

# Euroconsumers' response to the Digital Fairness Act consultation

23 October 2025

## Introduction

Euroconsumers<sup>1</sup> and its member organisations in Spain (OCU), Italy (Altroconsumo), Belgium (Testachats/Testaankoop) and Portugal (Deco Proteste) - support the call for innovation and European competitiveness set out in the objectives of the Digital Service Act by ensuring that the EU Consumer Acquis is fit for the digital age.

A modern, competitive Europe depends on consumers who are confident, informed, and empowered. Strong, informed consumers drive innovation, reward fair competition, and help build a resilient European economy. Protecting and empowering them is not a brake on innovation, it is a foundation for it. Therefore, a competitive Europe cannot be built at the expense of consumers, their rights or their empowerment. On the contrary: the role of consumers in Europe's economy at this decisive moment in time needs reinforcement.

First and foremost, **by enforcing already existing consumer legislation**. The current consumer acquis already holds an impressive set of rules that could tackle some of the problems and imbalances consumers face today if they were properly enforced. Facing this enforcement gap is therefore crucial to set a future-proof, safe and consumer empowering digital environment.

However, effective enforcement also relies on rules that are clear, actionable, and adaptable to new digital realities. If market expectations are unclear or if applying general principles takes years of jurisprudence, enforcement lacks efficiency, and both consumers and businesses are left uncertain. Conversely, introducing regulation for its own sake risks overreach. The goal should be to **fill legislative gaps, clarify obligations, and update rules where needed** to the modern digital environment — creating certainty for consumers, traders, and authorities alike. In doing so, it should aim at keeping the good while filtering out the bad, addressing harmful or manipulative practices without undermining innovation that benefits consumers.

As a third pillar to the Digital Fairness Act, Euroconsumers would like to underline the **specific reality of minors in the digital world** and the importance of addressing it in a minor-proof way, built on their experiences and expectations.

With these elements together, Europe can lead the way towards a fair, competitive, and trustworthy digital economy.

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<sup>1</sup> **About Euroconsumers:** Gathering five national consumer organisations and giving voice to a total of more than 6 million people in Italy (Altroconsumo), Belgium (Testachats/Testaankoop), Spain (OCU), Portugal (DecoProteste) and Brazil (Proteste), Euroconsumers is the world's leading consumer group in innovative information, personalised services and defence of consumer rights. Our European member organisations are part of the umbrella network of BEUC, the European Consumer Organisation. Together we advocate for EU policies that benefit consumers in their daily lives.

# 1. The Enforcement Gap

Europe's consumer acquis is among the most advanced in the world. Yet even the strongest rules risk losing their effectiveness without timely, consistent, and robust enforcement. Weak enforcement allows harmful practices to persist, distorts competition, and undermines consumer trust in the Digital Single Market.

Euroconsumers' organisations have repeatedly filed complaints to enforce existing consumer laws; yet too often, no action follows. A few examples illustrate this pattern:

- **Hidden and dangerous influencer advertising** – Altroconsumo identified widespread undisclosed promotions of dietary supplements such as pills, teas and meal replacements by influencers. This was not only misleading advertising but potentially dangerous. Complaints were filed with the authorities, yet no response was ever received.<sup>2</sup>
- **Fake online reviews** – OCU<sup>3</sup> analysed 6.5 million online reviews across Amazon, TripAdvisor, and Booking.com, revealing that up to 8.5% were fake. Despite submitting the findings to the Spanish authority, no follow-up action has been taken.
- **Fake review farms** – Altroconsumo uncovered a thriving ecosystem of “fake review harvesters” through websites, Telegram channels, and Facebook groups. Complaints and even criminal filings in Bologna, Ivrea, Milan, and Rome led to stalled or dismissed proceedings.<sup>4</sup>
- **Hidden ticketing fees** – OCU's investigation into online ticket sellers<sup>5</sup> found that 92% applied management fees at checkout, increasing prices by an average of 11%. Formal complaints were filed with the Ministry of Consumption in October 2024, and most recently also on abusive charges for Bad Bunny concerts, but no reply has followed.
- **Misleading “Platinum Tickets”** – TestAcharts and Euroconsumers<sup>6</sup> filed a complaint against Ticketmaster for the sale of so-called “Platinum Tickets”, which were advertised as special or premium options but offered no real additional value. The complaint argues that this practice misleads consumers and breaches EU unfair commercial practices law. The case remains pending.

