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Answer given by Mr McGrath
on behalf of the European Commission
(19.8.2025)

The report on the Digital Fairness Fitness Check¹, published at the end of 2024, concludes that consumers suffer significant detriment in the digital environment and that the enforcement of existing rules on consumer protection is ineffective online. This results in a lack of legal certainty for businesses on how to apply the general rules, leading to consumer protection gaps.

These gaps are not sufficiently addressed by the recently adopted digital legislation, because particular technologies or categories of service providers are covered. For example, the obligations of the Digital Services Act (DSA) apply only to online platforms.

The future Digital Fairness Act (DFA) will not duplicate or reopen issues that are already covered by existing legislation. It will address the gaps identified to ensure that EU consumers are protected online, and to ensure that businesses operate on a level playing field and can make better use of the Single Market.

The DFA will include a component on simplification and administrative burden reduction, in particular in the areas identified in the Fitness Check.

The preparatory work for a DFA proposal in 2026 will include a thorough impact assessment and stakeholder consultations. The public consultation and call for evidence are currently open. The Commission encourages all interested parties, including European digital businesses, to participate.

¹ https://commission.europa.eu/document/download/707d7404-78e5-4aef-acfa-82b4cf639f55_en?filename=Commission%20Staff%20Working%20Document%20Fitness%20Check%20on%20EU%20consumer%20law%20on%20digital%20fairness.pdf.