

## **The Coalition for Trusted Reviews - Analysis of Italian Annual Bill on Small & Medium-Sized Enterprises; Chapter IV - Articles 12 to 16**

The Coalition for Trusted Reviews (CfTR) is pleased to provide the European Commission with the following information and feedback on the December 2024 version of Chapter IV - Articles 12 to 16 of the Italian Annual Bill on Small & Medium-Sized Enterprises (the Bill).

### **About the Coalition for Trusted Reviews**

CfTR is the first global, cross-industry collaboration promoting trust in customer reviews.<sup>1</sup> Our founding members are Amazon, Booking.com, Expedia Group, Glassdoor, Tripadvisor, and Trustpilot. We are committed to upholding the highest standards of integrity in consumer reviews and, through collaborative initiatives, we share industry best practices for maintaining the authenticity of reviews, instilling confidence in consumers worldwide. Our members appreciate the significant risks posed by fake reviews and have already made substantial progress in addressing them.

Reviews play a role in empowering consumers to make informed decisions by shaping consumer confidence and ensuring transparency in the market. Our business models, though different, depend on delivering accurate, trustworthy information that enables consumers to make informed choices. For that reason, the Coalition has come together to collaborate on promoting trusted reviews, to share knowledge and best practices around hosting reviews, and to work with the broader ecosystem to tackle fake reviews holistically.

Notably, our Coalition has worked together to develop best practices for hosting customer reviews, aimed at promoting the highest standards of integrity, transparency, and accountability.<sup>2</sup> These best practices are based on input taken from trust and safety practitioners, legal experts and existing fraud prevention frameworks, and were designed to raise standards across the industry and to ensure consumers can place trust in customer reviews and ratings. Please see appendix A to learn more about our best practices.

Additionally, we have established working groups comprised of our member companies' fraud prevention teams, focused on identifying and preventing bad actors. Our "Bad Actors Working Group" has been established to advance the Coalition's information sharing in relation to fraud detection and content moderation. This includes public information about the ways in which fraudulent actors operate, such as companies that sell fake reviews to businesses seeking to unfairly and improperly improve their reputations.

On policy issues, the Coalition believes that it is important that the diversity of the reviews industry is acknowledged. By way of example, some of our members operate closed, "looped-in" systems, where customers can leave a review only when having used the service by default. Others operate "open" holistic systems where consumers can leave reviews reflecting their experiences at any point of their consumer interaction with a business. We therefore advocate for policies which recognise this diverse landscape, facilitate a level of flexibility to adapt practices to relevant business models and critically, thus

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<sup>1</sup> "About Us." Coalition for Trusted Reviews. (Accessed 12 March 2025).  
<https://www.coalitionfortrustedreviews.com/>

<sup>2</sup> "Best Practices." Coalition for Trusted Reviews. (Accessed 12 March 2025).  
<https://www.coalitionfortrustedreviews.com/bestpractices>

avoid a one-size-fits-all approach. We also support tackling fake reviews throughout the entire fake review journey: from those who share, buy and sell them, through to the facilitation of their sale (such as payment mechanisms and amplification of sales), and finally to the review intermediaries themselves. Taking a comprehensive approach to this problem that addresses all parts of the fake review ecosystem is essential to effectively limit the ability of bad actors to operate.

Finally, the Coalition has hosted two successful annual conferences in Brussels (2023) and London (2024), offering members meaningful professional development opportunities. Our conferences have created a dedicated space for a broad cross-section of stakeholders to work collaboratively in promoting a better consumer feedback ecosystem. These annual conferences have brought together the world's leading review intermediaries, firms that host reviews, consumer stakeholders, policymakers, enforcement agents and regulators, enabling participants to connect with like-minded professionals committed to maintaining the integrity of reviews. A further edition of the global conference is planned this autumn, in New York. This highlights the Coalition's global outlook, reflecting its engagement in other jurisdictions as regulators such as the CMA<sup>3</sup> and FTC<sup>4</sup>, have introduced flexible and proportionate measures to protect consumers from fake reviews.

