

Non-paper of The Netherlands on actions for the EC Consumer Agenda 2025-2030

We aim to strengthen the effective protection of consumers and the competitiveness of the European economy. The European Single Market for consumers can be enhanced by protecting consumers effectively in the digital economy, promoting sustainable consumption, and addressing specific problematic practices such as door-to-door sales.

With this non-paper, we provide concrete input to the new European Consumer Agenda to be presented by the European Commission before the end of 2025. Actions should be taken in the following areas:

1. Improve effective protection of consumers in the digital economy;
2. Enable and promote sustainable and transparent choices for consumers;
3. Strengthen the Single Market for consumers.

1. Improve effective protection of consumers in the digital economy

Consumers must be well protected both offline and online, and they should be able to make purchases with the same level of confidence. It should be clear that online marketplaces have important responsibilities towards consumers. The digital economy can only flourish if consumers have a strong position.

Digital Fairness Act

The Digital Fairness Act (DFA) should serve as a harmonised European solution to address specific consumer challenges. Preventing fragmentation of the Single Market is essential. We advocate using the DFA as a targeted measure to tackle certain online commercial practices, thereby providing clarity for both consumers and businesses.

With regard to games, we support an EU ban on loot boxes and additional regulation of pay-to-win mechanisms and the use of digital currencies. When digital currencies are used, it must always be clear what the equivalent price is in real money (euros).

In addition, we are committed to further European action against addictive algorithms and design techniques. Although such practices are partly covered by existing European legislation (under the Digital Services Act (DSA) and consumer law), there is still uncertainty regarding the scope and effectiveness of the current legal framework. Further clarification is needed, as the DSA has only recently entered into force.

The general terms and conditions of digital services are often not properly read due to their excessive length and complexity. As a result, consumers are not always aware of their rights, nor of the data (including personal data) they provide to businesses. We emphasize the importance of making terms and conditions more accessible, possibly through a standardized list of key terms. This could help consumers make better-informed choices before signing up for digital services.

Finally, we consider it important that the online termination of subscriptions should be made easy for consumers. Therefore, we strongly advocate the introduction of a clear and easily accessible termination function for subscriptions offered online. In designing this European legislation, experiences with the withdrawal function under the Distance Marketing of Financial Services Directive should be taken into account.

Proposed actions:

- *Ban the use of paid loot boxes.*
- *Regulate pay-to-win mechanisms and the use of digital currencies. Ensure price transparency for digital in-app purchases.*
- *Make terms and conditions more accessible, possibly through a standardized list of key terms.*
- *Propose and implement EU action against addictive algorithms and design techniques.*
- *Propose and implement a European initiative to make the online termination of subscriptions easy for consumers.*

E-commerce

It is crucial that there are no obstacles to the free movement of goods, that there is a level playing field for businesses, and that consumers can trust the quality, sustainability, and safety of products. The growth of e-commerce from outside the EU poses a threat to this. We therefore welcome the Commission's communication on e-commerce¹ and we support the strict enforcement of the DSA in this regard. Furthermore, market surveillance authorities should be given more tools to enforce on online marketplaces. Finally, the revision of the Union Customs Code, the introduction of a handling fee on e-commerce packages, and stronger cooperation between Customs authorities should help to manage the large flow of non-compliant e-commerce packages.

Proposed actions:

- *Strictly enforce the DSA, in particular regarding very large online platforms (VLOPs).*
- *Ensure effective and uniform implementation of existing legislation, as well as including appropriate measures (such as the introduction of a non-discriminatory fee) into Customs reform in order to tackle the challenges of e-commerce.*
- *Improve cooperation and coordination between market surveillance, customs and extended producer responsibility authorities in the EU.*
- *Carry out a thorough evaluation of the Market Surveillance Regulation, to align with the General Product Safety Regulation. Ensure that the obligation to appoint an authorized representative will be properly implemented and that these economic operators can be contacted at all times by market surveillance authorities.*
- *Eliminate the obstacles in European financial legislation that prevent market surveillance authorities from making online test purchases under a cover identity.*

2. Enable and promote sustainable and transparent choices for consumers

Consumers should be provided with the right information at the right time, enabling them to make informed decisions. We support strengthening the information position of consumers to reduce information asymmetries with traders and to ensure transparency. Furthermore, reliable information can facilitate sustainable choices for consumers. At the same time, we believe a balance should be struck to ensure proportionality and avoid excessive regulatory, administrative and compliance burden for businesses.

Sustainability claims

Consumers must be able to trust environmental claims and certifications. We support requirements to combat greenwashing and ensure effective enforcement. The aim is to help consumers make sustainable choices, create a level playing field for businesses, and ensure that national authorities are well positioned to take action against misleading, ill-substantiated, and vague claims.

