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Consumer Protection — Right of Withdrawal, Warranty and Your Rights

14-day right of withdrawal for online purchases, 2-year warranty, consumer centers and mediation services.

Deutsche Begriffe: Widerrufsrecht | Gewährleistung | Verbraucherzentrale | Schlichtungsstelle | AGB | Umtausch | Reklamation

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Widerrufsrecht — 14 Days for Online Purchases

If you buy **online, by phone, or at the door**, you have a legal right of withdrawal:

Key Rules

• **14 days** from receipt of goods — without stating reasons

• Applies to **online shops, telephone sales, door-to-door sales**

• **Not in physical stores** — in-store shopping has no statutory right of withdrawal (exchanges are at the seller's discretion)

• Withdrawal must be **in writing** (email, letter, withdrawal form)

• Return within **14 days** after withdrawal notice

• **Return costs:** Usually paid by the buyer (if stated in the contract)

• **Refund:** Within **14 days** of receiving the returned item

Exceptions to the Right of Withdrawal

No right of withdrawal for:

• **Perishable goods** (food, flowers)

• **Sealed hygiene products** (cosmetics, underwear) — if opened

• **Individually made products** (custom suit, engraved jewelry)

• **Newspapers/magazines** (individual issues)

• **Digital content** — if download started immediately and you consented

• **Travel and events** with fixed dates

Gewährleistung — 2 Years by Law

Gewährleistung (warranty for defects) is your legal right for faulty goods:

Basic Rules

• **2 years** from purchase date — for new goods

• **1 year** — for used goods (if contractually agreed)

• **Burden of proof:** In the **first 12 months**, the seller must prove the defect did not exist (burden reversal)

• From month 13 onwards: You must prove the defect existed from the start

Your Rights for Defects (in this order)

1. Repair or replacement — repair or substitute goods (your choice!)

2. Price reduction — discount if repair fails

3. Cancellation — money back if 2 repair attempts fail

4. Damages — if the seller is at fault

Important: The **seller** is your contact — not the manufacturer. Always contact the retailer you bought from.

Gewährleistung vs. Warranty

	Gewährleistung	Warranty
Basis	Law (BGB)	Voluntary (manufacturer)
Duration	2 years	Variable (1–5 years)
Contact	Seller	Manufacturer
Scope	Defects at purchase	Per warranty conditions

Verbraucherzentrale — Your Consumer Center

The **Verbraucherzentrale** is an independent consumer advice center. Each federal state has its own Verbraucherzentrale.

Services

- **Advice** on contracts, complaints, fraud
- **Legal consultation** (from approx. €30 for phone advice)
- **Sample letters** — free on the website
- **Warnings** against dishonest companies
- **Energy advice**, financial advice, nutrition advice

Contact

- **Website:** verbraucherzentrale.de
- **Phone advice:** Varies by state, from approx. €1.50/min or flat rate
- **In-person advice:** In many cities, book appointment online

Schlichtungsstelle — Out-of-Court Resolution

Before going to court, you can use a **Schlichtungsstelle**:

- **General Consumer Ombudsman** (vsbinfo.de)
- **Energy Ombudsman** — for disputes with power/gas suppliers
- **Banking Ombudsman** — for bank problems
- **Telecommunications Ombudsman** (Bundesnetzagentur) — for mobile/internet issues
- **söp (Public Transport Ombudsman)** — rail and flight compensation

Advantages of Mediation

- **Free** for consumers (in most cases)
- **Faster** than court proceedings (approx. 90 days)
- **Non-binding** — you can reject the result and still sue

AGB — Read the Fine Print

General Terms and Conditions (AGB) must **not unfairly disadvantage you**. Invalid are, for example:

- Exclusion of warranty for new goods
- Unreasonably short complaint periods
- Hidden cost traps

In doubt: Invalid clauses can be ignored — the law applies.