

## **With omnichannel the new reality, rules need to foster competitive EU ecosystems**

As the Commission launches its proposals for the Digital Services Act (DSA) and Digital Markets Act (DMA), EuroCommerce Director-General Christian Verschuere said today:

*“The Commission is right to look at the rules impacting e-commerce in line with the accelerating digital transformation of our sector. Consumers must be able to trust that what they buy is safe and complies with EU rules. We are therefore encouraged that the proposed DSA seeks to ensure products offered for sale online are compliant with EU rules and that the Commission has sought to clarify the responsibilities of online marketplaces. We take note of the proposed Digital Markets Act and ask EU decision-makers to ensure that new rules provide necessary legal certainty and support strong retail and wholesale ecosystems in the EU. We will work with the Commission, Parliament and member states to take forward these two proposals in a way which aids competition, innovation and consumer protection”*

Consumer demand is driving innovation in retail, and numerous and diverse new digital and omnichannel business models are responding to this. EU policy therefore needs to reflect that in regulating online services, there is no single solution which can fit all of them. Offline and online business models are merging into omnichannel, and retailers need a coherent framework that:

- ensures a high level of consumer trust,
- offers legal certainty for all market players irrespective of how they do business,
- balances responsibilities for all market players appropriate to their position in the supply chain; and
- creates a level playing field for all businesses selling to EU consumers - wherever they are established.

We have underlined the need for effective enforcement of EU rules at borders against non-compliant and unsafe products, and to ensure a level playing field between EU-based businesses and those outside the EU. We welcome the distinction made between different types of service providers. We are concerned at the proposal to treat very different types of illegal content all in the same way. Proposed fines of 6% of turnover in the DSA and 10% in the DMA are excessive: our sector is characterised by large turnover and very small margins, with many online businesses still operating at a loss. The framework should be flexible and match the wide diversity of existing and future services, providers and business models, where digitalisation has already led to a seamless integration of offline and online sales in an omnichannel environment, giving consumers a personalised and connected experience.

In order to achieve its stated objectives and support the digital economy, the Digital Markets Act needs to clearly and narrowly define the platforms and practices it seeks to address and ensure that companies continue to be able to engage in procompetitive activities to drive further innovation and consumer benefits. We also welcome the more limited scope of the market investigation elements in the DMA. We hope that the Parliament and Council will allow its focus to remain on these important objectives, provide legal certainty and ensure that the Act supports the development of strong retail and wholesale ecosystems fit for the digital future.

For further detail on our approach to the Digital Services Act, see our [position paper](#).

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*EuroCommerce is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 31 countries and 5.4 million companies, both leading global players such as Carrefour, Ikea, Metro and Tesco, and many small businesses. Retail and wholesale provide a link between producers and 500 million European consumers over a billion times a day. It generates 1 in 7 jobs, providing a varied career for 29 million Europeans, many of them young people. It also supports millions of further jobs throughout the supply chain, from small local suppliers to international businesses. EuroCommerce is the recognised European social partner for the retail and wholesale sector.*