the performance of a product purchased at a reduced price;
- They are unaware of the existing legislation and do not know which authority to contact in case of existing complaints regarding non compliant products;
- They do not want to be part of conflict situations and to be treated with hostility by merchants or service providers to whom they complain about certain deficiencies;
- They consider that these notifications are unnecessary and there will be no measures taken after alert is issued;
- They have a reluctance to address complaints in a place where they make their regular purchases, as the case of convenience stores;

- They consider that the compensation received is too small compared to the potential problems that may arise.

Regarding the solution received after taking any of the mentioned actions (figure 8), it was revealed that: for 629 individuals the sellers decided to replace the product, this being the most common result of their customers complaints, while the second most common action was to give the buyers their money back. For 136 of the questioned persons, the seller did not take any action.

Figure 8



Referring to Romanians level of understanding their rights: 8% of respondents said they did not know whether they can return goods purchased online, 9% were of the opinion that goods purchased on the Internet Services cannot be returned, and 83% said that they can be returned to any other items bought at a store off-line.

In general, consumers consider that their rights were respected, 94% stating this, while 6% said they felt wronged and that their rights were not respected.

## Conclusions

The need for improvement of consumer protection both in traditional markets and in the online one derives from the diversification of sale and payment methods, global market development, the emergence of new marketing methods adapted to the online environment that involves solving new and problematic situations. Based on the study conducted we

have identified the following relatively recent problems encountered by consumers when ordering products online:

- Insufficient knowledge of the legislation which entails other negative aspects, such as the impossibility to address notifications to the right organizations which could deal with irregularities;
- The questionable quality of the products purchased, which can be established only when the order is received;
- The possibility that the goods they ordered might be replaced with some counterfeit ones, the electronics and appliances might encounter deficiencies, or the sizes might not match, in the case of garments;
- The insecurity regarding card payments or other payment instruments online.

A fundamental aspect in order to improve consumer protection is *the need to educate and inform* them of the rights and responsibilities that allow them to make optimal decisions in choosing the goods and services desired. It is necessary to pay attention to the new means of promoting products online environment and concerns associated with this. Consumers should be informed of the risks arising from the provision of personal data to third parties even the information willingly provided on the social networks.

Another recommendation is the introduction of new items in European law and in the Romanian one, implicitly, on *monitoring new media channels* such as blogs, v-logs, and social sites, so as to protect consumers against potentially harmful content. Self-regulatory efforts of companies in cyberspace correlated with those authorities can enhance the safety of users.

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