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How fast fashion giant SHEIN uses dark patterns to push overconsumption





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The European Consumer Organisation
Bureau Européen des Unions de Consommateurs
Europäischer Verbraucherverband

Rue d'Arlon 80,
B-1040 Bruxelles
Tel: +32 (0)2 743 15 90
www.beuc.eu

Contact: enforcement@beuc.eu
Photos by Tima Miroshnichenko from Pexels



Why it matters for consumers and our call to consumer protection authorities

The fast fashion giant SHEIN uses several deceptive techniques on its online interfaces to push consumers into purchasing more than originally intended. These so-called ‘dark patterns’ include (among others) fake countdown timers, low-stock messages, nagging practices, or forced registration. We believe that they are unfair commercial practices leading to severe detrimental consequences on consumers and society at large. On the one hand, they promote excessive spending and trigger economic losses for consumers. On the other hand, they stir overconsumption of clothing, which often also contains harmful chemicals, hence misleading and disempowering consumers in their efforts towards the green transition. Ultimately, these practices fuel the environmental and societal problems caused by the fast fashion industry.

BEUC, together with 25 of its member organisations from 21 countries¹, has filed a complaint with the European Commission and the network of consumer authorities (CPC-Network) against SHEIN to denounce these practices and to request authorities to take action.

We call on the European Commission and the CPC-Network to:

- Request SHEIN to stop using, both on its website and app and in all European countries, the dark patterns that constitute aggressive commercial practices per se under the UCPD, namely “confirm-shaming”, forced registration, toying with emotion, use of infinite scroll and the use of “nagging”.
- Request SHEIN to disclose the information and evidence showing that activity and stock messages (such as “low stock message”, “countdown timer”/ “limited time” messages and others) repeatedly displayed to consumers are based on genuine and trustworthy information; and in the event SHEIN cannot bring the necessary substantiating evidence, to request SHEIN to stop using these practices.

¹ Altroconsumo (Italy), Arbeiterkammer (Austria), Bulgarian National Consumers Association (Bulgaria), ASUFIN, CECU and OCU (Spain), CLCV and UFC-Que Choisir (France), Consumentenbond (the Netherlands), DECO (Portugal), dTest (Czech Republic), EKPIZO and KEPKA (Greece), Federacja Konsumentów (Poland), Forbrukerrådet (Norway), Forbrugerrådet Tænk (Denmark), Fédération Romande des Consommateurs (Switzerland), Tudatos Vásárlók Egyesülete (Hungary), Sveriges Konsumenter (Sweden), Spoločnosť Ochrany Spotrebiteľov (Slovakia), Testachats/Testaankoop (Belgium), Union Luxembourgeoise des Consommateurs (Luxembourg), vzbv (Germany), Zveza Potrošnikov Slovenije (Slovenia) and Kypriakos Syndesmos Katanaloton (Cyprus).

- Where needed, especially in the event SHEIN does not take in due time sufficient corrective, impose measures to avoid the risk of serious harm to the collective interest of consumers and the circulation of unsafe products in Europe.

As the problem of dark patterns used in the fast fashion industry is a sectorial one, we also call on the CPC-Network to include, as part of its investigations, other traders operating in this sector and using similar practices (such as H&M, Zara, ASOS, Boohoo etc).

This complaint intends to accompany and support the ongoing work of the European Commission on e-commerce², as well as discussions on an upcoming EU “Digital Fairness Act,” as both have identified dark patterns as highly problematic practices requiring urgent action.

On 5 February 2025, the European Commission and the CPC-Network announced the launch of a coordinated action against SHEIN to investigate compliance with EU consumer laws.³ This complaint contributes to the Commission’s ongoing initiative by (inter alia) highlighting additional evidence and data collected by several BEUC members, including Arbeiterkammer (Austria), CECU and OCU (Spain), Fédération Romande des Consommateurs (Switzerland), Forbrukerrådet (Norway), Forbrugerrådet Tænk (Denmark), Federacja Konsumentow (Poland), Testachats/Testaankoop (Belgium), Tudatos Vásárlók Egyesülete (Hungary), vzbv (Germany), UFC-Que Choisir (France), Sveriges Konsumenter (Sweden), Which? and Citizens Advice (UK).

NB: Evidence and screenshots used to substantiate this complaint were taken between November 2024 and Maj 2025 and are listed in the Annex accompanying this document.

² European Commission, ‘A comprehensive EU toolbox for safe and sustainable e-commerce’, COM(2025) 37 final, 5 February 2025.

³ European Commission, ‘Commission announces actions for safe and sustainable e-commerce imports’ (5 February 2025) https://ec.europa.eu/commission/presscorner/detail/en/ip_25_410 (accessed 5 February 2025).

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THE TOXIC COCKTAIL

When fast fashion gets even faster

The fast fashion business model revolves around the rapid mass production of inexpensive clothing, often inspired by catwalk designs or celebrity culture. However, fashion did not use to be fast. Years ago, brands released new collections based on seasons – often two seasons per year – a spring /summer collection as well as an autumn/winter collection. The digital revolution dramatically reshaped the fashion industry's operational landscape, introducing the possibility for consumers to buy clothes from the comfort of their own home. Unfortunately, it also paved the way for a more rapid and unsustainable cycle of production and consumption. Brands moved from seasonal collections to marketing 16 to 24 collections a year, causing a swift turnover of clothing lines.⁴

Because of the very high number of textiles produced, the 2022 EU Strategy for Sustainable and Circular Textiles highlighted that global textile

production almost doubled between 2000 and 2015. Looking ahead, consumption of clothing and footwear is expected to rise by 63%, increasing from 62 million tonnes to 102 million tonnes by 2030. In the EU, clothing alone accounts for 81% of textile consumption, making it the largest contributor to the sector's environmental footprint.⁵ Interestingly, clothes prices have dropped in the past two decades. At the same time, the amount of clothes purchases per household grew by 40% between 1996 and 2012.⁶

Consumers buy more clothes than they need and use them for shorter times, making up for untenable amounts of textile waste.⁷ According to BEUC's Austrian member **Arbeiterkammer**, 52% of clothing items in Austrian consumers' wardrobes are worn only occasionally, very rarely or never.⁸ Similarly, BEUC's Danish member **Forbrugerrådet Tænk** reports that 40% of the clothes owned by

4 Good On You, 'What Is Ultra-Fast Fashion and Why Is It So Bad?' (2024) <https://goodonyou.eco/ultra-fast-fashion/> accessed 16 December 2024 and Good On You, 'What Is Fast Fashion?' (2025) <https://goodonyou.eco/what-is-fast-fashion/> (accessed 28 February 2025). In 2022, in a 12-month period, Shein listed 1.3 million items on its website. During the same period, Gap listed 12,000 items, H&M about 25,000 and Zara approximately 35,000 www.vox.com/even-better/2023/11/14/23955673/fast-fashion-shein-hauls-environment-human-rights-violations).

5 European Parliament resolution of 1 June 2023 on an EU Strategy for Sustainable and Circular Textiles [2023] (2022/2196(INI)), p. A.

6 EEA, 'Textiles and the environment in a circular economy' (2019) https://emis.vito.be/sites/emis/files/articles/91/2021/ETC-WMGE-report_final%20for%20website_updated%202020.pdf (accessed 11 March 2025).

7 In the past 20 years the use time decreased by almost 40%, with studies in different European countries showing that up to one third of clothes are kept non used in wardrobes across Europe. E.g. Maldini I. et al (2017); WRAP (2022).

8 Arbeiterkammer, 'Fashion Consumption in Austria: a high level of awareness, but potential to do more (2023) www.akeuropa.eu/sites/default/files/2023-02/Endversion%20Nachhaltiger%20Modekonsum%20in%20%C3%96%20Kurzfassung%20Englisch.pdf p.2 (accessed 21 March 2025).

