CASE DMA. 100185 – Apple - Operating systems - iOS - Art. 6(3)

(Only the English text is authentic)

Digital Markets Act Regulation (EU) 2022/1925 of the European Parliament

and of the Council

Article 29(7) Regulation (EU) 2022/1925

Date: 23/04/2025

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Brussels, 23.4.2025 C(2025) 2562 final

COMMISSION DECISION

of 23.4.2025

pursuant to Article 29(7) of Regulation (EU) 2022/1925 of the European Parliament and of the Council on contestable and fair markets in the digital sector

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), in particular Article 29(7) thereof,¹

Whereas:

- (1) This decision closes the proceedings opened on 25 March 2024 vis-à-vis Apple Inc. (hereinafter, together with all legal entities directly or indirectly controlled by Apple Inc., referred to as "Apple") relating to potential non-compliance by Apple with Article 6(3) of Regulation (EU) 2022/1925, alone or in conjunction with Article 13(4) and (6) of that Regulation (hereinafter referred to as 'the Proceedings').
- On 5 September 2023, the Commission adopted a decision designating Apple as a gatekeeper pursuant to Article 3 of Regulation (EU) 2022/1925 ('the Designation Decision'). The Designation Decision lists the following core platform services ('CPSs') provided by Apple which individually constitute an important gateway for business users to reach end users: (i) online intermediation service App Store; (ii) operating system iOS; and (iii) web browser Safari.
- Pursuant to Article 3(10) of Regulation (EU) 2022/1925, Apple has had to comply, since 7 March 2024, with the obligations laid down *inter alia* in Article 6(3) of Regulation (EU) 2022/1925. On 7 March 2024, Apple submitted to the Commission a compliance report pursuant to Article 11(1) of Regulation (EU) 2022/1925 ('the Compliance Report').
- (4) On 25 March 2024, following an initial examination of the Compliance Report and of the available information at that time, the Commission adopted a decision opening the Proceedings, in relation to the ability of end users to un-install any software

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OJ L 265, 12.10.2022, p. 1.

² Commission Decision C(2023) 6100 of 5 September 2023 designating Apple as a gatekeeper pursuant to Article 3 of Regulation (EU) 2022/1925 of the European Parliament and of the Council on contestable and fair markets in the digital sector.

- applications on iOS, to easily change default settings on iOS and to choose their default web browser in the browser choice screen³.
- During the course of the Proceedings, following intense regulatory dialogue with the Commission and without the issuance of preliminary findings by the Commission, on 22 August 2024, Apple announced that it would implement new measures to comply with Article 6(3) of Regulation (EU) 2022/1925 as compared to those which it had put in place prior to the opening.⁴
- (6) According to these measures, amongst others, users in the EU would be able to uninstall a number of Apple's apps which were previously not un-installable, such as the App Store, Messages, Camera, Photos, and Safari apps. A 'Default Apps' section would be introduced, providing new options for setting defaults for various functionalities like messaging and managing passwords. For users with Safari as the default browser, a choice screen, which provides an additional way to choose a default web browser from a list of most popular web browsers in the given EU country, would appear as of installing iOS 18.2, unless another browser was already set as the default. Users migrating to a new device would need to re-select a default browser if Safari was previously their default browser. Updates to the choice screen's design would allow for easier browser selection directly through the choice screen and would require users to scroll through all options before deciding. Changes would also affect the positioning of browser icons on the device's home screen and dock.⁵ Additionally, developers would receive more data about the performance of their browser regarding selection rates on the choice screen through a dedicated application programming interface (API).
- (7) On 11 December 2024, Apple released the iOS 18.2 version that included the changes announced on 22 August 2024.⁶
- (8) In light of these developments and based on the currently available information, the Commission has decided to no longer pursue the Proceedings. Consequently, the Commission has decided to close the Proceedings in accordance with Article 29(7) of Regulation (EU) 2022/1925.
- (9) In line with its obligations under Article 8(1) of Regulation (EU) 2022/1925, Apple remains under the obligation to ensure and demonstrate its effective compliance with Article 6(3) of Regulation (EU) 2022/1925. The Commission will continue monitoring the effectiveness of Apple's compliance with Article 6(3) of Regulation (EU) 2022/1925, including by gathering market information and collecting relevant data from Apple.

Commission decision C(2024) 2060 of 25 March 2024 opening a proceeding pursuant to Article 20(1) of Regulation (EU) 2022/1925 of the European Parliament and of the Council on contestable and fair markets in the digital sector.

See 'Upcoming changes to the browser choice screen, default apps, and app deletion for EU users August 22, 2024' ([...]); 'Update on apps distributed in the European Union Expanded default app controls and app deletion for users in the EU' ([...]); 'About the browser choice screen in the EU' ([...]).

⁵ 'Home screen' is the main screen on a device. 'Dock' is Apple's graphical user interface element located at the bottom of the home screen, which displays several key applications on iOS.

Apple's PRESS RELEASE 11 December 2024, Apple today announced the release of iOS 18.2 https://www.apple.com/newsroom/2024/12/apple-intelligence-now-features-image-playground-genmoji-and-more/ ([...], accessed on 15 February 2025) and https://www.apple.com/newsroom/2024/12/apple-intelligence-now-features-image-playground-genmoji-and-more/ ([...], accessed on 15 February 2025).

(10) This closing decision is without prejudice to the Commission's discretion to open new proceedings pursuant to Article 20(1) of Regulation (EU) 2022/1925 relating to potential non-compliance by Apple with Article 6(3).

HAS ADOPTED THIS DECISION:

Article 1

The Commission closes the proceedings opened pursuant to Article 20(1) of Regulation (EU) 2022/1925 on 25 March 2024 in case DMA.100185 relating to potential non-compliance by Apple with Article 6(3) of that Regulation, alone or in conjunction with Article 13(4) and (6) of that Regulation, in relation to the ability of end users to un-install any software applications on iOS, to easily change default setting on iOS and to choose their default web browser in the choice screen available on iOS.

Article 2

This Decision is addressed to Apple Inc., One Apple Park Way, Cupertino, CA 95014, United States of America.

Done at Brussels, 23.4.2025

For the Commission

Signed Teresa RIBERA Executive Vice-President