### **Topline Observations:**

CfTR appreciates the opportunity to consider the proposed Italian legislation and highlight areas of overlap and inconsistency with existing EU laws and principles, as well as illustrate in practice some of the potential impacts it could have on consumers, businesses and review hosting companies in Italy and across the Single Market. As described above, our group came together to raise standards and champion best practice globally, so we fully support efforts to combat fraudulent and misleading practices. However, we believe the Bill as currently drafted, could undermine legitimate consumer and business activity. Because of the potential implications for the broader European digital market, we urge the European Commission to carefully consider the risks and ensure that any proposed Law aligns with existing EU frameworks promoting transparency, consumer empowerment, and fair competition. Our major concerns with the Bill include the following:

### **The Bill undermines the European Single Market by creating a fragmented approach to existing EU standards that govern review hosting.**

- We are concerned that the Italian law may be in conflict with existing European law:
  - In our view this area of law is already fully harmonized under EU legislation, according to Art.26 and seqq TFEU. We therefore consider that the Italian government exceeds its competence by regulating in this area.
  - Comprehensive legislation in the field of customer reviews already exists, in particular through the recently amended Unfair Commercial Practices Directive (UCPD) and the

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<sup>3</sup> Coalition for Trusted Reviews Consultation Response to the CMA's Draft Unfair Commercial Practices (January 2025). Provided upon request.

<sup>4</sup> Federal Trade Commission Announces Final Rule Banning Fake Reviews and Testimonials. US Federal Trade Commission. (August 14, 2024). <https://www.ftc.gov/news-events/news/press-releases/2024/08/federal-trade-commission-announces-final-rule-banning-fake-reviews-testimonials>

Digital Services Act (DSA). The Italian draft law, in our opinion, is also partly in conflict with EU secondary law, which we note below.

- We appreciate that the Italian government acknowledges the significant impact of reviews on consumer decisions, where reviews influence a large percentage of consumer choices and have become an integral part of consumers' decision making processes. This impact and the importance of trustworthy reviews is also reflected in existing EU legislation and initiatives in this field, including in particular the following:
  - The EU Omnibus Directive (Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market, amending The EU "Unfair Commercial Practices Directive").
  - The Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act);
  - Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, hereafter referred to as Platform to Business Regulation;
  - The initiative for a Code of Conduct for Online Ratings and Reviews for Tourism Accommodation, building on existing initiatives such as the 2023 Consumer Protection Pledge and the industry-led Coalition for Trusted Reviews.

**The Bill adopts a one-size-fits-all approach that risks unintended consequences, by failing to account for the diverse ways customer reviews function across different sectors and review intermediaries.**

- As set out in further detail below, the Bill proposes a number of prescriptive requirements. To ensure the requirements are applied and upheld in practice, review hosting companies will need to adapt or adopt mechanisms to facilitate and enforce them. We consider this to be a one-size-fits-all approach, by which we mean it fails to adopt the flexibility and proportionality that is essential to allow intermediaries to have the ability to suitably moderate content based on the operation of their websites. This is particularly in contrast to the principles-based and flexible approaches which have been taken elsewhere to accommodate the diversity of the review sector and to account for the range of tools already used to address fake reviews.
- The Bill imposes broad compliance burdens on review hosting companies, regardless of their specificities, such as size, individual business model, or the effectiveness of their existing safeguards and fraud detection systems. This undermines their ability to optimize the proactive steps they take against fake reviews and fraudulent content.
- This also risks weakening consumer trust in customer reviews. By imposing rigid and prescriptive requirements, the legislation risks unintended consequences that could ultimately harm consumers. If compliance measures restrict how review intermediaries identify and remove fake reviews, enforcement may become slow, allowing fraudulent content to persist. This will reduce consumer trust in review content, ultimately making it harder for consumers to make informed decisions and businesses to learn from consumer feedback.

