

EP IMCO adopts DSA Report: some good progress, but key concerns remain to be addressed

Following today's agreement in the European Parliament's Committee on Internal Market and Consumer Protection (IMCO) on the Report by Christel Schaldemose on the Digital Services Act (DSA), Luca Casseti, Secretary General of Ecommerce Europe, commented:

"Ecommerce Europe generally welcomes the progress that has been made on this very important file in the European Parliament. While we applaud the IMCO Committee on the remarkable accomplishment of finding compromises on some of the important topics in the DSA, we also believe that the regulation requires further work. In the next stages of the legislative process, it will be crucial to establish workable obligations, avoid overregulation, and ensure a balanced legal framework."

In the preparations for the upcoming Plenary vote and the triilogue negotiations on the DSA, Ecommerce Europe would like to stress that some key concerns remain to be addressed.

On the so-called "dark patterns", we believe that the issues referred to in the negotiations are not of a legal nature but are due to problems with enforcement. We would like to point to relevant existing legislation, such as Article 5(3) of the ePrivacy Directive, Article 4(11) and 7 of the GDPR, and the Unfair Commercial Practices Directive.

While Ecommerce Europe is generally in favour of increased transparency in online advertising and appreciates that no general ban on targeted advertising has been introduced, we remain sceptical about regulating these practices in the DSA. Instead, we believe that existing legislation on data protection already sufficiently covers this issue.

Furthermore, we urge co-legislators to consider the variety of business models in scope of the DSA when defining important concepts such as "active recipients of the service". To avoid placing a disproportionate burden on many e-commerce marketplaces by considering them as VLOPs, based on the number of mere visitors, Ecommerce Europe calls on policymakers to create a separate definition of "active users" for marketplaces offering products online.

Ecommerce Europe will constructively contribute to the upcoming triilogue discussions and continue to represent the interest of the digital commerce sector on this important Regulation.

Ecommerce Europe's latest position on the DSA can be found [here](#).

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