An open letter to the European Commission regarding Digital Markets Act compliance in online search shopping features

To:
Ursula von der Leyen, President of the European Commission
Teresa Ribera Rodríguez, Executive Vice-President for a Clean, Just and Competitive Transition
Olivier Guersent, Director-General, Directorate-General for Competition (DG COMP)
Thomas Kramler, Head of Unit, Digital Markets DMA (DG COMP)

Date: 8th September 2026

Subject: Digital Markets Act enforcement regarding Google Search shopping features and protecting European digital trade, jobs, and consumer choice

Dear Dear President von der Leyen, Executive Vice-President Ribera Rodríguez, Director-General Guersent, and Mr Kramler,

The undersigned coalition of European Comparison Shopping Services (CSS) welcomes the intervention of the European Commission (EC) to enforce Article 6(5) of the Digital Markets Act (DMA). Preventing gatekeeper self-preferencing is essential for an open and competitive digital economy, and getting this regulatory remedy right for European businesses is far more critical than rushing a flawed implementation.

Following the EC's recent non-compliance decision and the 60-day mandate, we issue an urgent warning regarding the risk of severe economic harm if regulatory remedies are designed without active involvement from the live market. Remedies developed in isolation, intended to promote fair competition, can ultimately have the opposite effect - risking a return to pre-2017 levels of product search dominance, damaging the competitive comparison shopping landscape in Europe, and distorting consumer choice.

A clear red line: Google cannot operate a closed, competing shopping box

Current regulatory discussions appear to be moving towards a model for the paid Product Ads Unit in which different CSSs compete to display their own product advertising units, or "shopping boxes," within Google Search - known as a “box-to-box” model.

A closed Google-operated box would grant the gatekeeper an insurmountable platform advantage: retailers would effectively be compelled to circle back to advertising products via Google’s own CSS as a default option simply to preserve visibility on Google Search. This would reinforce Google’s incumbent market position (currently estimated above 50%) even further, rather than create the fair and contestable market intended by Article 6(5) of the DMA.

We urge the Commission to enforce that participation by Google Shopping across all boxes remains mandatory to act as an essential live-market safeguard against "kingmaking". Without this structural safeguard, a box-to-box model risks becoming another - and stronger - form of self-preferencing rather than a genuine remedy.

Our feedback on a reciprocal, interoperable box framework is presented strictly as a necessary structural guardrail to mitigate market foreclosure if a box layout is introduced, as we understand this is where the discussion is moving toward. It does not constitute a validation or endorsement of a box-to-box architecture.

Who we are: representing the European comparison shopping sector

Our coalition was established in 2025 specifically as a direct response to proposed search layout changes that threatened widespread economic damage across the European e-commerce sector. To bring empirical evidence to the regulatory process, we commissioned independent data modelling across live search queries. This research exposed how flawed layout proposals would entrench market concentration, staving off a well-intentioned regulatory damage and demonstrating the necessity of grounding compliance in live market data.

Today, our coalition represents the active majority of the European comparison shopping sector. Together, our member companies generate over €340 million in annual turnover,

employ more than 1,000 specialists across Europe, and support over 93,000 active European merchants. We estimate that our group accounts for 74% of all third-party CSS clicks across the European Economic Area and the United Kingdom.

Our membership spans the full diversity of the comparison shopping industry, encompassing various operational business models ranging from price comparison websites to Software-as-a-Service (SaaS) platforms and e-commerce marketing services.

The danger of remedies isolated from market outcomes

We believe that regulatory enforcement should reflect the practical mechanics of modern ecommerce. Getting this remedy wrong risks severing the vital lifeblood of market access for thousands of small European merchants and independent CSS businesses that rely on search features to reach consumers.

As the Commission and Alphabet work toward a compliant search layout following recent enforcement decisions, we welcome the Commission's formal ruling that relegating third-party links to secondary comparison tabs or rich web results fails to satisfy the equal treatment mandate. Moving forward, we believe that remedies should avoid imposing rigid structural rollbacks or winner-takes-all mechanics. Solutions designed around historical litigation positions, narrow legalistic interpretations, or the interests of individual litigants risk creating new forms of market concentration, driving up merchant acquisition costs, and fragmenting the user experience.

Core principles for a compliant and economically viable remedy

To make sure that any new search layout satisfies DMA obligations while safeguarding European growth and enterprise, we recommend that the Commission and Alphabet evaluate proposed remedies against six core principles:

- Remedies should eliminate gatekeeper self-preferencing by design without creating new single-winner dynamics or allowing a single player to dominate product carousels, which would force merchants into a single dominant player - likely to be the gatekeeper. Structural safeguards should ensure that CSSs and retailers of all sizes maintain fair access to visibility.
- Remedies should provide clear, dedicated mechanisms and controls for CSS platforms to build brand recognition and direct consumer traffic to comparison

websites where that business model is operated. Product Listing Ads (PLAs) that direct users to comparison websites should not face algorithmic or financial discrimination compared to standard product listings.

- The user journey should remain efficient. Where CSS platforms choose to direct consumer clicks directly to merchant product pages, search features should accommodate this choice. Forcing mandatory intermediary clicks adds friction, increases costs for retailers, and harms consumer satisfaction.
- Compliance measures should remain neutral across business models and avoid favouring any single CSS type. Regulatory remedies should support the broad spectrum of European businesses driving growth for retailers, rather than granting structural privileges to specific historic litigants.
- No regulatory remedy should be finalised without live market testing. We invite the Commission to mandate empirical evaluation during testing phases, measuring visibility trends, third-party CSS market share, and merchant visibility. It is critical that this testing data is shared transparently with the affected industry to take feedback on board.
- Enforcement under Article 6(5) of the DMA should adapt to technological change. As search moves toward AI-assisted overviews, agentic search, and integrated checkout protocols, regulatory safeguards should apply equally across all emerging surfaces to prevent instant disintermediation.

Calls to action

To achieve an outcome that serves European business and consumers alike, we present three clear requests:

- We suggest that the Commission allow Alphabet the scope to implement remedies that reflect economic realities, supporting consumers, retailers, and fair competition across the European digital economy rather than enforcing legalistic advertising principles that do not serve the market.
- We urge the Commission to evaluate any proposed product search layout against real-world market outcomes. DMA enforcement should include explicit structural safeguards to ensure no remedy permits a return to pre-2017 levels of Google

Shopping dominance or creates an equivalent "kingmaking" mechanism that compels merchants back into the gatekeeper's ecosystem.

- We invite the Commission and Alphabet to involve our coalition directly in remedy design and live testing throughout the process. Industry solutions built behind closed doors risk unforeseen failure.
- We urge the Commission to state explicitly and publicly that all emerging AI search surfaces, including conversational overviews and agentic checkout features, fall strictly within the scope of Article 6(5) DMA obligations, ensuring gatekeepers cannot migrate search traffic into unregulated features.

Yours sincerely,

Signed on behalf of the CSS Group

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