Discussion on Legal Regulation of False Propaganda in E-commerce Platform

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Abstract: At present, the e-commerce platform is gradually becoming the most important way for consumers to buy. While providing consumers with great convenience and benefits, it also causes certain troubles to consumers. For example, false publicity of products is a big problem. There are three main ways for e-commerce platforms to carry out false propaganda: false product descriptions, false transactions, and concealment of product defects. In the field of e-commerce, the regulation of false propaganda has fallen into a dilemma. It is recommended to improve relevant laws and regulations, improve the credit evaluation system of third-party trading platforms, and improve the supervision of e-commerce platforms, so as to effectively regulate the behavior of illegal subjects. Promote fair and legitimate competition among competitors, and effectively safeguard the legitimate rights and interests of consumers and other honest operators.

Keywords: E-commerce platform; False propaganda; Legal regulation

E-commerce is a fair platform for many netizens to trade and bargain on the Internet. Other enterprises can use this platform to carry out a series of low-cost, safe and efficient business operations, which is a win-win situation for every enterprise and user. Now, the reason why e-commerce platforms have become so popular is because of the total revenue they can generate. The lifelike and illustrated renderings in the e-commerce platform are all direct or indirect advertising, and the authenticity and credibility are becoming more and more unbearable, and there is no lack of false propaganda.

1. Discussion on Several Problems of False Propaganda of E-commerce Platform

1.1 Product description is false

False product descriptions are most likely to cause confusion to customers. If the product description is true, then ordinary customers will not misunderstand and there will be no subsequent disputes. It is precisely because of the low credibility of merchants to customers that when customers buy goods, they should not only look at the introduction of merchants, but also look at other factors. The first thing consumers need to see is the information description of the product. Before they buy an item, they will compare the advantages and disadvantages of the products in each store (1). But if it is a store with a bad reputation, it will give benefits that do not exist, so it can only get bad reviews from customers who want benefits, and it will not greatly reduce the reputation of the store, and the profit is far higher than the loss. This is why there is a lot of false information. Most consumers have no loss and are too lazy to complain, so it is difficult for regulators to grasp.

1.2 False transactions

Fraud not only harms the interests of consumers, but also makes it difficult for the regulatory authorities to effectively identify fraud. Since the number of transactions and monthly sales are also an important means of advertising, some companies will adjust the singular number of products to reduce the number of a product, thereby increasing product sales. It is difficult for regulators to determine whether it is legal. Another more secretive way is that merchants sell products at higher prices and with smaller profits,
accumulating a lot of word-of-mouth and sales on the Internet, which can quickly accumulate popularity and improve the reputation of the store. When a certain level is reached, the merchant will reduce the quality and make minor changes to the content of the advertisement, while ordinary consumers do not know the specific situation of the product, thus making them think that the product they are buying is also the previous product. According to the purchase experience of previous customers to buy the changed products, so that they have made a huge mistake in the quality, evaluation and effectiveness of the new products, thus bringing great losses to the consumers of e-commerce.

1.3 To cover up the shortcomings of the goods

Compared with physical transactions, e-commerce platforms also have a big disadvantage, that is, they cannot get the most complete items in the shortest time. Businesses generally only praise the advantages of the product, and do not mention the shortcomings. Although this situation also occurs in physical stores, most consumers can experiment with intuition and carry out practical applications to find out the shortcomings in the products, while online shopping does not have this condition. Businesses often give up part of the product’s performance for the sake of profit, avoiding these problems in the process of marketing, and consumers do not think comprehensively in the process of purchase, thus causing it to be difficult to use the goods for actual use due to some serious defects after purchase. This has brought a great impact on the trade environment of the e-commerce platform, and the avoidance of some defects is a disguised exaggeration of commodities. And most people won’t buy it again, so they can only use things that don’t meet their requirements. This is a disadvantageous situation for individual users and the overall e-commerce platform.

