

EN

E-003452/2025

Answer given by Mr McGrath
on behalf of the European Commission
(14.10.2025)

The Unfair Commercial Practices Directive¹ prohibits traders' commercial practices that mislead consumers and requires traders to provide consumers with the information that they need to make informed purchasing decisions. Commercial claims such as 'last room available at this price' or 'only one ticket remaining at this price' could be qualified as unfair commercial practices and prohibited if they are incorrect and likely to lead average consumers to taking transactional decisions they would not have taken otherwise, based on a case-by-case assessment.

The Commission does not have direct enforcement powers to address EU consumer law infringements. This responsibility lies with national consumer protection authorities (CPC authorities²) and courts. The Commission coordinated the work of CPC authorities in the CPC actions against Airbnb, Booking, and Expedia in 2019 and 2020 resulting in the companies improving information on their price and room availability. Since then, CPC authorities have been monitoring the sector³.

Following the results of the Fitness Check⁴, the Commission has started working on a Digital Fairness Act to strengthen consumer protection regarding, amongst others, commercial practices related to manipulative interface design. The ongoing Impact Assessment will explore the need for more specific and stricter consumer protection rules to facilitate enforcement against unfair commercial practices. Public consultation runs until 24 October 2025⁵.

¹ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive'), OJ L 149, 11.6.2005, p. 22.

² <https://eur-lex.europa.eu/eli/reg/2017/2394/oj/eng>.

³ https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/coordinated-actions/accommodation-booking_en.

⁴ https://commission.europa.eu/law/law-topic/consumer-protection-law/review-eu-consumer-law_en.

⁵ Have your say portal: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14622-Digital-Fairness-Act_en.