



**THE DIGITAL
COSMETIC**

MINIBOOK 2021

INTRODUCTION	p. 2
E-commerce : Which obligations do professionals have ?	p. 3
Chartres launches its start-up incubator	p. 6
E-commerce: as smooth as it looks?	p. 7
Covid 19: good results for online sales	p. 10
Covid-19: what are the international impacts?	p. 11
Internet commerce at the time of Covid-19	p. 14
Beauty & e-commerce: marketplaces are reinventing themselves	p. 16
Cosmetics in the age of social networks	p. 18
Beauty Tech: it might be time to jump in?	p. 20
The artificial intelligence boom in the age of coronavirus	p. 22
Conquering Generation Z	p. 23
1, 2, 3 love me!	p. 25
Covid-19 : how to make influence marketing ?	p. 27
CEW France and Wearisma analyse cosmetic influence marketing	p. 29

Introduction

As important as the wave of eco-responsibility that is sweeping through the cosmetics industry, the digital revolution is underway. For several years now, new technologies have been an integral part of our lives. The young generations are hyper-connected and to hope to seduce them, we must learn to speak the same language as them.

Covid-19 has also played an important role in the digitalization of the industry. To compensate for the closure of stores, consumers have massively turned to e-commerce. This is a real challenge for the players in the sector, as they must now be able to offer an online shopping experience that is as good as that of physical distribution.

The digital revolution does not only concern the distribution of products, it also opens the doors to new concepts and new uses. Artificial intelligence is gaining ground in the beauty sector and offers interesting perspectives such as the creation of hyper-personalized treatments, ranging from make-up to hair care, including fragrances.

This dossier has been designed to help the beauty industry to successfully complete its digital transition. It covers the obligations that govern the sale of cosmetics on the Internet, gives keys to optimize online results, improve customer experience, be as efficient as possible on social networks and take on the Beauty Tech.

E-COMMERCE : WHICH OBLIGATIONS DO PROFESSIONALS HAVE ?

Since the beginning of the health crisis, many people have turned to the Internet to continue consuming. A godsend for the cosmetics industry professionals. Like physical distribution, online sales are subject to very specific rules. CosmeticOBS took stock of the situation with Xavier Gueant, Director of Legal Affairs at the FEBEA.

On the Internet, the beauty actors must comply with many provisions relating to distance selling, in particular provided for by the Hamon law, and include on their online sales site:

- The essential characteristics of the good or service
- The price of the good or service
- The terms of payment, delivery or performance
- The costs and the delivery period in which the professional undertakes to deliver the good (in the absence of precision, this period is fixed at 30 days after the act of purchase, at the end of which the consumer can cancel his order if it has not been delivered)
- The existence or absence of a right of withdrawal (fixed at 14 days for the sales on Internet)
- The duration and the validity of the offer
- The identity of the professional, his postal, telephone and electronic coordinates, as well as the nature of his activities
- The costs of the use of the technique of remote communication, the codes of good conduct, sureties and guarantees, the modalities of cancellation, the modes of settlement of the disputes.

Manufacturers must also respect the provisions of Article 19 (Labeling) of the Cosmetics Regulation 1223/2009 and include on their website

- The name or company name and address of the person responsible
- The nominal content at the time of packaging, indicated in weight or volume
- The date until which the cosmetic product, stored under appropriate conditions, continues to fulfill its initial function
- Special precautions for use
- The function of the cosmetic product, unless it is clear from its presentation
- The list of ingredients Note that the claims made on the website must comply with Article 20 of the Cosmetics Regulations (Claims about the product), and Regulation 655/2013 on Common Criteria).

According to the FEBEA expert, the main information obligations incumbent on professionals have not changed significantly since 2014, nor those concerning the mentions described by Article 19 of the Cosmetic Regulation. In recent years, the main changes emanate from the RGPD and the framework applicable to online intermediaries.

What then about certain information that appears on the packaging such as the PAO or the batch number, which is generally not seen on the Internet?

“The PAO is a substantial piece of information that is important in the act of purchase and can guide the consumer’s choice. In my opinion, it must be possible to find it online,” says Xavier Gueant. “The batch number, on the other hand, is related to traceability between supplier and distributor. It is not useful in the context of a generic presentation of a care product and therefore it does not necessarily have to appear on the Internet.”

Another point to clarify is the withdrawal period. If consumers have the right to 14 days, brands can invoke hygiene measures and not accept the return of an unsealed product. If these reasons are quite legitimate, it is up to the professionals to inform their customers beforehand.

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