EUROPEAN COMMISSION
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2026/0294/ES (Spain)

Preliminary draft law on Sustainable Consumption.

Date received : 12/06/2026
End of Standstill : 15/09/2026 (15/10/2026)

Message

Message 001

Communication from the Commission - TRIS/(2026) 1571

Directive (EU) 2015/1535

Notification: 2026/0294/ES

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta’ dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261571.EN

1. MSG 001 IND 2026 0294 ES EN 12-06-2026 ES NOTIF

2. Spain

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4. 2026/0294/ES - SERV - INFORMATION SOCIETY SERVICES

5. Preliminary draft law on Sustainable Consumption.

6. Dynamic pricing of products and services.

Fossil fuels and transport services powered by fossil fuels.

7.

8. The draft law is hereby notified in accordance with the following provisions:
Article One. Amendment to Law 3/1991, of 10 January, on Unfair Competition.
Law 3/1991, of 10 January, on Unfair Competition, is amended as follows:
(..)
Three. Article 27 is amended as follows:

"Article 27. Other misleading practices.

Practices that are considered unfair because they are misleading include those that:

10. Consist of the use of a dynamic pricing system for the marketing of goods or services that are delivered or provided on a specific date without first informing the consumer of the use of such a system for the same product on the same date, as well as the minimum and maximum price at which it will be offered and its complete evolution over time from the start of marketing to the date of delivery or provision."

Article Two. Amendment of the consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws, adopted by Royal Legislative Decree 1/2007, of 16 November.
The consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws, adopted by Royal Legislative Decree 1/2007, of 16 November, is amended as follows:

(...)

Six. A new Article 20b is introduced, which is worded as follows:
"Article 20b. Limitation of the final price increase in contexts of urgency, risk or consumer and user need.
1. No increases in the final sale price of goods and services determined in accordance with this article may occur in contexts of urgency, risk, or consumer and user need. For these purposes, a final price increase shall be understood to mean any price higher than the maximum price at which the good or service, or goods or services of a similar nature, has been offered during the thirty days prior to the unforeseen situation that gives rise to the urgency, risk, or need. Exceptionally, if the maximum price offered is fifty percent higher than the average price offered in the thirty days prior to the unforeseen situation for the same good or service, or for goods and services of a similar nature, the reference price, in accordance with the provisions of the preceding paragraph, shall be said average price increased by fifty percent.
The provisions of the preceding paragraphs shall be without prejudice to price increases resulting from a verifiable increase in the costs of placing the good or service on the market, or that are demonstrably necessary for economic operators to place new goods or services on the market, which may mitigate the disruption of supply and demand resulting from the emergency or force majeure situation.
For services whose prices are of a marked seasonal nature, the average price of the same period of the previous year, updated in accordance with the Consumer Price Index, shall be taken as a reference.
In the case of services with regulated tariffs or prices, or that are subject to contracts between the operator and the public administration, as these are not set freely by the operator, the condition of no price increase by the operator shall be deemed to be satisfied.
2. The provisions of the preceding paragraph shall apply after the declaration of an area seriously affected by a civil protection emergency as regulated in Law 17/2015, of 9 July on the National Civil Protection System. Additionally, the provisions of the preceding section will also apply in situations of urgency, risk, or need of consumers arising from accidents, technical emergencies, force majeure, or other unforeseen circumstances not attributable to users and that

alter the situat

9. Directives (EU) 2024/825 and 2024/1799, which transpose this Sustainable Consumption Act, aim, among other things, to further develop the policies already implemented by the European Union in the areas of sustainability and circularity and to increase consumer protection against unfair commercial practices.

The inclusion of a measure limiting the advertising of products and services that run exclusively on fossil fuels seeks to consistently support efforts towards a sustainable energy transition. Although these products have played an important role in economic and social development, it is necessary to begin reviewing the way in which they are promoted, especially in a context where cleaner and more efficient alternatives are being actively promoted. This measure is not intended to abruptly discourage their use, but rather to encourage a gradual change in perception and in consumption decisions.

In addition, advertising has a significant influence on people's habits and aspirations. It is therefore reasonable for advertising space to reflect the environmental commitments that are being made under public policies. By setting certain limits on the promotion of emission-intensive products, the aim is to foster an environment that is more conducive to the development of sustainable technologies, without disproportionately affecting productive sectors or citizens' freedom of choice. Therefore, the goal is to move toward commercial communication that is more in line with sustainability objectives.

On the other hand, it is also considered necessary to provide greater transparency in the use of dynamic pricing systems by companies. To this end, the Unfair Competition Act and the Consolidated Text of the General Law for the Defence of Consumers and Users are amended so that a consumer can know, in the event of using these services, what the price range will be that he or she will have to pay at the time of purchase.

9a. This is the only available measure to achieve the intended objective.

9b. There is a need to transpose Directives (EU) 2024/1799 and 2024/825, as well as measures to strengthen them.

9c. The aim has been to implement this measure with the least possible burden.

10. References to the basic texts: There are no basic texts

11. No

12.

13. No

14. No

15. Yes

16.
TBT aspects: No

SPS aspects: No

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