EN
P-001972/2024
Answer given by Executive Vice-President Vestager
on behalf of the European Commission
(8.11.2024)

The Digital Services Act (DSA)[1] establishes obligations that are addressed to providers of very large online platforms (VLOPs) and very large online search engines (VLOSE). These provisions apply irrespective of whether the entity exercising decisive influence over the online platform or search engine is a natural or legal person.

On 25 April 2023, X was designated as a VLOP. Following a thorough investigation, on 12 July 2024, the Commission adopted preliminary findings against X for potential breaches of the DSA in relation to obligations concerning dark patterns, advertising transparency and researcher's access to data.

The provider of X is responsible for complying with the obligations established under the DSA. According to the DSA, potential fines are calculated on the basis of the total worldwide annual turnover of the provider and the definition relies on well-settled notions of EU law.

All actions taken by the Commission on the basis of the DSA, including in the context of the proceedings against the provider of X as well as all other enforcement actions in relation to other VLOPs and VLOSE, are undertaken within the limits of its supervision and enforcement powers and follow due process, in compliance with the principles of good administration, legal certainty and respect for the rule of law. All acts and decisions taken by the Commission based on the DSA are subject to judicial review.

[1] Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1–102.