Danish consumers aged 25 to 50 are not being used.⁹ A study by BEUC's German member **vzbv** shows that 94% of consumers in Germany would like longer-lasting clothes, 75% are willing to wear clothes longer, instead of buying new to contribute to climate protection and 55% would pay more for a clothing item if being certain about the increased durability.¹⁰

With more options to choose from, and the convenience of being able to order and receive clothes in just a couple of days, consumer behaviour has shifted dramatically. Clothes worn by celebrities on social media quickly transformed into consumer

demand for retailers. Accordingly, the key to a successful fast fashion company is its ability to rapidly introduce new and trendy clothing items.¹¹ Yet, just when we thought that fast fashion could not get any faster, a new phenomenon emerged: ultra-fast fashion. It is the same principle as fast fashion, but faster than we can imagine. An analysis conducted on the ultra-fast fashion market revealed that SHEIN delivered 315,000 collections in 2022, compared to 6,850 for Zara and 4,400 for H&M. SHEIN and other ultra-fast retailers like Bershka, PrettyLittleThing, or Boohoo release thousands of new clothing items online daily.¹²

The social and environmental harm of fast fashion

The rise of the fast fashion industry comes with significant societal and environmental challenges, as well as direct dangers for consumers.

An environmental issue



With the fashion industry accounting for 10% of greenhouse gas emissions, textiles are on top of the list of sectors responsible for climate change just after food, housing and transport according to the European Environment Agency (EEA).¹³ Producing clothes requires large amounts of energy, land, water and chemicals. Yet most of the environmental impact of textiles consumed in the Europe occurs in other parts of the world where manufacturing takes place, often in poor working conditions. With its use of fertilisers and pesticides for the cultivation of cotton, the extraction of fossil fuels and chemical feedstock to produce synthetic fibres, the textiles sector heavily relies on the use of toxic chemicals. Estimations show that up to 20% of global water pollution is caused

by textile dyeing and finishing processes. While Europeans discard 11 kg of textiles on average per year, only 1% of textiles are recycled globally. The EEA found that exports from the EU to Africa and Asia have tripled in the last 20 years, with a significant share ending up in open landfills where they cause environmental and health problems.¹⁴

The 2022 EU Strategy for Sustainable and Circular Textiles also highlighted that up to 30% of the viscose and rayon used in the fashion industry comes from endangered and ancient forests that once provided a habitat for native plants and animals. The strategy makes a link between fast fashion and the use of fossil fuel-based synthetic fibres, which contributes to plastic pollution, leading to climate change.¹⁵ BEUC's Hungarian member **Tudatos Vásárlók Egyesülete (TVE)** has highlighted

9 Forbrugerrådet Tænk, 'Sammen mod tøjspild' (2023) <https://taenk.dk/det-kaemper-vi-for/sammen-mod-toejspild> (accessed 3 April 2025).

10 vzbv, 'Umdenken am Black Friday: Bewusster Konsum statt Schnäppchenjagd' (2022) www.vzbv.de/meldungen/umdenken-am-black-friday-bewusster-konsum-statt-schnaepchenjagd, pp. 7, 35, 37 (accessed 8 April 2025).

11 J. Fen-Wang et al., 'Leveraging customer learning and time-based targeting for fast fashion new arrivals', *Journal of Retailing and Consumer Services* (2025) www.sciencedirect.com/science/article/abs/pii/S0969698924004375?via%3Dihub (accessed 1 April 2025). www.sciencedirect.com/science/article/abs/pii/S0969698924004375?via%3Dihub (accessed 1 April 2025).

12 NIQ, 'Shein, Zara, H&M: Close-up on the Ultra-Fast Fashion Market' (2023), <https://nielseniq.com/global/en/insights/analysis/2023/shein-zara-hm-close-up-on-the-ultra-fast-fashion-market/> (accessed 23 February 2025).

13 EEA, 'Textiles and the environment: the role of design in Europe's circular economy' (2022) www.eea.europa.eu/publications/textiles-and-the-environment-the (accessed 11 March 2025).

14 EEA, 'EU exports of used textiles in Europe's circular economy' (2023) www.eea.europa.eu/publications/eu-exports-of-used-textiles (accessed 11 March 2025).

15 European Parliament, Resolution of 11 May 2023 on an EU strategy for sustainable and circular textiles, (2022/2196(INI)), p. E.

the environmental problems behind the fast fashion model, referring to a study conducted by the Changing Markets Foundation.¹⁶ The study highlights the extensive use of cheap synthetic fibres, such as polyester, which is used in over half of all textiles produced.¹⁷

The study finds that if the industry continues producing textiles as it does today, nearly three-quarters of all textiles will be made from fossil fuels within the next decade.¹⁸ The fashion industry is already one of the most polluting sectors in the world.¹⁹

Social and societal concerns

The exploitative labour conditions faced by workers in the fast fashion industry, particularly in Bangladesh, China, and India, is alarming.²⁰ In 2024, SHEIN itself identified two cases of child labour within its supply chain.²¹ In 2025, a BBC investigation²² uncovered severe working conditions in 10 of SHEIN's factories in Guangzhou, China. The report revealed that workers typically have one day off per month, work up to 75 hours per week, even though Chinese labour laws state that workers shouldn't work more than 44 hours per week. Additionally, workers get paid per piece they produce, with some pieces being worth less than a dollar. In 2023, Times Investigation already revealed similar alarming workers' testimonials and

experience with the fast fashion producer Boohoo.²³ The #FashionChecker, launched by the Clean Clothes Campaign with support from the EU, aims to increase transparency by providing consumer with real data on the working conditions from the supply chains of the most popular fashion brands.²⁴ According to #FashionChecker's findings on SHEIN, there is no evidence that its suppliers pay workers a living wage, meaning SHEIN cannot guarantee that its employees earn enough to cover basic living expenses.²⁵ However, consumer awareness and expectations are high. According to a 2020 Eurobarometer survey, 92% of respondents believe that fashion companies should be legally required to ensure fair working conditions, both inside and outside the EU.²⁶

16 TVE, 'Eljött a fossil fashion kora – ruháink fele már kőolajból van' (2021) <https://tudatosvasarlo.hu/eljott-a-fossil-fashion-kora-ruhaink-fele-mar-koolajbol-van/> (accessed 16 February 2025).

17 Changing Markets, 'Fossil fashion: The hidden reliance of fast fashion on fossil fuels' (2023), <https://changingmarkets.org/wp-content/uploads/2021/02/CM-Fossil-Fashion-online-reports-layout.pdf>, p. 6 (accessed 5 March 2025).

18 Idem, p. 6

19 Idem, p. 8.

20 WWF, 'Fast fashion disaster' www.wwf.org.uk/myfootprint/challenges/fast-fashion-disaster (accessed 18 March 2025).

21 BBC, 'Shein reveals child labour cases at suppliers' (2024) www.bbc.com/news/articles/c4glzdd88lo (accessed 7 March 2025).

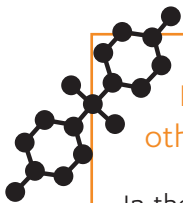
22 BBC, 'The truth behind your \$12 dress: Inside the Chinese factories fuelling Shein's success' (2025) www.bbc.com/news/articles/cdrylgvr77jo (accessed 12 February 2025).

23 The Times and the Sunday Times, 'Inside the Boohoo warehouse where workers call themselves slaves' (2023) www.youtube.com/watch?v=QipH8C6eCmc (accessed 23 March 2025).

24 European Commission, '#FashionChecker: Calling for a living wage for garment workers and a more transparent supply chain' https://international-partnerships.ec.europa.eu/news-and-events/stories/fashionchecker-calling-living-wage-garment-workers-and-more-transparent-supply-chain_en (accessed 4 April 2025).

25 Idem.

26 European Commission, 'Protecting the environment – Eurobarometer survey' (2020) https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_330 (accessed 12 April 2025).