These examples show a clear pattern: consumer organisations do their part as watchdogs but enforcement doesn't follow. Rules only work when someone ensures they are applied.

Our experience has highlighted several shortcomings in enforcement that remain:

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2 **Altroconsumo (2020)**, *Integratori e influencer: troppe informazioni ingannevoli*, <https://www.altroconsumo.it/alimentazione/sicurezza-alimentare/news/integratori-e-influencer>

3 **OCU (2021)**, *Opiniones falsas en Internet: fake reviews*, <https://www.ocu.org/consumo-familia/compras-online/noticias/fake-reviews>

4 **Altroconsumo (2022)**, *Compravendita di recensioni false su Amazon: querelati siti e pagine social di boosting*, <https://www.altroconsumo.it/vita-privata-famiglia/servizi-e-contratti/news/compravendita-recensioni-amazo>

5 **OCU (2024)**, *OCU exige acción inmediata contra los abusos en los gastos de gestión de entradas online*, <https://www.ocu.org/organizacion/prensa/notas-de-prensa/2024/comisionesentradas220724>

6 **Euroconsumers (2025)**, *Dynamic prices, hidden fees: Ticketmaster complaint*, <https://www.euroconsumers.org/dynamic-prices-hidden-fees-ticketmaster-complaint/>

## **1. Inconsistencies in national capacities and application**

Differences in enforcement capacity, resources, and interpretation of consumer rules hinder consistent application of the law. Some national authorities take a proactive leadership role, while others are slow to respond, which undermines the work of consumer and civil society organisations. Even within the same authority, interpretations can differ. For instance, in 2023, Euroconsumers and its Italian organisation Altroconsumo reported the original version of Bing Chat, which integrated AI into search and generated misleading purchasing advice without disclaimers. The Italian Antitrust Authority initially closed the case, citing no consumer relationship, yet two years later opened a procedure against Deepseek for the same reasons. This shows that EU and national legislation on unfair commercial practices is “future-proof” in principle, but its interpretation is often inconsistent.<sup>7</sup>

## **2. Limited deterrence from fines**

Penalties currently lack a deterrent effect. They are often negotiated rather than imposed, and the maximum fines are too low relative to the size of large digital players. For example, in Italy, the maximum penalty for unfair commercial practices is €10 million, which is insufficient to influence major platforms.

## **3. Enforcement challenges in fast-evolving digital markets**

Digital markets move quickly, and long procedures can render decisions irrelevant by the time they are issued. Without faster, streamlined processes, enforcement cannot keep pace with harmful practices such as AI-driven misleading advice, dynamic pricing, or drip pricing.

## **Recommendations:**

### **1. Faster and more efficient public enforcement in cross-border cases**

To ensure effective public enforcement of EU consumer law in cross-border situations, the EU established the Regulation on Cooperation between National Consumer Protection Authorities (CPC Regulation). However, its effectiveness remains constrained by lengthy and complex procedures, limited resources and expertise, and challenges in taking action against traders outside the EU. For this reason, the Commission should present its proposal for the DFA alongside a proposal to revise the CPC Regulation.

Such a revision should, for example, streamline coordination procedures, strengthen national consumer protection authorities, promote closer cooperation between consumer protection authorities and other relevant enforcement bodies, and grant enforcement powers to the Commission. We strongly encourage the Commission to consider creating a more centralised enforcement structure for consumer law, similar to what exists for the Digital Services Act.

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<sup>7</sup> **Euroconsumers (2025)**, *The full story of DeepSeek: how Euroconsumers is driving action for consumers*<https://www.euroconsumers.org/the-full-story-of-deepseek-how-euroconsumers-is-driving-action-for-consumers/>

## 2. Fines fit for purpose and regulatory dialogues

The Commission should strengthen the deterrent and preventive function of enforcement by ensuring that fines are proportionate to company size and coordinated across jurisdictions. This could be complemented by the introduction of structured regulatory dialogues, modelled on practices under the Digital Markets Act, to clarify expectations early in the process and encourage faster compliance. Such dialogues would not replace enforcement but would serve as an early intervention tool - helping authorities to act more swiftly, reduce legal uncertainty, and achieve more consistent outcomes across the Single Market.