Proposed actions:

- *Ensure a harmonised implementation of the Directive on Empowering Consumers for the Green Transition (ECGT). This should be done, for instance, by providing guidelines for businesses and enforcement authorities on matters such as the certification of sustainability labels.*
- *Ensure that the Green Claims Directive effectively complements the ECGT Directive and that its requirements with respect to substantiating environmental claims are clear, implementable and proportionate.*

Price transparency

Despite new rules on the pricing of products, misleading practices persist regarding pricing and special offers. Promotional offers often refer to the manufacturer's recommended retail price, instead of the product's true original price. This is misleading for consumers as recommended retail prices are rarely used by sellers. We therefore call for a ban under the Unfair Commercial Practices Directive (Directive 2005/29/EC) on the use of recommended retail prices in promotional offers if the product has never been offered at that price by that seller. Furthermore, consumers should not face unexpected costs during or after their (online) purchase. For instance, administrative costs and transaction costs should be included in the (promotional) price that is advertised.

¹ [Fiche 2: Commissiemededeling veilige en duurzame e-commerce - EZ | Publicatie | Rijksoverheid.nl](#)

Proposed action:

- *Include the use of recommended retail prices in promotions on the list of commercial practices that are regarded as unfair in all circumstances in Annex I of the Unfair Commercial Practices Directive.*

Telemarketing and door-to-door sales

In the Netherlands, complaints about door-to-door sales and telemarketing remain persistent, despite national measures designed to better protect consumers. Vulnerable consumers are regularly subjected to excessive pressure. This is also the case for more expensive and complicated contracts, such as energy contracts. We advocate giving Member States the explicit option to ban door-to-door sales and telemarketing (at the general or sectoral level), when necessary in an individual Member State. These sales methods are rarely used cross-border.

Proposed action:

- *Grant Member States the option to ban door-to-door sales and telemarketing.*

3. Strengthen the Single Market for consumers

It is necessary to further strengthen the Single Market to boost competitiveness for the direct benefit of consumers. Ensuring a high level of consumer protection is essential for a well-functioning Single Market. Consumers should have access to a wide range of goods and services at fair prices, with better protection throughout the EU. Businesses should benefit from lower administrative burdens by reducing regulatory complexity and more harmonised enforcement. Therefore, we strongly welcome an action plan on consumers in the Single Market, as part of the Consumer Agenda.

Proposed actions:

- *Align consumer policy with other European strategies and proposals, such as the horizontal Single Market Strategy² and the EU toolbox for safe and sustainable e-commerce³. In particular, action on the following aspects is important:*
 - *Tackle unjustified regulatory, administrative and compliance burden.*
 - *Ensure high-quality impact assessments, including in the case of substantial amendments during the negotiation phase, for all proposals. Impact assessments should include the consequences of application and enforcement for businesses, national authorities, and citizens, as well as an improved Single Market test as part of the Competitiveness Check to ensure Single Market consistency.*
 - *Ensure that EU's current and future legislation related to free movement of goods and product safety is thoroughly assessed to detect opportunities for simplification and reduce regulatory burden, without undermining the level of protection of consumers.*
 - *Develop legislative tools to act against territorial supply constraints.*
 - *Ensure harmonised rules and more uniform application of rules on labelling, to make it easier to trade products across borders, while taking into account possible health risks.*
- *Prevent fragmentation, duplication and inconsistencies in legislation and legislative initiatives. Promote the coherent development of core concepts and principles and unequivocal definitions in EU law related to consumers.*
- *Enable EU-wide account number portability in order to further integrate the Single Euro Payments Area (SEPA), increase competition in the market for payment accounts and increase consumer mobility within the EU.⁴*

Enforcement

Consumer protection relies on effective enforcement of consumer legislation, both by public authorities and through private enforcement actions. To that end, cooperation between national enforcement bodies within the framework of the Consumer Protection Cooperation Network (CPC Network) should be enhanced. In addition, enforcement should be made possible at EU level for infringements of consumer law occurring almost everywhere in the EU. This should make

² [Single market strategy](#) and [Nonpaper on a new horizontal Single Market Strategy | Tweede Kamer der Staten-Generaal](#)

³ [E-commerce communication: A comprehensive EU toolbox for safe and sustainable e-commerce | Shaping Europe's digital future](#)

⁴ [Non-paper introducing EU-wide account number portability](#)

enforcement more effective. Furthermore, consistency in enforcement across Member States is important in order to create a level playing field. To this end, guidance on the uniform application of consumer rules should, as much as possible, be given at EU level at an early stage.

Proposed actions:

- *Provide early guidance on consumer legislation as much as possible at EU level to ensure harmonised application and enforcement.*
- *Revise the Consumer Protection Cooperation Regulation as soon as possible, including to ensure that the European Commission will have enforcement capabilities for high profile cases at EU level.*

Information requirements

Numerous information requirements are placed on sellers and producers through EU legislation that cover many different areas, such as consumer protection, privacy and sustainability. Although these requirements have been put in place to address legitimate concerns within the areas they aim to address, they are often not very well aligned with one another.

For example, the General Product Safety Regulation and the Market Surveillance Regulation stipulate that online marketplaces should display contact information of the authorized representative. The Ecodesign for Sustainable Products Regulation (ESPR) stipulates that this information should be displayed in the digital product passport (DPP)⁵. This could require online marketplaces to implement two IT-solutions for the same piece of information. Therefore, if ESPR requirements have been established, it should be sufficient to provide this information via the DPP only. With regard to the DPP, it is key that fragmentation is avoided. DPPs should have the same format and implementation across all product categories in order to ensure a level playing field for consumers and businesses.