- The approach taken in the Bill is disproportionate in that while it places rigid requirements on review hosting companies, other key pieces of the fake review ecosystem are not addressed. For example, the Bill fails to target the real sources of fake reviews—such as businesses looking to boost their online profile as well as organized fraud networks and brokers who sell deceptive endorsements. Alternatively, if review intermediaries overcompensate to avoid penalties, there is a real risk of legitimate consumer feedback being removed, reducing the availability of trustworthy information and undermining the protections that customer reviews are meant to provide. Without a more targeted and flexible approach, the Bill could erode consumer trust, making it more difficult for individuals to make informed decisions while failing to disrupt the bad actors who profit from deception.
  - The Bill also does not account for the vast differences in how reviews function across various industries and intermediaries. The way consumers engage with reviews in sectors like hospitality, e-commerce, healthcare, and professional services - and even within travel itself (hotels vs. flights vs. short-term rentals vs. cruises, etc.) - varies significantly, as do the methods intermediaries use to verify and moderate content. A uniform regulatory approach overlooks these nuances and risks imposing disproportionate burdens on some sectors while failing to address real vulnerabilities in others. Effective review moderation requires flexibility to adapt to industry-specific challenges and trends, and a one-size-fits-all approach could prevent innovation in fraud detection, ultimately making it easier—not harder—for bad actors to exploit gaps in the system.
- While CfTR was cited in the accompanying justification for the legislation, we note that CfTR was not consulted or engaged prior to the Bill's publication, nor were its individual members sufficiently consulted prior to the Bill's introduction.<sup>5</sup> We welcome recognition that our group is promoting best practice and seek opportunities to share expertise on how different approaches can be used to ensure the integrity of customer reviews.
  - Notably, CfTR and its membership have participated in parallel policymaking efforts by the US Federal Trade Commission and the UK Competition and Markets Authority, which have resulted in approaches to tackle fake reviews content that effectively balance review hosting companies' responsibility with action against bad actors.<sup>6</sup>
- The Bill exposes consumers and review hosting companies to heightened fraud: CfTR members have put in place company-relevant trust and safety operations to promote the integrity and authenticity of reviews.<sup>7</sup> Depending on their business model, these techniques may include activities such as requiring users to create an account, restricting reviews until a purchase, service or stay has been completed, and/or using technological and human moderation techniques appropriate to the service and sector in question.
- The Bill has an unclear legal impact. The proposed provisions are not entirely suitable for creating a transparent, balanced framework for customer reviews.

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<sup>5</sup> Regulatory Impact Assessment (RIA) (Prime Ministerial Decree No 169 of 15 September 2017) p.2

<sup>6</sup> Coalition for Trusted Reviews Consultation Response to the CMA's Draft Unfair Commercial Practices (January 2025)

<sup>7</sup> See Annex A for the Coalition for Trusted Reviews' Best Practices

## **Specific Concerns:**

### **Article 12 (Scope and definitions)**

- While the stated intent of the legislation is to address reviews of services in the travel/tourism sector, as written, the wording of Article 12 is overly broad. It applies to “online reviews related to products, performances and services offered by catering businesses and facilities in the tourist sector located in Italy, including those of the receptive and spa type, as well as relating to any form of tourist attraction offered on Italian territory”. This brings within scope an incredibly wide range of reviews across different types of review hosting companies - including placing obligations on cross-cutting websites that host reviews across multiple sectors and not just the tourism industry. In practice, to apply the proposed provisions, it will be necessary but very difficult for intermediaries to delineate between reviews “relating to any form of tourist attraction” and other products, performances and services “offered on Italian territory.”
- The CfTR notes that the Bill’s very aim, which is to set out rigid and prescriptive requirements to regulate customer reviews for one specific sector - tourism - and one specific geography - Italy - inherently creates fragmentation, to the detriment of not only review hosting companies and businesses, but also the consumer. Treating consumer feedback of one type of service versus all other types of service (i.e. travel and tourism vs. healthcare, online shopping, etc.) risks creating consumer confusion and generally undermines the overall ability of consumers to trust all forms of reviews and feedback. Furthermore, a sector-specific approach cannot be defined as a one-size-fits-all model that reflects all review hosting companies. Conversely, we support the flexible, proportionate and holistic approach of existing EU law, which the proposed legislation directly challenges.