## 2. Mind the Gap: Updating the Rulebook for Emerging Practices

The digital realm evolves at a pace that tests the limits of even the most forward-looking legislation. While much can be achieved through better enforcement of existing rules, there are practices that fall outside the scope of current EU consumer law or are so vaguely defined that enforcement is inconsistent and slow. Without explicit, harmonised provisions, these practices will continue to cause consumer harm, distort competition, and fragment the single market as Member States move to regulate them individually.

### 2.1. Pricing Tactics

#### *Dynamic Pricing*

One of the clearest examples of legislative blind spots is the growing use of **dynamic pricing**. This practice of adjusting prices in real time based on demand is creeping into more markets. In some cases, consumers report prices changing mid-purchase, leaving them feeling blindsided. While EU consumer law covers misleading and unfair practices in general, there are no specific rules defining the use of dynamic pricing.

Dynamic pricing may be justified and even beneficial to consumers in some competitive markets, provided consumers can choose between competing offers and prices can go both up and down. Additionally, it is crucial that the practice is used fairly and transparently, meaning consumers are fully informed on the use of dynamic pricing, including the range in which the price can vary and how it can impact the pricing system, and that the price does not change during the purchase process. However, in the absence of clear legal parameters, companies are left to interpret what constitutes fairness or transparency on their own terms.

Euroconsumers has outlined its concerns and recommendations on such pricing models in its position paper, "Definitely! Maybe?", on dynamic pricing.<sup>8</sup>

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<sup>8</sup> Euroconsumers (2024), *Dynamic Pricing: Definitely Maybe*, <https://www.euroconsumers.org/wp-content/uploads/2024/11/Dynamic-Pricing-Definitely-Maybe.pdf>

### Recommendations:

- Prohibit **price increases once the purchase process has started**. This process should be **defined in the legislation** and should cover consumers from the moment an item has been placed in their basket.
- Specify a **fixed time during which the advertising price is valid** during the web session.
- Introduce an **explicit obligation to inform consumers** when prices are dynamic and may fluctuate based on demand.

### *A peculiar case: dynamic pricing in live events*

While dynamic pricing may have positive use-cases in certain contexts, we are concerned by the increasing use of dynamic pricing in (quasi-)monopolistic situations or in situations where a company has a dominant position such as the live entertainment sector.

In this sector, where each event is unique and consumers have no real alternatives in provider, date or location, dynamic pricing effectively becomes a form of revenue maximisation rather than market optimisation. Current EU legislation does not provide sufficient safeguards for such markets with limited competition, leaving consumers unprotected against price manipulation. Euroconsumers and several other stakeholders from the entertainment sector are calling for a ban on the use of dynamic pricing in the live entertainment sector.<sup>9</sup>

The risks posed by dynamic pricing in the live event sector are not hypothetical and are becoming a real concern for loyal fans. Together with Football Supporters Europe, Euroconsumers highlighted these concerns with FIFA, regarding the use of dynamic pricing for the 2026 World Cup tickets.<sup>10</sup>

### Recommendations

- **Prohibit** the use of **dynamic pricing for live entertainment events** where market failure prevents a fair and well-functioning dynamic pricing system.
- Conduct **an economic analysis on the impact of dynamic pricing** for consumers across other market sectors.

### *Drip Pricing*

**Drip pricing** is another area where existing rules prohibit misleading practices in principle but lack harmonised definitions or enforcement criteria to deal with hidden fees consistently across the EU. Drip pricing is a technique where the advertised price does not

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9 Euroconsumers (2025), *Letter to the European Commission – Joint Call to Ban Dynamic Pricing in Live Events*, <https://www.euroconsumers.org/wp-content/uploads/2025/10/Letter-to-European-Commission-Joint-Call-to-Ban-Dynamic-Pricing-in-Live-Events.pdf>

10 Euroconsumers (2025), *Dynamic Pricing: FIFA letter*, [https://www.euroconsumers.org/wp-content/uploads/2025/07/Dynamic-Pricing\\_FIFA-letter.pdf](https://www.euroconsumers.org/wp-content/uploads/2025/07/Dynamic-Pricing_FIFA-letter.pdf)

match the total cost of a product or a service, as additional fees, taxes or charges are added throughout the purchase process. Consumers often feel misled by this practice, which incentivises them through an attractive base price early in the journey, only for hidden fees to appear at the final stage.

