

(English version)

**Question for written answer E-000292/26
to the Commission
Dirk Gotink (PPE)
(26 January 2026)**

Subject: Misleading of consumers on Vinted

A recent investigation by a Dutch newspaper ⁽¹⁾ revealed that much of the clothing offered for sale as second-hand designer clothing on the popular website Vinted is in fact counterfeit fast fashion originating from Chinese platforms such as Shein. The sellers are deceiving their buyers and bringing unwanted clothing onto the European market that is harmful to both people and the environment.

1. Is the Commission aware of practices whereby new fast fashion clothing items are sold on second-hand platforms as second-hand or vintage clothing, including by means of misleading descriptions, the removal of original labels and the use of AI-generated images, making them look like private sales?
2. Does the Commission agree that this constitutes a misleading commercial practice within the meaning of Directive 2005/29/EC on unfair commercial practices, are such practices permitted under current EU law and, if not, how does the Commission assess the role and responsibility of national supervisory authorities in enforcing this area of EU law in practice?
3. In order to prevent such situations from recurring, does the Commission consider it necessary to tighten the rules and enforcement measures regarding such platforms and to make them more accountable, given that the current situation illustrates that the law does not provide sufficient safeguards to prevent consumers from being misled in this way?

Submitted: 26.1.2026

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(30 March 2026)**

The Unfair Commercial Practices Directive ⁽¹⁾ (UCPD) prohibits traders' from misleading consumers, including with false information about the product's main characteristics that deceives average consumers or is likely to lead them to a transactional decision that they would not have taken otherwise ⁽²⁾.

The UCPD applies only to business-to-consumer transactions and therefore does not apply to transactions concluded solely between consumers, which may occur on platforms such as Vinted when the seller acts as a private individual.

The UCPD, transposed into national laws of the Member States, which are in charge of its enforcement with respect to individual traders, acts as safety net ensuring consumer protection and complementing the requirements of specific EU legislation, such as the Digital Services Act (DSA).

The DSA, applicable to providers of intermediary services like Vinted, establishes a framework for tackling misleading practices and the dissemination of illegal products such as counterfeit goods on online platforms.

Under the DSA, providers of online marketplaces must put in place notice and action mechanisms to report illegal products, process it in a timely manner and provide feedback on their decision ⁽³⁾, establish complaints handling mechanisms for users ⁽⁴⁾, take firm measures against repeat offenders ⁽⁵⁾ and make best efforts to assess if the information obtained from trader is reliable and complete ⁽⁶⁾.

As Vinted is not designated as very large online platform, the Member state in which its main establishment is located in the EU (i.e. Lithuania) is competent to supervise and enforce the DSA against it.

Vinted is also a signatory of the memorandum of understanding on counterfeiting, industry-led and facilitated by the Commission ⁽⁷⁾.

¹ <https://www.nrc.nl/nieuws/2026/01/11/welkom-in-mijn-kledingkast-met-duizend-shein-producten-vinted-zit-dropshippers-weinig-in-de-weg-bij-fastfashionverkoop-a4916663>

⁽¹⁾ <https://eur-lex.europa.eu/eli/dir/2005/29/oj/eng>.

⁽²⁾ Article 6 UCPD.

⁽³⁾ Article 16 DSA.

⁽⁴⁾ Article 20 DSA.

⁽⁵⁾ Article 23 DSA.

⁽⁶⁾ Article 30 DSA.

⁽⁷⁾ https://single-market-economy.ec.europa.eu/industry/strategy/intellectual-property/enforcement-intellectual-property-rights/memorandum-understanding-sale-counterfeit-goods-Internet_en.