### **Article 13 (Requirements for reviews and rights of reviewed facilities)**

- We are concerned that this article may lead to legal uncertainty and be detrimental to the objectives of the legislation. It could also be in conflict with Article 5 of the Unfair Commercial Practices Directive and European privacy law (GDPR), because it would require disproportionate data collecting obligations for review hosting companies.
- Overall, the strict obligations imposed by the Bill – such as requiring verification of identity and proof of service use, or mandating review removal after two years – contradicts the principle of proportionality established in the European Commission’s *"Guidance on the interpretation and application of Directive 2005/29/EC on unfair business-to-consumer commercial practices"*.<sup>8</sup> Specifically, Art. 5, Annex I 23 b of the Unfair Commercial Practices Directive (UCPD), states that traders are required to take “reasonable and proportionate” steps to check that reviews are submitted only by those consumers who have actually used or purchased the product.
- An obligation for intermediaries to verify the identity of consumers would, in our view, be disproportionate by placing an undue burden on businesses, and also act as a deterrent to consumers participating in the review process. Beyond this, the Bill lacks clarity on what proof would be required and which identity services are acceptable for use by review hosting companies. This raises concerns about accessibility, particularly for tourists who may not have

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<sup>8</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021XC1229\(05\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021XC1229(05))

access to compliant digital ID tools while visiting Italy. A blanket requirement to verify identity is therefore inappropriate. Taking the strictest reading of the current drafting, reviewers would be required to provide their ID (such as a national identity card) in order to leave a review. We believe this would not only overlap with, but also could be considered to be in conflict with, Article 5 of the Unfair Commercial Practices Directive (Art. 5) and the European privacy law (GDPR). On the other hand, if a lesser mechanism is intended by the wording, such as recording an IP address, then this overlaps and conflicts with the "reasonable and proportionate steps" already required by the UCPD.

In addition, we have the following observations regarding this article:

- The requirements for proving “actual use of services or benefits” are unclear. This could potentially make the process of leaving reviews more onerous (particularly on “open” systems), and risk silencing consumer voices. We would also note that, whilst purchase receipts are often mooted as a “silver-bullet” solution to this issue, not only does this remove valuable feedback including from those who did not make a purchase, but such documents can also be forged, for example, where the business themselves has purchased the fake reviews to boost their own profile.
- The proposed 15-day time limit on submitting reviews would reduce the number and diversity of reviews, potentially making them less informative and valuable for businesses and consumers. Many positive and genuine reviews are left after 15 days for valid reasons—product experiences evolve over time, travel services extend beyond that period, and consumers may not be able to submit feedback immediately. It also gives accommodation providers time to investigate and resolve complaints that they may receive. A 15-day limit would mean that many efforts by accommodation providers to respond to and resolve complaints will not feature in reviews. This denies accommodation providers the chance to address issues to the traveller’s satisfaction before a review is posted. Limiting reviews to such a short time frame is also likely to harm consumers by precluding the availability of what would otherwise be important information upon which they can make an informed purchase. Additionally, there is no evidence that a 15-day deadline for reviews would protect travellers or businesses from fake reviews. In fact, review fraud attempts often claim receipts of service within 15 days of the alleged service.
- The Bill also undermines the Omnibus Directive’s clear rules that were designed to ensure transparency in customer reviews (particularly Article 3 and Recitals 47 and 49) by imposing an obligation to intervene on reviews because they are allegedly “false”, “old” or no longer “accurate”. This obligation risks a violation of the Omnibus Directive by intermediaries and, more broadly, infringing upon consumers’ rights. Indeed, the Omnibus Directive highlights the importance of ensuring that reviews are not distorted through practices such as suppressing negative feedback or artificially inflating positive reviews. This is particularly relevant given that the Omnibus Directive aims to prevent any practices that could mislead consumers or create an unfair advantage in the marketplace, potentially triggering an unfair commercial practice.
- In practice, under the aforementioned obligation to intervene, intermediaries may find themselves selectively removing older reviews for one business while leaving those of another untouched, either due to differing requests or unclear guidelines. This scenario could inadvertently grant preferential treatment to certain businesses, undermining fair competition and violating the principle of transparency that the Omnibus Directive seeks to uphold. Such actions not only harm