Our Spanish member, OCU, recently carried out an investigation into management fees on online ticket sellers. They found that across 50 official ticket seller websites, from cinemas and theatres to concerts and bus tickets, 92% applied management fees.<sup>11</sup> These fees, typically added only at checkout, increase the final cost by an average of 11%. In some cases, fees surged past 10%, and even up to 20% in 28 cases, despite no proof of an additional service by the event organiser.

Consumers describe feeling manipulated when the final price surfaces, too late for comparison or easy cancellation, and feel pressure to complete the purchase to avoid losing out. OCU criticises these surcharges as unjustified, often masquerading under vague labels and lacking any real service justification. OCU raised the issue with the Spanish Ministry of Consumption and filed formal complaints against six platforms in October 2024.<sup>12</sup>

From a market standpoint, transparent sellers are penalised, while those who deploy deceptive tactics gain an unfair edge. This inconsistency highlights a need for harmonised EU rules on combating drip pricing and how final prices must be displayed. Without clearer guardrails across the EU, responsible businesses are left uncertain, and consumers continue to face frustration and erosion of trust.

## Recommendations

- **Clearly display final prices** from the outset to prevent "**drip pricing**". Market surveillance must be strengthened to initiate sanctions against companies using such misleading tactics.

## 2.2. Influencer Marketing

Influencer marketing has become a cornerstone of any advertising campaign. E-commerce has increasingly moved onto social media, where influencers blur the line between content and commerce. Influencers build relationships with consumers based on perceived proximity, authenticity, and trust, amplifying their impact, particularly on minors. Euroconsumers' recent survey of young people found that 68% of teens who follow influencers online have bought a product or service that they have promoted. 10% have done so many times. At the same time, only 43% of young people surveyed say they can

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<sup>11</sup> **OCU (2024)**, *Comisiones abusivas en la venta de entradas*, <https://www.ocu.org/organizacion/prensa/notas-de-prensa/2024/comisionesentradas220724>

<sup>12</sup> **OCU (2024)**, *Gastos de gestión en la venta de entradas: OCU denuncia prácticas abusivas*, <https://www.ocu.org/organizacion/prensa/notas-de-prensa/2024/gastosgestionentradas301024>

always spot when a post is a paid promotion.<sup>13</sup>

Although we find the innovative and creative side of it appealing, the new reality of the ‘influencer economy’ also comes with a few challenges. The problems for consumers are two-fold. Firstly, it is not always clear when an influencer is recommending a product because they like it or because they were paid to like it.<sup>14</sup> Secondly, while this may seem harmless at first, when promoted products turn out to be unsafe, misleading, or fraudulent, consumers often have little protection, and accountability is unclear.

Euroconsumers has repeatedly raised the alarm on these issues. Already in 2022, we explored influencer marketing risks and explored how we can improve the situation through a combination of enforcement of already existing law and clearer regulation on, i.e. the role of platforms, disclosure standards or joint liability.<sup>15</sup> Despite filing complaints, misleading influencer content often remains widespread, including for potentially harmful products. Our Italian member, Altroconsumo has documented widespread hidden promotions of dietary supplements and weight loss drugs on social media. These posts blurred the line between personal opinion and advertising, and in some cases posed health risks.<sup>16</sup> Complaints were filed with the relevant authorities, yet the practice remains common across multiple social media platforms. Altroconsumo has also reported several influencers promoting cryptocurrencies and other highly risky investments to the Italian Antitrust Authority.<sup>17</sup>

These cases reveal how enforcement could benefit from more legal clarification, i.e., on how commercial influencer content should be concretely displayed and what is the specific responsibility and liability of each stakeholder in the value chain – influencer, seller, brands, manufacturer, platforms and influencer agencies. At the same time, influencers often report that they are struggling to understand the rules themselves and would benefit from a clearer framework.