Exposure to harmful chemicals and other safety issues

In their quest to source cheap materials, fast fashion producers commonly use hazardous chemicals posing significant health risks to both workers and consumers. According to the Swedish Chemical Agency (KEMI), around 3,500 chemicals are used in textiles production²⁷, while other studies estimate the number at around 8,000 chemicals.²⁸ Some hazardous chemicals remain in the final product as residues or impurities from manufacturing, while others are intentionally added for specific purposes, such as colour or easy care. Four out of five consumers are concerned about the presence of harmful chemicals in everyday products.²⁹ Since clothing and textiles come into close and prolonged contact with consumers throughout their lifespan, the exposure is significant. There are examples of clothes and fashion items sold on SHEIN and reported on the EU Safety Gate, which is the rapid alert system for dangerous non-food products.³⁰ In 2024, BEUC's Belgian member **Testachats/Testaankoop** bought 25 children's clothing and shoes from SHEIN and tested their chemical composition. 10 out of the 25 tested products contained hazardous chemicals. A pair of slippers were in particular described as **"chemical bombs for children"** due to the amount of hazardous

chemicals they contained.³¹ Some of the chemicals found in the slippers were DEHP and DBP, described by the European Chemicals Agency as phthalates which are often used to make plastics flexible and durable. Evidence shows that some phthalates are dangerous to human health and can interfere with the hormonal system, cause allergies, damage fertility etc. Phthalates are also harmful to the environment. Similarly, in 2025, BEUC's Polish member **Federacja Konsumentów** examined 16 products from SHEIN and Temu, including clothing, underwear and jewellery. Overall, more than half of the products tested contained non-safe heavy metals. In another study conducted by Greenpeace, 47 products from SHEIN's websites in Austria, Germany, Italy, Spain, and Switzerland were sent to an independent laboratory for chemical analysis. The results revealed that seven out of the 47 products (15%) contained hazardous chemicals that exceeded the regulatory limits set by the EU.³² Furthermore, in 2025, BEUC's Danish member **Forbrugerrådet Tænk** conducted a test of 26 low-cost jackets sold in Denmark, including from Amazon, SHEIN and Temu, to examine the presence of PFAS. The result showed that 75% of the jackets from Amazon, SHEIN and Temu contained PFAS (13 out of 17). Alarming, 12 of these jackets contained PFAS substances that are illegal in the EU.³³

It remains very difficult for consumer to really know how their clothes are made and the social and environmental costs they entail. Despite the dangers and threats they pose, fast fashion traders also try to downplay their true impact on the

environment and society at large. One example is the use of misleading environmental claims. For several years, BEUC members have been pointing out the misleading nature of certain green claims used by fashion companies.³⁴ In January 2021, the

27 Swedish Chemicals Agency – KEMI (2020) *Kemikalier i textilier - Risker för människors hälsa och miljö*.

28 Refashion for Good, 'Safer Chemistry Innovation in the Textile and Apparel Industry' (2018) <https://pro.refashion.fr/eco-design/sites/default/files/fichiers/Safer%20Chemistry%20Innovation%20in%20the%20Textile%20and%20Apparel%20Industry.pdf> (accessed 15 January 2025).

29 European Commission, 'Protecting the environment – Eurobarometer survey' (2020) https://ec.europa.eu/commission/presscorner/detail/es/qanda_20_330 (accessed 7 May 2025).

30 See the EU Safety Gate here: <https://ec.europa.eu/safety-gate-alerts/screen/webReport/alertDetail/10011515?lang=en> and here: <https://ec.europa.eu/safety-gate-alerts/screen/webReport/alertDetail/10005004?lang=en>.

31 Testachats/Testaankoop, 'Les dangers de Shein et de la fast fashion', <https://www.test-achats.be/famille-prive/boutique-en-ligne/dossier/les-dangers-de-shein-et-de-la-fast-fashion/section2> (accessed 10 December 2024).

32 Greenpeace, 'Taking the Shine off SHEIN: A business model based on hazardous chemicals and environmental destruction' (2024) www.greenpeace.de/publikationen/S04261_Konsumwende_StudieEN_Mehr%20Schein_v9.pdf, p. 5-6 (accessed 4 April 2025).

33 Forbrugerrådet Tænk, 'Næsten garanti for PFAS i jakker fra Amazon, Shein og Temu' <https://taenk.dk/test/kemitest-jakker/pfas-i-jakker> (accessed 7 May 2025).

34 E.g. Forbrugerrådet (Norway), Forbrugerrådet Tænk (Denmark), VKI (Austria), UFC-Que Choisir (France).

European Commission published the results of a sweep conducted in coordination with the CPC-Network revealing that 42% of green claims found on e-commerce websites - including the fashion sector - were exaggerated, false or deceptive and could potentially qualify as unfair commercial practices under the Unfair Commercial Practices Directive (UCPD).³⁵ In September 2024, the Italian consumer authority (AGCM) started investigations into SHEIN's collection "EvoluShein" for misleading

environmental claims.³⁶ In November 2024, BEUC's Spanish member **CECU** published a report on greenwashing in the textile industry, pointing out that low-priced fashion platforms have become more popular, with SHEIN being one of them.³⁷ In April 2025, the International Consumer Protection and Enforcement Network (ICPEN) wrote an open letter to the fashion and textile sector to highlight the importance of complying with consumer protection law when making environmental claims.³⁸

"Fast fashion brands take advantage of the overwhelming difficulty of knowing and proving what's going on behind closed doors. For a lot of the most devoted buyers, no amount of outside evidence will be enough. "How can I stand against them if I don't have anything to back it up?" a SHEIN fan told the New York Times last year."³⁹

When dark patterns come into the picture

Dark patterns - or deceptive design techniques - refer to visual strategies and tricks used by traders in websites and apps, to mislead and manipulate consumers in their decision-making processes and incentivising to make choices that are not in their interest.⁴⁰ It is also defined as a type of digital layout that is purposefully designed to confuse consumers. Accordingly, the key distinction between dark patterns and other marketing tactics is that dark patterns manipulate consumers' decisions through the way information is structured and displayed on a website or app (online choice architecture). This includes factors like the placement of contents, as well as the size and colour of text and images on a screen.⁴¹ The use of such practices to distort consumers' behaviour has reached a new dimension with ongoing technological developments and the

massive collection of behavioural data that come with it.

According to research from psychologist and Nobel prize winner Daniel Kahneman on the behavioural aspects of human decision-making, the terms "System 1" and "System 2" describe how people make decisions in their daily lives. On the one hand, System 1 is the fast, automatic and instinctive decision-making process. On the other hand, System 2 refers to the rational, thoughtful and deliberate decision-making process.⁴² Dark patterns prompt consumers to rely on their System 1, hence pushing them to make quick decisions.⁴³ Examples of dark patterns commonly used in e-commerce include making certain decisions more prominent or easier to make, creating a false feeling of urgency,

35 European Commission, 'Screening of websites for 'greenwashing': half of green claims lack evidence' (2021) https://ec.europa.eu/commission/presscorner/detail/en/ip_21_269?fbclid=IwAR3VNrMUT06_MNlwt6GMfm5tSC9cWDIObZGqgrQEGkmvkfJdZ_k1XjshAGk (accessed 28 January 2025).

36 AGCM, 'Avviata istruttoria nei confronti di Shein per possibile pubblicità ingannevole' (2024) www.agcm.it/media/comunicati-stampa/2024/9/PS12709 (accessed 11 December 2024).

37 CECU, 'Sombra Aqui, Somdra Alla' (2024) https://cecu.es/wp-content/uploads/2024/11/CECU_-_InformeombraAquiSombraAlla_LavadoVerde_S.pdf, p. 3 (accessed 23 March 2025).

38 ICPEN, 'ICPEN members write open letter to the fashion and textiles sector' (2024) <https://icpen.org/news/1419> (accessed 5 May 2025).

39 Vox, 'It's time to break up with fast fashion' (2023) www.vox.com/even-better/2023/11/14/23955673/fast-fashion-shein-hauls-environment-human-rights-violations (accessed 2 May 2025). (Quoting: www.nytimes.com/2022/09/01/style/shein-clothing.html).

40 H. Brignull et al. www.deceptive.design/ (accessed 12 December 2024).

41 Beni Chug & Pranjal Jain, 'Unpacking Dark Patterns: Understanding Dark Patterns and their Implications for Consumer Protection in the Digital Economy' (2021) Vol. 7(1) www.rsrr.in/files/ugd/286c9c_3da4e758c4db40098ebe691004e90b71.pdf?index=true (accessed 3 March 2025).