consumer trust but also risk distorting the market by favoring one business over another without objective justification.

- The obligation for reviews to be “sufficiently detailed” introduces legal uncertainty and could distort review selection by eliminating shorter, less detailed, but valid feedback. This requirement conflicts with Art. 8 of the Digital Services Act (DSA), which explicitly states that “no general obligation to monitor the information which providers of intermediary services transmit or store shall be imposed.” Mandating detailed reviews would effectively require review hosting companies to monitor and assess content, creating enforcement challenges and limiting freedom of consumer expression. Furthermore, this requirement is extremely subjective and impractical to implement. What counts as ‘sufficiently detailed’ is a judgement for each consumer reading the review, not for the business being reviewed. Many review hosting companies take steps to encourage reviewers to expand their reviews beyond a simple rating; however, this should be up to them to decide and is part of the way in which competing consumer review hosting companies can innovate to provide more value for the consumer.
- The removal of reviews from 2+ years ago would reduce the data available on each business. Most review hosting companies already apply a weighting to reflect that recent reviews are likely more representative than older reviews, meaning that deletion is unnecessary. Many of them also automatically remove reviews after a certain time period, as stated in their policies. Ultimately, we believe this is for the review hosting company to determine the right balance of having recent reviews and ensuring there is sufficient information for the consumer. So long as reviews are dated, as is common practice, the consumer can make any additional assessment about recency.
- Finally, setting aside the undue burden the Bill places on review hosting companies, the provisions of the Bill would hamper the freedom of users to publish their opinion regarding businesses open to the public as well as triggering the risk of over-removal of content, in clear violation of freedom of speech – a value which is enshrined in both Article 11 of EU Charter of fundamental rights and in Article 21 of the Italian Constitution which provide that everyone has the right to freedom of expression and the freedom to hold opinions and to receive and impart information and ideas without interference by public authority.

#### Article 14 (Prohibitions)

- The Bill correctly weakens the fake reviews illicit industry by prohibiting paid and incentivised reviews that are aimed at inflating the overall ratings and manipulate customers. CfTR believes that public policies addressing fake reviews should start by addressing the most pernicious form of review fraud - the buying and selling of fake reviews (defined as non-genuine experiences that have the effect of deceiving consumers). Article 14 seeks to do that by prohibiting the purchase and selling of reviews. This is one of the most important provisions the Bill can implement to stem review fraud in Italy and across the globe, and we believe the Bill should go further in this aim to specifically target bad actors such as fraudsters or review boosters.
  - Notably, one of the driving workstreams of CfTR is our “Bad Actors” Working Group, which plays a critical role in advancing member collaboration to combat fraud. This group of dedicated trust and safety professionals from across our member companies work together to identify and disrupt networks of bad actors that exploit review systems.