Influencer marketing is here to stay, but it must become consumer-proof. Social commerce should not be a regulatory blind spot. Consumers deserve transparency and protection, no matter the channel.

## Recommendations

- Explore the development of a **specific EU-wide framework** that defines the rights and

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13 **Euroconsumers (2025)**, *Growing up online: Building a digital future for minors, by minors*, <https://www.euroconsumers.org/wp-content/uploads/2025/09/Growing-up-online-Building-a-digital-future-for-minors-by-minors-1.pdf>

14 **Test Aankoop (2024)**, *Influencer marketing beïnvloedt onze aankopen*, <https://www.test-aankoop.be/familie-prive/consumentenrechten/antwoord-van-expert/influencer-marketing-beinvloedt-onze-aankopen>

15 **Euroconsumers (2022)**, *The influencer economy: is the social media salesforce taking over?* <https://www.youtube.com/watch?v=7AsZQmpLDOo>

16 **Altroconsumo (2020)**, *Integratori e influencer: troppe informazioni ingannevoli*, <https://www.altroconsumo.it/alimentazione/sicurezza-alimentare/news/integratori-e-influencer>

17 **Altroconsumo (2024)**, *Criptovalute: influencer sotto la lente di Antitrust*, <https://www.altroconsumo.it/vita-privata-famiglia/servizi-e-contratti/news/influencer-criptovalute-antitrust>

obligations of influencers, advertisers, and platforms, including joint liability.

- Ensure that all commercial communications are **clearly identifiable**, especially when targeting children.

## 2.3. Online Reviews

Online reviews have become one of the main reference points for consumers navigating digital marketplaces. With no opportunity to touch, test or directly experience products, consumers rely heavily on ratings and feedback from others to guide their choices. An upcoming Euroconsumers study found that the majority of consumers consult customer reviews before buying a product online.<sup>18</sup> Evidence of their influence is striking: according to a 2018 European Commission study, products displaying positive reviews or high ratings were almost twice as likely to be chosen by consumers.<sup>19</sup> Another study found that positive reviews increased consumer confidence in a product for 80% of respondents.<sup>20</sup> Reviews, in other words, have become a cornerstone of trust in the online economy.

But that trust is fragile, as our research and testing unveiled that reviews are often compromised and unreliable. Manipulated, misleading, or fake reviews are steadily undermining consumers' confidence in the digital marketplace, distorting competition between businesses that play by the rules and those that do not and facilitate frauds and scams. While platforms and marketplaces are now required to verify and remove fake reviews, enforcement remains limited, and consumer trust continues to suffer.

As highlighted above, Euroconsumers' members have repeatedly exposed the scale of the problem. These cases illustrate a persistent enforcement gap: although the Omnibus Directive and DSA explicitly prohibit fake and incentivised reviews, weak monitoring, limited cross-border coordination, and insufficient sanctions allow these practices to continue.

Fake reviews are not a trivial nuisance. They push consumers toward lower-quality products and services, undermining the Single Market and resulting in real economic and welfare losses. The Digital Fairness Act offers an opportunity to close these enforcement gaps. It should establish clear, harmonised, and enforceable EU-level requirements for online reviews, backed by stronger oversight and accountability mechanisms. Only then can consumers rely on online information that is genuinely trustworthy, and businesses compete based on real quality and innovation rather than manipulation.

## Recommendations

- Platforms and marketplaces should **only allow verified users**, with accounts.

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<sup>18</sup> Euroconsumers Publication expected 11/2025

<sup>19</sup> **European Commission (2018)**, *Behavioural study on the transparency of online platforms* [https://commission.europa.eu/publications/behavioural-study-transparency-online-platforms-2018\\_en](https://commission.europa.eu/publications/behavioural-study-transparency-online-platforms-2018_en)

<sup>20</sup> **Rachmiani, R., Kintan Oktadinna, N., & Rachmat Fauzan, T. (2024)**, *The Impact of Online Reviews and Ratings on Consumer Purchasing Decisions on E-commerce Platforms*, *International Journal of Management Science and Information Technology*, 4(2), 504-515. <https://doi.org/10.35870/ijmsit.v4i2.3373>

- **Incentivised reviews** should be prohibited.