42 NoteworthyNonsense, 'System 1 and System 2 thinking: How We Make Decisions' <https://noteworthynonsense.com/blog/10/2020/system1-system2-thinking-kahneman> (accessed 15 March 2025).

43 J. Luguri & L. Strahilevitz, 'Shining a Light on Dark Patterns' (2021) Journal of Legal Analysis, Volume 13, Issue 1, <https://academic.oup.com/jla/article/13/1/43/6180579>, p. 43-109 (accessed 22 February 2025).

‘FOMO’ (fear of missing out), shaming consumers and creating a feeling of guilt, as well as confusing consumers. Different types of dark patterns are often combined and used together, resulting in a stronger effect – than if used separately.⁴⁴

The use of dark patterns in e-commerce has been evidenced widely, including by a sweep exercise conducted by the European Commission in coordination with the CPC-Network in 2022.⁴⁵ The Commission’s ‘*Behavioural Study on Unfair Commercial Practices in the Digital Environment*’ also stressed that 97% of the most popular websites and apps used by consumers in the EU contain at least one type of dark pattern.⁴⁶ Lately, dark patterns were also highlighted as a key concern in the Commission’s 2025 action plan on e-commerce.⁴⁷

When it comes to dark patterns in the fast fashion sector, in October 2021, the digital design agency Rouge conducted an analysis of the 30 biggest

fast fashion traders in the United Kingdom. The analysis focused on identifying how many different types of dark patterns the companies used on their websites before consumers completed a purchase. The analysis revealed that **SHEIN was the most manipulative fast fashion trader, using at least eight different types of dark patterns, more than any other trader studied.**⁴⁸ Another study conducted among university students in the United Kingdom uncovered some interesting insights regarding the toxic cocktail of dark patterns and fast fashion. Among others, although 84% of the participants enjoyed the convenience of shopping fashion online, 31% of the participants expressed feelings of frustration or stress.⁴⁹ The practice that participants recognised the most when shopping for fashion online were phrases such as “limited stock” and the use of countdown timers.⁵⁰ 70% of the participants expressed that they felt pressured to buy or that they were negatively affected.

44 FTC, ‘Bringing dark patterns to light’ (2022), www.ftc.gov/system/files/ftc_gov/pdf/P214800%20Dark%20Patterns%20Report%209.14.2022%20-%20FINAL.pdf (accessed 18 December 2024).

45 European Commission, ‘2022 – sweep on dark patterns’ (2022) https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en (accessed 16 December 2024). The European Commission and the CPC-Network conducted a sweep of 399 online shops, selling amongst other things, clothing. The sweep focused on three specific types of dark patterns: fake countdown timers, website designs structured to push consumers to make a specific choice and hidden information. Out of 399 websites, the sweep found that 42 websites contained fake countdown timers, 54 websites tried to push consumers towards a specific choice and 70 websites had hidden, important information. See also A. Mathur and al., ‘Dark Patterns at Scale: Findings from a Crawl of 11K Shopping websites’, Proc. ACM Hum.-Comput. Interact (2019) <https://arxiv.org/pdf/1907.07032> (accessed 21 February 2025). The study analyses the prevalence of dark patterns in e-commerce by creating a web crawler across 11 000 popular online retail sites. It found that over 11.1% of the websites contained elements that could be classified as dark patterns. Retailers even incorporated multiple dark patterns across their websites, increasing the likelihood of consumer manipulation.

46 European Commission, ‘Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation’, Directorate-General for Justice and Consumers (2022) <https://op.europa.eu/en/publication-detail/-/publication/606365bc-d58b-11ec-a95f-01aa75ed71a1/language-en>, p. 6 (accessed 17 December 2025).

47 European Commission, ‘A comprehensive EU toolbox for safe and sustainable e-commerce’, COM(2025) 37 final, 5 February 2025.

48 Rogue Media, ‘Shein ranked the most manipulative fast fashion brand in our dark patterns study’ (2021), www.rouge-media.com/insights/shein-ranked-most-manipulative-fast-fashion-brand-in-our-dark-patterns-study/ (accessed 4 February 2025).

49 O. Dias Bagott & al., ‘The Implications of Deceptive Design in Ultra-fast Fashion Online: The Case for Design Friction’ (2024) www.academia.edu/125894468/The_Implications_of_Deceptive_Design_in_Ultra_Fast_Fashion_Online_The_Case_for_Design_Friction_Thesis, p. 24 (accessed 23 March 2025).

50 Idem, p. 26,



FOCUS ON DARK PATTERNS BY SHEIN

The trader and its activities targeting consumers in Europe

SHEIN was founded in 2008 in China and, by 2022, had become the world's most searched fast fashion brand.⁵¹ While the company is currently headquartered in Singapore, it operates on a global scale, shipping to over 150 countries and maintaining a significant presence in various EU Member States.⁵² As such, SHEIN clearly targets European consumers, with a primary customer base consisting of individuals aged 18-35, including a large proportion of teenagers and young professionals.⁵³

Penetration of SHEIN in EU households: the case of France

In 2024, SHEIN was the fashion trader where French consumers spent the most: 20% of French consumers shopped on SHEIN (representing an annual increase of +12% compared to 2023).⁵⁴

In 2024, SHEIN, Temu and Amazon generated together approx. €2.2 bn sales in France in 2024 (+23% compared to 2023).⁵⁵

In 2023, French consumers on SHEIN were (on average) in their 30s⁵⁶ and spent (on average) 53€ per transaction on the platform.⁵⁷



51 Vox, 'Shein is the future of fast fashion. Is that a good thing?' (2021) www.vox.com/the-goods/22573682/shein-future-of-fast-fashion-explained (accessed 2 April 2025).

52 SHEIN, 'Shein at a Glance' www.sheingroup.com/about-us/shein-at-a-glance/ (accessed 10 February 2025).

53 Canvas Business Model, 'Customer Demographics and Target market of Shein' (2024) https://canvasbusinessmodel.com/blogs/target-market/shein-target-market?srltid=AfmB0Oo-gPQObfHq2mGZ0soVSnWT8WCcMse5cNNg2P-q19r0lxIXHH_j (accessed 7 April 2025). In the US, it has been reported that the main percentage of consumers visiting SHEIN's website are aged between 18-44 (with 18-24: 16,99%; 25-34: 30,29%; 35-44: 21,19%). Oberlo, 'Shein demographics: age and gender' www.oberlo.com/statistics/shein-demographics (accessed 7 April 2025).

54 According to a study run by the online shopping app Joko based on the analysis of anonymized banking data of 700.000 people. 20minutes, 'Vêtements : Shein est devenue l'enseigne de mode où les Français ont le plus dépensé en 2024' (2024) <https://www.20minutes.fr/economie/4135870-20250128-consommation-2024-shein-devient-enseigne-mode-francais-plus-depense>, Conso, 'Mode : numéro 1 des ventes en France, Shein se défend contre les critiques' (2025) <https://www.boursorama.com/conso/actualites/mode-numero-1-des-ventes-en-france-shein-se-defend-contre-les-critiques-558afde55ff101ab8d633c36d95ba0d1>, Fashion United, 'Shein, leader incontesté en 2024 selon Joko : avènement du cheap et controverse autour des données sensibles' (2025) <https://fashionunited.fr/actualite/business/shein-leader-incontesté-en-2024-selon-joko-avenement-du-cheap-et-controverse-autour-des-donnees-sensibles/2025012837065> (accessed 2 May 2025).

55 Based on data issued in February 2025 by Institut Français de la mode. Capital, 'Shein, Temu... les plateformes chinoises dévorent le marché de la mode' <https://www.capital.fr/entreprises-marches/shein-temu-les-plateformes-chinoises-devorent-le-marche-de-la-mode-1509231> & <https://www.defimode.org/ifm-bilan-2024/> (accessed 2 May 2025).