2. Legal Regulation of False Propaganda on E-commerce Platform

2.1 Statutory responsibilities of e-commerce platforms

First of all, in accordance with the “the People’s Republic of China Advertising Law” and other relevant laws, advertising on e-commerce platforms must also be registered. As long as it is legal, you can advertise on it. For some profit-making commercial activities such as non-compliance with laws and regulations and unauthorized publication of false propaganda, first, e-commerce platform service providers should quickly find out and delete such advertisements through technical means. Second, e-commerce platform service providers should communicate with the Administration for Industry and Commerce and other relevant departments to completely dig out the commodity sales chain behind these false propaganda, and then to the sale of counterfeit and inferior products, “three no” products, prohibited items, illegal pyramid selling and other greater efforts to crack down. Secondly, when registering an account, it is necessary to review the account, block the false account, and strangle the hidden danger in the cradle. Third, improve the user supervision and feedback system. For users who reflect or report bad information or false propaganda on the e-commerce platform, the e-commerce platform should review, reply and handle it within 12 hours. Fourth, if the relevant departments have reviewed some of the content and verified some of the content, the provider of the e-commerce platform should immediately block the illegal public number after receiving the notice and delete the link to such content, otherwise, it will be responsible for this.

2.2 The legal responsibility of the subject of e-commerce

China’s “Product Quality Law” and “Consumer Rights Protection Law” have made clear provisions on the legal responsibilities and duties that operators should bear. In the e-commerce platform shopping, the buyer and the seller constitute a kind of buying and selling relationship, the buyer is a kind of goods with intellectual property rights, and its intellectual property rights are a kind of intellectual property rights. Because this is a contract, according to the relativity of the contract, the buyer has the right to claim compensation without receiving the benefit of the contract. If the goods are defective, the goods supplier and the service supplier shall be jointly and severally liable if the goods cause losses to the buyer. my country’s “Intellectual Property Law” and “Anti-Unfair Competition Law” stipulate that commercial service enterprises shall not engage in activities such as the production and illegal sale
of infringing products. In fact, the most important thing is to strengthen the self-restraint of the e-commerce industry. The main body of e-commerce should not only make money, but also have credibility and conscientious products. First of all, the main body of e-commerce should not sell anything illegal according to the regulations of the state. Secondly, the seller should be responsible for the goods and services he sells, pay attention to the quality problems reflected by consumers, find the defects of the goods, so that the next purchase of goods can be considered and improved, so as to continue to enhance their credibility. Finally, businesses are not allowed to copy promotion pictures in other e-commerce, nor can they directly forward and promote other products without research. Concealed advertisements that are disseminated and posted in various ways should be regulated so that these false advertisements can be effectively suppressed.

2.3 To strengthen the supervision of e-commerce trade behavior

Through the improvement of its business model and the corresponding norms, it will help to promote the orderly and standardized development of the industry. In the face of problems such as poor product quality, backward after-sales service, and serious false propaganda, it is not only necessary to have post-event treatment and emergency plans, but also to formulate relevant laws and regulations to guide e-commerce in the process of production, operation and sales. Do legal and compliant development. First of all, the registration and audit system of the main body of e-commerce has been further improved. And on this basis, the use of technical means to register and verify the personal information of the operators. Secondly, we should increase the access to e-commerce commodities. We must resolutely crack down on counterfeit goods and destroy them in a timely manner. In view of the transaction risks in e-commerce platform transactions such as transfers, we can consider introducing third-party payment platforms to provide consumers with more security. Third, establish an after-sales evaluation system so that other buyers have a reference basis, so that some defective goods can be eliminated.

Conclusion:

Domestic e-commerce has developed rapidly, but at the same time, many new problems have emerged. There are still many gaps in laws and regulations such as the ‘Online Transaction Management Measures. In order to regulate and control the inappropriate behaviors such as false propaganda in e-commerce, it is necessary to adapt to the actual needs and improve the effectiveness of legal supervision. We should also keep up with the pace of the times, be loved by others, and draw nourishment from some more advanced foreign legal provisions with certain reference value.

References:


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