### 3. Protection of Minors

Young people today have the unique experience of growing up in a digital world. We are only just beginning to understand the impact of the online on the offline reality. Altroconsumo's study found that the virtual life of adolescents largely escapes adults.<sup>21</sup> These findings underscore the need for policies that reflect how young people actually live and learn in digital spaces.

Euroconsumers welcomes the growing attention on protecting minors under the Digital Fairness Act, but stresses that the voices of minors themselves must be part of the solution. Too often, children are the subject of debate but absent from the design of measures that directly affect them. That way any measure risks missing the realities of young people's online lives, missing their support, and ultimately also missing their target.

Our recent survey of more than 3,000 young people aged 12 to 17 in Belgium, Italy, Spain, Portugal and Poland paints a vivid picture of a generation that is curious, connected, and creative.<sup>22</sup> Nearly all access the internet via smartphones, engaging in an average of eight types of digital activities, from streaming and social media to learning, connecting, gaming, and even content creation. This diversity of use reflects the digital world's role not just as entertainment, but as a vital space for growth and identity. At the same time, the survey highlights how vulnerable minors can be online.

#### Influencer marketing

Influencers exert a strong influence on minors: 80% of respondents follow them, and more than two-thirds have purchased products promoted by these figures.<sup>23</sup> However, commercial transparency remains a significant issue — only 43% of young people say they always recognise when a post is an advertisement, and 13% never do.<sup>24</sup> This limited ability to identify paid content highlights the importance of strengthening disclosure obligations under the Digital Fairness Act. Clearer labelling of sponsored material is essential.

#### Algorithms and personalisation

When it comes to algorithms, opinions are mixed. 42% do not notice algorithms shaping their feeds, and 50% believe they save time. At the same time, more than half of minors feel that algorithms push them to spend longer online than they want, and 56% worry

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21 **Altroconsumo (2023)**, <https://www.altroconsumo.it/hi-tech/internet-telefono/news/adolescenti-online>

22 **Euroconsumers (2025)**, *Growing up online: Building a digital future for minors, by minors*, <https://www.euroconsumers.org/wp-content/uploads/2025/09/Growing-up-online-Building-a-digital-future-for-minors-by-minors-1.pdf>

23 *ibid*

24 *ibid*

about their influence on thoughts and behaviour. Similar nuances appear with targeted advertising: 46% find it useful, but 43% admit it makes them buy things they don't need. Strikingly, two out of three minors in our survey would like to have more direct influence on what they get to see in their feed. This shows that young people see the full picture; they understand both the risks and benefits, and their voices should inform the debate. These findings also reflect the need for mechanisms to allow all consumers to choose what they see online. Strengthening design fairness provisions can help rebalance the relationship between platforms and young consumers.

## Gaming

Video gaming remains a widespread activity among minors, with 85% of surveyed participants reporting that they play regularly. Around two-thirds (65%) feel they can manage how much time they spend gaming, yet nearly half (45%) acknowledge having concealed their gaming hours from parents or guardians. In-game advertising—such as pop-ups, banners, and promotional prompts—is perceived negatively by most young players: 77% find these ads irritating. Furthermore, 40% express feeling pressured to spend additional money within games, for example on upgrades or extra levels, particularly in online play.<sup>25</sup>

## Artificial Intelligence (AI)

Generative AI technologies have achieved near-universal awareness among minors, with 98% of respondents indicating they are familiar with them. Only a small share (18%) reports never having used such tools, whereas 68% engage with generative AI at least occasionally, and some daily.<sup>26</sup> This swift adoption, occurring soon after these tools entered mainstream use, illustrates the strong curiosity and adaptability of young users toward emerging technologies. Nevertheless, the spread of AI-generated content also introduces new risks, including exposure to misinformation, manipulated images, and fabricated videos. While most minors believe they can identify false information online, almost one in five admit finding it difficult to distinguish genuine content from fake news. Transparency in AI-generated content and the need to clearly indicate when users interact with AI systems would better help empower all consumers, including young people, to recognise when something isn't as it seems.