- While the buying and selling of fake reviews should be prohibited, CfTR is concerned that as drafted, the proposed prohibition on transferring reviews “for any reason,” including through intermediaries, could undermine a common industry practice which is the licensing of reviews or syndicated reviews between review hosting companies. In our view, this would likely be detrimental to the objectives of transparent and comprehensive consumer information.
  - The common practice of intermediaries is to make use of external reviews of trusted traders. Often, this is done in cases where a service provider has not yet accumulated sufficient reviews on the website in order to give consumers a sufficient basis for their decision or when a review hosting company seeks to rely on a trusted partner to populate review content. In many cases, intermediaries will have agreements in place with other websites covering the syndication of their reviews; these include clauses on how the website on which the review originates should ensure that it is genuine, as well as how the intermediary syndicating the third-party review should display it.
- The Bill should therefore clarify that the prohibition applies to the buying and selling of *fake* reviews, and only applies to customer reviews that are sold for the purpose of describing non-genuine experiences that have the effect of deceiving consumers. Since there can be legitimate reasons to “transfer” or “syndicate” reviews, this should be clearly limited to fake reviews and the buying/selling of reviews with the purpose of deceiving consumers.
- We generally support banning review ‘hijacking’, but inadvertent “attribution” must not fall within scope. This could occur, for example, where reviewers accidentally post on the wrong business profile page. The wording “*deliberate* attribution” could help distinguish these different scenarios.
- Finally, we believe that regulation must complement, not replace, law enforcement efforts. The issue of fake reviews is often tied to organized criminal activity, requiring a multi-agency (and often international) approach to tackle effectively. Collaboration between government, law enforcement, and industry stakeholders is essential. The Bad Actors Working Group is already engaged in these efforts, and we urge that such collaboration be reflected in the legislative framework to effectively address and prevent fraudulent practices.

#### Article 15 (Codes of Conduct)

As drafted, Article 15 is established to clarify important provisions of the Bill by allowing for to-be-determined Codes of Conduct that ultimately risks further opportunity for incompatibility with EU law. Many of the issues raised here should not be left to Codes of Conduct to govern when they are in practice secondary to a Court’s interpretation of the statutory text. Furthermore, as drafted, the Codes of Conduct contemplated in Article 15 risk an over-dependence on secondary legislation, which also leaves the European Commission unable to provide feedback once the process begins.

In particular, we are concerned about the following requirements that could lead to a dramatic reduction of customer reviews on intermediaries due to the difficulty (or impossibility) of implementation. This will reduce the utility of review systems for consumers and the value that review feedback brings for businesses. Additionally, these sections seem to run counter to the UCPD which states that establishments being reviewed may be acting in breach of consumer laws by unduly pressuring review publishers to remove reviews without a valid reason<sup>9</sup>:

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<sup>9</sup> Commission Notice (2021/C 526/01 paragraph 4.2.4)



- *Proof of Identification (Art. 15 3.a):* Article 15 reiterates the need for consumers to identify themselves. As described above this approach contradicts the principle of proportionality established in the European Commission's "*Guidance on the interpretation and application of Directive 2005/29/EC on unfair business-to-consumer commercial practices*". It also introduces requirements that seem to conflict with the UCPD provision stating that establishments being reviewed may be acting in breach of consumer laws by unduly pressuring review publishers to remove reviews without a valid reason.
- *Consumers who have used the service or used the product (Art. 15.3.b):* As drafted, Article 15 risks the adoption of a proof of purchase regime as the standard for validating, "consumers who have used the service or used the product." As described above any reliance on a proof of purchase as a mechanism of verifying a consumer has used a service contradicts the principle of proportionality established in the European Commission's "*Guidance on the interpretation and application of Directive 2005/29/EC on unfair business-to-consumer commercial practices*".<sup>10</sup> Specifically, Art. 5, Annex I 23 b of the Unfair Commercial Practices Directive (UCPD), states that traders are required to take "reasonable and proportionate" steps to check that reviews are submitted only by those consumers who have actually used or purchased the product.
- *Sufficiently detailed reviews (Art. 15 3. e):* In addition to our above considerations related to Art. 13, we would like to emphasize the following: The requirement to ensure sufficiently detailed reviews to allow for cross-examinations is an invitation for unwanted reviews to be challenged and deleted, which may likely lead to less accuracy and transparency for consumers and thus lead to misleading overall information about a service provider. It could also provide a tool for businesses to pursue review suppression for reviews they do not like. We therefore recommend deleting this provision.
- *Correctness and completeness (Art. 15 3.):* The requirement for companies to guarantee the correctness and completeness of the information, in our view, is too far reaching. Intermediary services are not in the position to evaluate a customer's experience of tourism and thus are not able to stand in for its correctness and completeness. Moreover, experiences of tourism are by nature subjective, which makes it not only difficult but also unnecessary to establish criteria for the correctness and completeness of an experience or establish concrete scores. Moreover, this requirement is in conflict with Art. 8 of the DSA, because it would introduce an obligation to monitor the information contained in reviews submitted by reviewers. We therefore recommend deleting this provision.
- *Use of scores (Art. 15 3. i):* The requirement to prevent the use of scores based on unclear criteria is difficult to implement and could lead to a dramatic decrease in customer reviews. We would like to refer to our explanations around "sufficiently detailed" reviews, where we point out that due to the diversity of experiences relating to the tourism industry, it is practically impossible to establish a standard set of criteria. We therefore recommend deleting this provision.
- Finally, some members of the Coalition for Trusted Reviews are fully engaged - alongside a diverse range of stakeholders - in the collaborative process to develop a voluntary code of conduct on customer reviews for ratings and reviews of accommodations on invitation by the European Commission. In order to avoid fragmentation and to not jeopardize harmonized rules