56 Fashion Network, 'La cliente type de Shein n'est pas une jeune fille de 18 ans, selon Joko' (2023) <https://fr.fashionnetwork.com/news/La-cliente-type-de-shein-n-est-pas-une-jeune-fille-de-18-ans-selon-joko.1539177.html> (accessed 2 May 2025).

57 Économie, 'Shein ne séduit plus seulement les adolescentes mais conquiert aussi les trentenaires... et les hommes' (2023) <https://www.lefigaro.fr/societes/shein-ne-seduit-plus-seulement-les-adolescentes-mais-conquiert-aussi-les-trentenaires-et-les-hommes-20230804> (accessed 2 May 2025).

Due to the huge amount of consumer shopping online during the pandemic, SHEIN sales tripled to around \$10bn.⁵⁸ When SHEIN entered the US and European markets, it climbed from \$5bn in 2019 to a peak of \$100bn in early 2022, before falling to \$64bn in 2023.⁵⁹ SHEIN has more than 250 million followers on social media (almost 35 million followers on Instagram) and the SHEIN app ranks among the most- downloaded apps in the US and the world.⁶⁰ The company describes its on-demand business model as “a model that offers more choice,

more affordable prices, and less waste.” SHEIN highlights that its on-demand business model aims to align with customer preferences and needs more accurately and efficiently.⁶¹ BEUC’s Spanish member OCU has described SHEIN as “the TikTok of Fashion” due to its addictive design **“turning shopping into an obsession,”**⁶² driven by powerful algorithms, incentivised reviews and tricks to increase usage frequency.⁶³

Methodology

We analysed both the SHEIN desktop website and mobile app. The analysis focused on SHEIN’s EU, German, French, Spanish, Portuguese and Italian websites. The SHEIN app was downloaded through the Swedish iPhone Appstore and the Belgian Samsung Galaxy Store. The screenshots in the annex were taken between November 2024 and May 2025. The products seen in the screenshots have been randomly selected, with a variety of clothes and accessories to show the widespread use of dark patterns, irrespective of the product.

Following our analysis, we have identified problematic practices both on SHEIN’s mobile app and desktop website. It was important to look at the two interfaces jointly as consumers tend to use apps more frequently than websites. In 2024, the French e-commerce association (FEVAD) published a piece looking at, among other things, the percentage of consumers visiting the top 20 e-commerce sites in France, comparing mobile app usage versus

desktop website visits. In the second quarter of 2024, just 10.5% of consumers visited SHEIN’s desktop website, while 88.3% accessed the platform via SHEIN’s mobile app.⁶⁴

Studies have also shown the increasing number of dark patterns used in apps. A study found that 95% of the 240 apps reviewed used one or more dark patterns.⁶⁵ 37% of the apps contained between three and six dark patterns, while 49% of the apps featured seven or more dark patterns. Another study⁶⁶ conducted a comparative study on dark patterns in mobile apps versus desktop websites, examining the 105 most popular online services. The findings revealed significant variations in how dark patterns are used, with some types of dark pattern being more noticeable than others. In mobile modalities – including both mobile apps and mobile websites – 85% of the online services examined contained dark patterns, which is more than desktop websites.

58 Greenpeace, ‘Taking the Shine of SHEIN: A business model based on hazardous chemicals and environmental destruction’ (2024), www.greenpeace.de/publikationen/S04261_Konsumwende_StudieEN_Mehr%20Schein_v9.pdf, p. 24 (accessed 2 April 2025).

59 Business of Apps, ‘Shein Revenue and Usage Statistics’ (2025) www.businessofapps.com/data/shein-statistics/ (accessed 27 February 2025).

60 SHEIN, ‘Our Global Presence’ www.sheingroup.com/about-us/our-global-presence/ (accessed 10 February 2025).

61 SHEIN, ‘Our on-demand business model’ www.sheingroup.com/our-business/our-business-model/ (accessed 10 February 2025).

62 DW Shift, ‘Why Is Fashion App Shein So Addictive?’ (2023) www.youtube.com/watch?v=bol6TXXv3Ug (accessed 14 April 2025).

63 OCU, ‘Shein, la moda ultrarrápida’ (2023) www.ocu.org/consumo-familia/consumo-colaborativo/informe/shein# (accessed 26 March 2025).

64 Fevad, ‘Baromètre de l’audience du e-commerce : 2ème trimestre 2024’ (2024) www.fevad.com/barometre-de-laudience-du-e-commerce-2eme-trimestre-2024/ (accessed 31 March).

65 L. Di Geronimo & al., ‘UI Dark Patterns and Where to Find Them: A Study on Mobile Applications and User Perception’, *Proceedings of the 2020 CHI Conference on Human Factors in Computing Systems* (2020) <https://dl.acm.org/doi/10.1145/3313831.3376600> (accessed 20 March 2025).

66 J. Gunawan & al., ‘A Comparative Study of Dark Patterns Across Mobile and Web Modalities’, *Proceedings of the ACM on Human-Computer Interaction* (2021) <https://dl.acm.org/doi/pdf/10.1145/3479521> (accessed 3 April 2025).

Findings

The practices identified in the table below are based on the European Commission's 'Behavioural Study on Unfair Commercial Practices in the Digital Environment' and the work of H. Brignull, who first coined the term "dark patterns". Screenshots of identified dark patterns can be found in the Annex, including evidence from SHEIN's websites and app.

Type of practice	Definition	Examples
Activity messages	Activity messages are messages about other consumers' actions. ⁶⁷ It creates a sense of scarcity, and can be designed to pressure consumers into believing they must act quickly to secure a product. It also creates a sense of 'FOMO' (fear of missing out). ⁶⁸ Arguably, activity messages can be legitimate if it is not used in an aggressive way and if the trader can provide trustworthy evidence showing that the activity message is based on correct data on actual consumer activity.	<ul style="list-style-type: none"> • "2k+ sold" • "a***3 bought 6h ago"
Low stock messages	Low stock messages refer to when consumers are informed about the limited quantity of a product. ⁶⁹ It creates a sense of scarcity, and is designed to pressure consumers into believing they must act quickly to secure a product. ⁷⁰ Arguably, low stock messages might be legitimate, but only if it is not used in an aggressive way and if the trader can provide supportive and trustworthy evidence showing that this is the case.	<ul style="list-style-type: none"> • "Only xx left" • "Limited stock"
Countdown timer/ limited time messages	Countdown timers and limited time messages may contain incorrect visual information about an opportunity, usually a discount, which will end soon. ⁷¹ It can also be defined as fake urgency, creating a sense of time pressure, compelling consumers to make a quicker decision. ⁷² Arguably, this type of practice might be legitimate, but only if the trader can provide supportive and trustworthy evidence showing that this is the case.	<ul style="list-style-type: none"> • "Flash sale" • "Special deals just for you" • "This item is now cheaper by €0.50! Hurry!"

67 European Commission, 'Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation', Directorate-General for Justice and Consumers (2022) <https://op.europa.eu/en/publication-detail/-/publication/606365bc-d58b-11ec-a95f-01aa75ed71a1/language-en>, p. 61 (accessed 17 December 2025).

68 H. Brignull et al. www.deceptive.design/types/fake-scarcity (accessed 29 January 2025).

69 European Commission, 'Behavioural study on unfair commercial practices', p. 66.

70 H. Brignull et al. www.deceptive.design/types/fake-scarcity (accessed 29 January 2025).

71 European Commission, 'Behavioural study on unfair commercial practices', p. 66.

72 H. Brignull et al., www.deceptive.design/types/fake-urgency.

Peer pressure through testimonials

Testimonials are statements from consumers.⁷³ It can also be described as fake social proof, creating the illusion of popularity and credibility of a certain product. This can be done through activity messages or reviews of products.⁷⁴

- None of the average customer reviews observed on either of SHEIN's websites are rated below four stars out of five. This refers to the overall rating displayed on the product page and does not reflect individual customer reviews.