## Social media

Most young people (83%) report having restrictions set by parents, but one in eight admits to using tools to bypass them. This behaviour is more common among younger social media savvy teens (22% of 12 to 14-year-olds). Meanwhile, nearly 1 in 3 respondents across all five countries were contacted by someone they didn't know online and 11% had

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<sup>25</sup> *ibid*

<sup>26</sup> *ibid*

received violent or sexually explicit messages. Exposure to such threats is higher among those without parental oversight, while those who practise more online safety habits tend to face fewer risks.<sup>27</sup> These findings show that engaging minors directly will be crucial to ensuring that any policy measure works in practice.

Despite these challenges, young people are not calling for blanket bans, but for smarter, fairer design. 82% agree that restrictions are needed for harmful content, yet they overwhelmingly favour “safety-by-design” and empowerment-based solutions, such as automatic blurring of inappropriate material (64%), “think before you share” pop-ups (52%), dedicated reporting channels (60%), and more control over what algorithms show them (68%).<sup>28</sup>

Their message is clear: minors don’t want protection that cuts them off from the digital world - they want protection that enables agency, responsibility, and inclusion. The Digital Fairness Act should therefore ensure that any policy framework for minors is built with them, not merely for them. By listening to their experiences and expectations, Europe can create a digital environment that safeguards young users while nurturing their creativity, confidence, and curiosity.

## 4. Keeping the Good, Removing the Bad

Digital innovation has brought undeniable benefits for consumers: greater choice, convenience, and access to new services. Many of these benefits have been spurred on through innovations. Yet we have also seen a rise in the problematic misuse of these innovations that are not inherently harmful.

**Digital subscriptions** have become a cornerstone of the online economy, offering consumers flexibility, affordability, and continuous access to services. Yet these same models can also create frustration when ending a subscription becomes unnecessarily complicated. Consumers should never face obstacles when deciding to end a digital subscription. At the same time, a fair and transparent off-boarding process should not exclude responsible engagement between businesses and consumers. Practices such as gathering feedback, or reminding users of remaining benefits, can serve legitimate purposes and do not necessarily harm consumers. The key is proportionality: such engagement must remain limited, clearly presented, and must never obscure or delay the cancellation itself.

**Personalisation** is now a defining feature of the digital economy, helping consumers find relevant products, services, and offers. When done fairly, it can enhance convenience, improve satisfaction, and even deliver savings. The goal should be to distinguish helpful

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<sup>27</sup> *ibid*

<sup>28</sup> *ibid*

tailoring from harmful targeting. Fair and transparent personalisation empowers consumers through useful content or savings.

To preserve what works while addressing emerging risks, the Digital Fairness Act should focus on tackling harmful practices without stifling legitimate innovation. This requires clarity, proportionality, and above all, collaboration. By involving consumers, businesses, regulators, and enforcers in shaping the solutions, we can ensure that digital markets remain fair, transparent, and competitive — empowering people while enabling innovation to thrive.

## Conclusion

As this consultation shows, the success of the Digital Fairness Act will depend first and foremost on making Europe's existing consumer framework truly enforceable. The EU already has strong, principle-based rules that protect consumers and foster fair competition — yet too often they fall short in practice. Without effective and coordinated enforcement, rights remain abstract, unfair practices persist, and trust in the digital market erodes.

But enforcement cannot stand alone. For it to be effective, the rules themselves must be **clear, proportionate, and adapted to digital realities**. Principle-based rules have ensured flexibility, but they also leave grey areas where businesses, national authorities and consumers are uncertain about what is permitted and what is prohibited. Euroconsumers believes that the Digital Fairness Act should not be about adding layers of regulation, but about making it enforceable and resolving the ambiguities that exist today in the interpretation and application of EU consumer law. By setting out clear, harmonised and enforceable standards, the initiative will not only strengthen consumer protection but also reduce burdens on authorities and create a more predictable, competitive Single Market.

At the same time, any new legislation must also be sufficiently forward-looking to ensure that it not only addresses today's problems but also creates the conditions for safe and responsible innovation. The digital economy evolves quickly, and new business models, technologies and consumer behaviours will continue to emerge. Rules should therefore be designed to provide flexible safeguards that protect consumers from harmful practices while still allowing businesses to experiment with innovative services and products. By promoting trust, fairness and transparency, the Digital Fairness Act can foster a digital environment where innovation thrives because it is safe, sustainable and aligned with consumer interests.