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<sup>10</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021XC1229\(05\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021XC1229(05))

for consumers throughout the EU, we recommend that no additional, sanction-based obligations be introduced for the development of codes that introduce obligations divergent to those developed at European level.

## **Conclusion**

The European legislation and initiatives related to customer reviews, particularly the requirements of the DSA and the UCPD, already provide mechanisms to address misleading information in customer reviews and fake reviews. We note that this proposed law deviates significantly from existing harmonised EU law which is still bedding in and requires full enforcement to reach its full potential impact. We therefore urge the European Commission to carefully reconsider the necessity of the Italian Government introducing additional legislation at the national level. We also emphasize the importance of undertaking meaningful and thorough stakeholder engagement in drafting such laws so that measures are workable and reflect the diverse perspectives of businesses, consumers, and review hosting companies.

Effective regulation requires understanding the practical realities and challenges faced by all involved, particularly in a rapidly evolving digital environment. We are grateful for the opportunity to respond to this process and remain available to work with policymakers both at the EU and national level to support and inform their work relating to this draft law.

## **APPENDIX A**

### **Coalition for Trusted Reviews Best Practices**

*Members of the Coalition are committed to the following best practices -*

1. Maintaining clear and transparent reviews and ratings policies that:

- Detail the requirements for reviews and ratings (including who can leave the reviews and ratings and what is and is not allowed);
- Educate users about the importance of genuine and unbiased reviews;
- Deter and seek to prohibit users from posting and soliciting fake reviews and ratings;
- Explain how reviews and ratings are collected and displayed;
- If applicable, explain how and when reviews and ratings (and reviewers) are verified;
- Communicate to users the actions taken to detect fake reviews and ratings
- Articulate, in general terms, what consequences exist when fake reviews are detected

2. Having systems, processes and experts in place that ensure the trustworthiness of reviews and ratings, which:

- Continuously monitor and analyse patterns of use and behaviour;
- Detect and remove fake reviews; and
- Have measures in place to assess the authenticity of reviewers.

3. Having a reporting process for users to flag suspected fake reviews and ratings, this includes;

- Ensuring there are systems and teams trained to investigate reported reviews and ratings;
- Having trained people to identify and audit fake reviews missed by automated systems, and to investigate reported false positives;
- Ongoing monitoring and auditing of the effectiveness of the automated systems, policies, the reporting of reviews and review collection.

4. Take appropriate actions on policy violations and the users (including businesses) that violate policies including;

- Prompt removal of fake reviews
- Banning, blocking, and suspending accounts that repeatedly submit or solicit fake reviews or otherwise breach reviews and ratings policies
- Enforcement actions against individuals, businesses, or locations repeatedly linked to fake reviews
- Offer prominent warnings to consumers or removal of a business's listing in event of prolonged abuses.