Confirm-shaming

Confirm-shaming is a type of design or wording that creates the illusion of being dishonest or stupid for the consumer.⁷⁵ It is also described as emotionally manipulating consumers by making them feel guilt or shame.⁷⁶

- "You are eligible for promotions now! Are you sure you want to leave?"
- "FREE SHIPPING", "Don't miss out on free shipping!" The word free is mentioned three times in the same pop-up.
- "Don't miss out on this time-limited offer! Would you like to continue shopping?"
- "Sure to leave? You will lose 200 € reward"

Forced registration

Forced registration refers to when the consumer is tricked into thinking registration is needed⁷⁷, or when the consumer must provide something in return, for example their personal details, in order to complete a purchase.⁷⁸ Requiring registration is not, in itself, an unfair commercial practice, but when used in a manipulative manner, then it constitutes an unfair commercial practice.

- There's no possibility to continue as a guest. To complete a purchase, the consumer must create an account or log-in through Google or Facebook.

73 European Commission, 'Behavioural study on unfair commercial practices', p. 62.

74 H. Brignull et al. www.deceptive.design/types/fake-social-proof.

75 European Commission, 'Behavioural study on unfair commercial practices', p. 66.

76 H. Brignull et al. www.deceptive.design/types/confirmshaming.

77 European Commission, 'Behavioural study on unfair commercial practices', p. 66.

78 H. Brignull et al. www.deceptive.design/types/forced-action.

Toying with emotion

Toying with emotion is design which emotionally manipulates the consumer.⁷⁹ It can also be described as visual interference, which is a way to interfere with the visual design of a website or app, to conceal, obscure or distort information.⁸⁰

- When deciding to not create an account or not log in through Google or Facebook, a pop-up appears. The button to “continue login” is big and highlighted in black, while the “return” button below is smaller and is not highlighted in any bright colour. The cross in the top right corner is also not highlighted in any bright colour.

Infinite scroll

Infinite scroll is defined as indefinitely scrolling to reveal more content.⁸¹ The design can also be described as addiction-based manipulation, because the design makes the consumer use the website or app for longer than intended.⁸²

- When accessing the home page, it is not possible to reach the bottom of the website, where important information such as contact details, terms and conditions and, return policy is typically found. The website and app continuously reveals new content.

Nagging

Nagging is a form of design requesting consumers repeatedly and constantly to do something.⁸³ It is when an app or website interrupts the consumer with a request, taking the consumer’s time and attention, or sending many undesired notifications via pop-ups and flash messages.⁸⁴

- When accessing the home page, several pop-ups appear on the screen, including a limited time message pop-up and an offer to register for an account and enjoy 30 % off on your first order.
- When downloading the app on a mobile phone, the app sends many push notifications every day requesting consumers to complete their purchases or presenting new offers (see below).

79 European Commission, ‘Behavioural study on unfair commercial practices’, p. 65.

80 H. Brignull et al. www.deceptive.design/types/visual-interference.

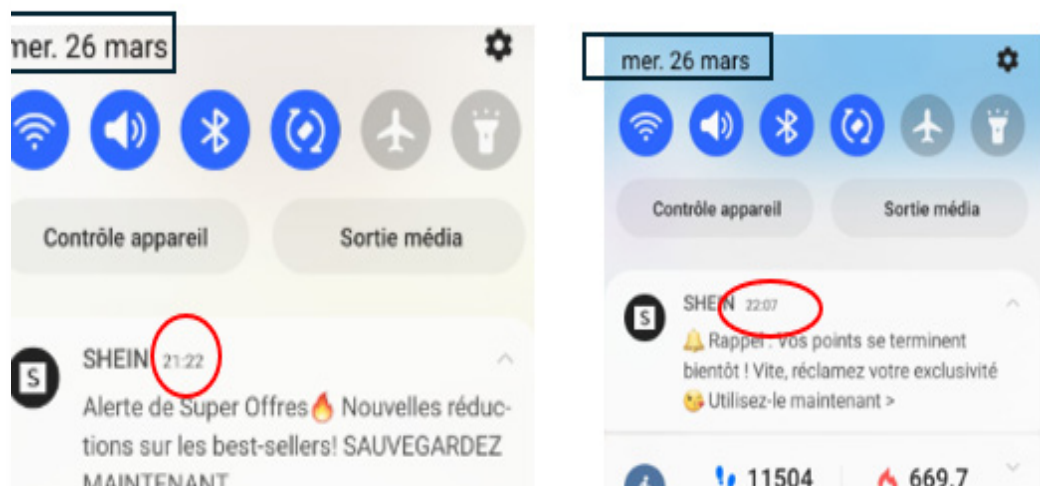
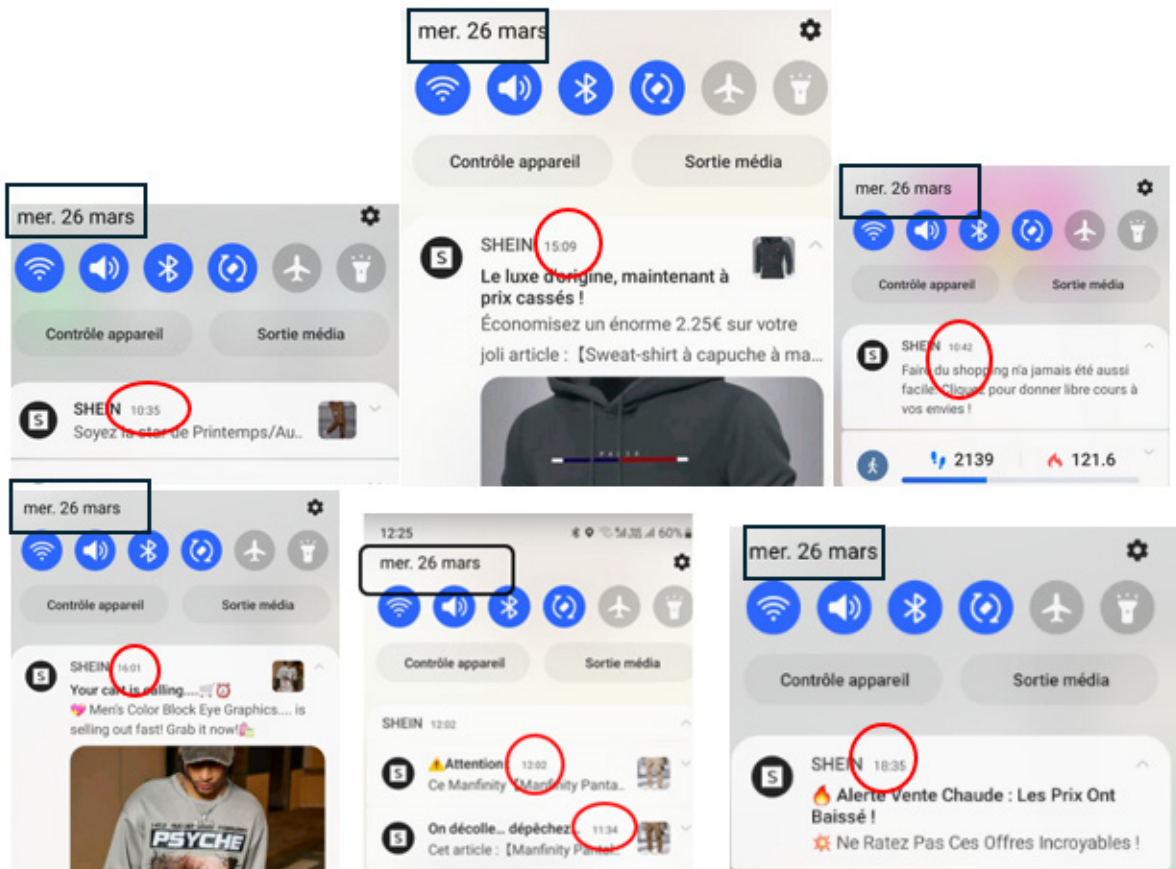
81 European Commission, ‘Behavioural study on unfair commercial practices’, p. 67.