Moreover, when new legislation is drafted, attention should be given to the alignment of information requirements across all relevant areas that contain information requirements. The cumulative effect of information requirements across all areas of EU legislation can lead to confusion or information overload for consumers and unnecessary administrative burdens for businesses. These administrative burdens for traders can be exacerbated by certain factors, such as a lack of coherence between information requirements with a similar scope and a lack of guidance on how to properly comply with the information requirement.

Proposed actions:

- *Introduce A/B testing for new information requirements aimed at informing the consumer and test the effectiveness of new information prior to implementation.*
- *Facilitate the entry of structured information by sellers and producers within the DPP. This should prevent information overload and lower administrative burdens. This approach was introduced by Directive 2023/2673 on Distance Marketing of Financial Services and could be introduced to all consumer contracts. A distinction should be made between information that is relevant to the consumers' purchasing decision and information relevant for inspections by market surveillance authorities.*
- *Consider the cumulative effect of information requirements across all areas of EU legislation and ensure that during the preparation of new legislative proposals overlap of information requirements is avoided.*
- *Ensure harmonised format and implementation of the DPP for an increasing number of product groups, such as textiles.*

The Consumer Agenda should also cover relevant adjacent policy areas of other DGs that directly impact consumer policy, such as tobacco, competition, infrastructure and international rail transport.

EU tobacco control

We encourage swift and decisive actions to protect the health of our youth and to create a smoke-free generation by 2040⁶. We are concerned with the lack of progress of the revision of the Tobacco Products Directive and the Tobacco Advertising Directive. We support revisions in the near future.

Proposed actions:

- *Develop, propose and implement future-proof EU legislation to further reduce the attractiveness, especially to young people, of tobacco products, e-cigarettes, and also cover*

⁵ Annex III (k), Regulation (EU) 2024/1781

⁶ [Joint letter EU Tobacco Control, 21 March 2025](#)

other emerging nicotine products (like nicotine pouches). These regulations should include comprehensive restrictions on flavors, maximum nicotine levels and plain packaging. Fast response tools should be included to enable specific product bans or regulations throughout the EU.

- Adopt proposals to effectively tackle challenges and problems related to cross-border distance sales within Member States.*
- Take action in collaboration with social media platforms and through targeted measures in order to proactively remove content from their platforms. It is important to prevent and remove social media content that is aimed at selling or marketing tobacco and nicotine products.*

New Competition Tool

A well-functioning and fair market is a cornerstone of the Single Market. However, competition and market performance in certain sectors are under pressure due to increasing market concentration and distortions of competition. This can harm consumers due to higher prices, reduced choice, and slower innovation. These problems are not caused by anti-competitive agreements or abuse of dominance but often lie within the characteristics of the markets themselves and cannot therefore be adequately addressed with the existing regulatory instruments.

The introduction of a New Competition Tool (NCT) at EU level would make it possible for European and national authorities to intervene in markets where traditional antitrust instruments fall short, thus enhancing competition. Based on such investigations, authorities and governments could impose (temporary) remedies to improve market dynamics.

Proposed action:

- Adopt a NCT at EU level that allows for both European and national authorities, within their respective jurisdictions, to use the tool effectively to address market failures.*

Infrastructure and international rail transport

It must be possible to charge electric cars quickly and reliably across borders. This is good for consumers. Prices should be transparent for consumers and easy to compare. In addition, consumers should know for sure that they are charged the correct amount and should not face unexpected costs after charging, whether they charged their electric vehicle (EV) directly at a charging point or via an e-mobility service provider. To this end, requirements for measuring instruments at charging station infrastructure should be harmonised across the EU. The focus should be on the implementation of the Alternative Fuels Infrastructure Regulation (AFIR) and the removal of obstacles, for example, by making it easier for technicians to work across borders. This is crucial for the development of cross-border charging ecosystems.

International rail transport in Europe must be made easier, so that it becomes a more attractive alternative to road and air transport. Diverging usage fees and state aid for railways create barriers to the development of international rail services, including for rail freight transport. The focus should therefore be on more uniform application and a harmonised framework for user charges and on the application of State aid guidelines for railways. In addition, different technical requirements in Member States create barriers (for example related to protection systems, axle loads and length of trains).

Proposed actions:

- Quickly adopt the targeted amendment of the Measuring Instruments Directive (MID) to harmonise requirements on measuring systems for Electric Vehicle Supply Equipment.*
- Present a Single Digital Booking and Ticketing Regulation, allowing Europeans to purchase a single ticket on a single platform and benefit from passenger rights protection for the whole trip.⁷*
- Present initiatives on harmonised application of infrastructure charges, revise State aid rules for railways, update the European Union Agency for Railways (ERA) Regulation to support transition to interoperable railways, and harmonise technical requirements through the EU Technical Specifications for Interoperability.*
- Present initiatives for paperless mobility for passengers and goods and cross-border car rentals.*

⁷ [Non paper by the Netherlands as informal contribution to the EC's ongoing Impact Assessment | Rapport | Rijksoverheid.nl](#)