82 H. Brignull et al. www.deceptive.design/book/contents/chapter-11.

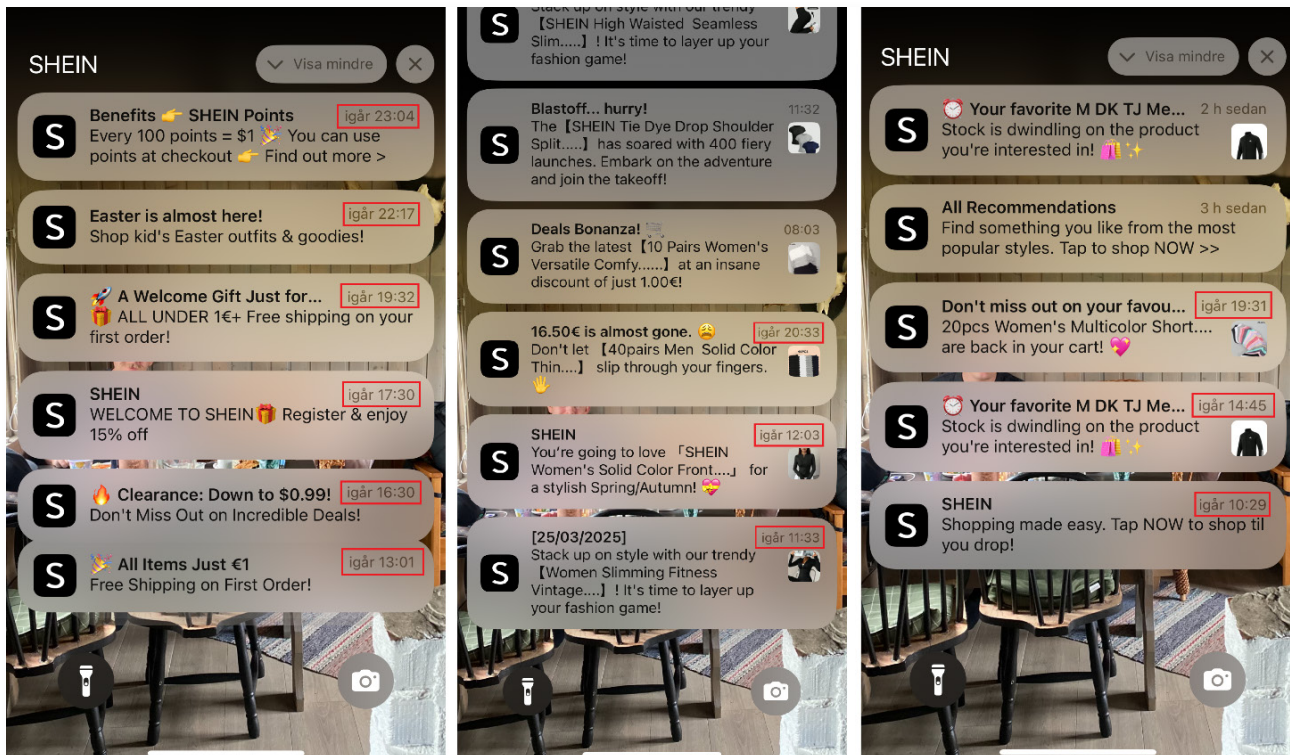
83 European Commission, ‘Behavioural study on unfair commercial practices’, p. 67.

84 H. Brignull et al. www.deceptive.design/types/nagging.

Below is an example of the repeated SHEIN push notifications received on a mobile phone (Samsung Galaxy Store, Belgium) in only 1 day, on 26 March at 10:35, 10:42, 11:34, 12:02, 15:09, 16:01, 18:35, 21:22, 22:07 (and more), presenting new offers, discounts or requesting to complete purchases.



Below is another example of SHEIN push notifications (12 in total for one day) received on a mobile phone (iPhone Appstore, Sweden) on 26 March at 10:29, 11:33, 12:03, 13:01, 14:45, 16:30, 17:30, **19:31**, **19:32**, 20:33, 22:17 and 23:04 presenting new offers, discounts or requesting to complete purchases.



Evidence collected by consumer organisations at national level



Fédération Romande des Consommateurs (Switzerland)

In September 2023, BEUC's Swiss member FRC published a study conducted together with Public Eye, exposing the number of dark patterns consumers face when shopping online. 15 online retailers were examined for 20 different manipulative practices. SHEIN was on top of the list, with 18 different identified dark patterns. According to the investigators, SHEIN's website contained so many advertisements and pop-ups, making it difficult for consumers to navigate and find a specific item, without being distracted. The study also included popular online retailers such as ASOS (six identified dark patterns), H&M (six identified dark patterns), Zalando (six identified dark patterns) and Zara (four identified dark patterns).⁸⁵



Forbrukerrådet (Norway)

In a study conducted by BEUC's Norwegian member Forbrukerrådet on Norwegian consumers' experience of dark patterns, it asked consumers to provide feedback on which websites and apps they remember having seen dark patterns on. SHEIN was one of the companies in which consumers remember having seen them, together with other companies such as H&M, Wish, Aliexpress and Alibaba.⁸⁶ Forbrukerrådet asked respondents if they have ever experienced any negative consequences as a result of a website or app using dark patterns. 78% replied that they have experienced one or more negative consequences of dark patterns.

Irritation was the most common consequence, followed by thinking negatively about or losing trust in the trader. 31% said that they stopped using the website or the app due to the dark patterns. 26% felt manipulated or tricked. 18% felt like they had shared more personal information than they wanted to.⁸⁷ The study also looked at different age groups. In the group of consumers between the ages of 18-29 years old, 21% felt they had spent more money than they had planned to, 17% felt pressured to buy something and 11% bought something by mistake. Consumers between the ages of 30-49 felt they had more negative consequences concerning privacy, compared to other age groups. Consumers above the age of 50 were the group that felt the most annoyed when encountering dark patterns.⁸⁸



Arbeiterkammer (Austria)

BEUC's Austrian member Arbeiterkammer published a study, looking at dark patterns in the everyday life of consumers. Arbeiterkammer specifically included a section on dark patterns in the online environment, looking at the fast fashion trader SHEIN. Firstly, the study found that on SHEIN's first page, 16 different types of discounts appeared together with classic dark patterns such as countdown timers and phrases such as "Almost sold out!", creating a sense of urgency.⁸⁹ Secondly, the cookie banner only has a button to accept the cookies, and not to decline. A pop-up that appeared with a discount was difficult to close, since the cross to close the pop-up was hidden.⁹⁰

85 Public Eye, 'E-commerce "dark patterns" fuel fashion overconsumption' (2022) www.publiceye.ch/en/topics/fashion/e-commerce-dark-patterns-fuel-fashion-overconsumption (accessed 10 December 2024).

86 Forbrukerrådet, 'Lei av å bli lurt' (2022) <https://storage02.forbrukerradet.no/media/2022/11/rapport-lei-av-a-bli-lurt-1.pdf>, p. 27 (accessed 19 February 2025).

87 *Idem*, p. 26.

88 *Idem*, p. 28.

89 Arbeiterkammer, 'Verlorene Zeit, Verlorenes Geld' (2023) www.arbeiterkammer.at/beratung/konsument/HandyundInternet/Internet/Dark_Patterns.pdf, p. 20 (accessed 25 February 2025).

90 Arbeiterkammer, 'Verlorene Zeit, Verlorenes Geld' (2023) www.arbeiterkammer.at/beratung/konsument/HandyundInternet/Internet/Dark_Patterns.pdf, p. 21 (accessed 25 February 2025).



UFC – Que Choisir (France)

BEUC's French member UFC – Que Choisir published a study on dark patterns, looking into examples from the fast fashion trader SHEIN. Similar to the work of Arbeiterkammer, UFC – Que Choisir also found many classic dark patterns used on SHEIN's website and app. Pop-ups blocking big parts of the screen⁹¹, misleading discounts⁹², phrases displaying the number of consumers allegedly looking at or having bought the same product⁹³, and different types of visual design interference, e.g. highlighting a specific button the trader wants the consumer to press, while hiding the option less favourable for the trader.⁹⁴

verbraucherzentrale

Bundesverband

vzbv (Germany)

BEUC's German member vzbv investigated dark patterns on online marketplaces and social media. vzbv found several clear examples of different dark patterns used by the fast fashion trader SHEIN. The investigation highlights so-called "hyper-engaging" dark patterns (HEDP), a particular category of deceptive designs aimed at increasing the attention and interaction of consumers. In contrast to classic dark patterns, HEDP's aim to make consumers stay on the platform for a longer time – to maximise the possibility of consumers making a purchase.⁹⁵ According to vzbv, SHEIN is one of the traders using extreme forms of HEDP, combining gamification elements with so-called 'FOMO' (fear of missing out) techniques.⁹⁶

The developments above highlight the work conducted by consumer organisations on dark patterns and SHEIN. In addition, BEUC members have also carried out relevant studies on dark patterns more generally, including:



BEUC's Swedish member **Sveriges Konsumenter** analysed deceptive design patterns in the cancellation processes of 20 digital services in Sweden and found such patterns in all cases.⁹⁷

half or more than half reported experiencing dark patterns on a website or app.⁹⁸



BEUC's Spanish member **OCU** has a dedicated page on its website for consumer complaints about SHEIN.⁹⁹ OCU also provides information on its website concerning SHEIN and the dark side of the ultra-fast fashion model.¹⁰⁰

Which?

BEUC's UK member **Which?** research found that consumers from the United Kingdom are widely exposed to dark patterns. Out of 2,000 participants,

91 UFC-Que Choisir, 'Dark Patterns Dans L'E-Commerce' (2024) www.quechoisir.org/action-ufc-que-choisir-dark-patterns-sur-les-sites-d-e-commerce-l-ufc-que-choisir-appelle-les-autorites-a-sanctionner-les-interfaces-trompeuses-n125978/?dl=137778, p. 24 (accessed 14 March 2025).

92 *Idem*, p. 30.

93 *Idem*, pp. 36-37.

94 *Idem*, p. 45.

95 vzbv, 'Manipulatives Design Auf Online-Marktplätzen und Social-Media-Plattformen' (2025) www.vzbv.de/pressemitteilungen/von-amazon-ueber-tiktok-bis-temu-manipulative-designs-bleiben-ein-problem, p. 5 (accessed 14 March 2025).

96 *Idem*, p. 15.

97 The Swedish Consumer Association, 'Are you sure you want to leave us?' (2024) www.sverigeskonsumenter.se/media/mgkdpb3g/are-you-sure-you-want-to-leave-us.pdf (accessed 31 March 2025).

98 Which?, 'Dark patterns: How consumer choices are manipulated online' www.which.co.uk/policy-and-insight/article/dark-patterns-aZhwy4p0gPTc (accessed 18 March 2025).

99 OCU, 'Últimas reclamaciones' www.ocu.org/reclamar/empresas/shein/036DBDD1-76F6659FC (accessed 12 March 2025).

100 OCU, 'Shein, la moda ultrarrápida' www.ocu.org/consumo-familia/consumo-colaborativo/informe/shein (accessed 12 March 2025).



Relevant legal basis

Several pieces of EU legislation may apply to the issue of dark patterns. We take the view that EU Directive 2005/29/EC prohibiting unfair business-to-consumer commercial practices (UCPD) applies in the present case.¹⁰¹ The CPC-Network, as part of its coordinated action against Temu, also focused on the application of the UCPD for addressing dark patterns used by the social media platform.¹⁰²

Art. 5 (1) and (2) UCPD

1. Unfair commercial practices shall be prohibited.
2. A commercial practice shall be unfair if:
 - (a) it is contrary to the requirements of professional diligence,
 - (b) it materially distorts or is likely to materially distort the economic behaviour with regard to the product of the average consumer whom it reaches or to whom it is addressed, or of the average member of the group when a commercial practice is directed to a particular group of consumers.

Art. 6 (1) (b) and (e) UCPD

1. A commercial practice shall be regarded as misleading if it contains false information and is therefore untruthful or in any way, including overall presentation, deceives or is likely to deceive the average consumer, even if the information is factually correct, in relation to one or more of the following elements, and in either case causes or is likely to cause him to take a transactional decision that he would not have taken otherwise:
 - (b) the main characteristics of the product, such as its availability, [...], quantity [...], benefits, risks [...]
 - (e) the need for a service [...].

¹⁰¹ Recital 67 DSA provides that rules on dark patterns should be interpreted as covering practices not already covered under (*inter alia*) the UCPD.

¹⁰² See e.g. the CPC-coordinated actions targeting several dark patterns by the online marketplace Temu: [Consumer protection cooperation regulation - European Commission](#).

Art. 7 (2) UCPD

It shall also be regarded as a misleading omission when [...], a trader hides or provides in an unclear, unintelligible, ambiguous or untimely manner such material information as referred to in that paragraph [...].

Art. 7 (6) UCPD

Where a trader provides access to consumer reviews of products, information about whether and how the trader ensures that the published reviews originate from consumers who have actually used or purchased the product shall be regarded as material.

Art. 8 UCPD

A commercial practice shall be regarded as aggressive if, in its factual context, taking account of all its features and circumstances, by harassment, coercion, including the use of physical force, or undue influence, it significantly impairs or is likely to significantly impair the average consumer's freedom of choice or conduct with regard to the product and thereby causes him or is likely to cause him to take a transactional decision that he would not have taken otherwise.

Point 7 Annex 1 UCPD

Falsely stating that a product will only be available for a very limited time, or that it will only be available on particular terms for a very limited time, in order to elicit an immediate decision and deprive consumers of sufficient opportunity or time to make an informed choice.

Point 18 Annex 1 UCPD

Passing on materially inaccurate information on market conditions or on the possibility of finding the product with the intention of inducing the consumer to acquire the product at conditions less favourable than normal market conditions.

Points 23b and 23c Annex 1 UCPD

(23b) Stating that reviews of a product are submitted by consumers who have actually used or purchased the product without taking reasonable and proportionate steps to check that they originate from such consumers.

(23c) Submitting or commissioning another legal or natural person to submit false consumer reviews or endorsements, or misrepresenting consumer reviews or social endorsements, in order to promote products.

Point 24 Annex 1 UCPD

Creating the impression that the consumer cannot leave the premises until a contract is formed.

(NB: We take the view that this provision should be read in the digital context where traders' brick and mortar premises are increasingly replaced by an online presence, through websites and apps).

Point 26 Annex 1 UCPD

Making persistent and unwanted solicitations by telephone, fax, e-mail or other remote media except in circumstances and to the extent justified under national law to enforce a contractual obligation.

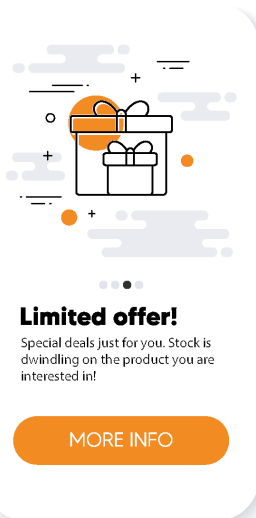
Application

SHEIN's dark patterns are problematic for two main reasons:

For a first category of dark patterns (activity messages, low-stock messages and the like), it's highly doubtful whether the messages are based on and reflect genuine and trustworthy information. Instead, they appear to be designed to manipulate and put consumers in a state of mind that may impact their rational decision-making ability.

For a second category of dark patterns (nagging, confirm-shaming and similar), they constitute aggressive commercial practices in themselves, prohibited under the UCPD. These tactics exploit psychological pressure to push consumers into actions they might not otherwise take, undermining their ability to make free and informed choices.

Activity and stock messages based on doubtful information



Activity messages

Wording such as “2k+ sold” and “a***3 bought 6h ago” and similar phrases are commonly used on SHEIN’s website and app, and they qualify as activity messages. They create a sense of limited availability and urgency pushing consumers to finalise their purchases. While this practice may be legitimate if based on accurate stock data, we have not been able to verify whether SHEIN’s claims are substantiated. In the absence of such verification, these messages mislead consumers and therefore constitute an unfair commercial practice. Point 7 of Annex 1 explicitly prohibits falsely stating that a product is only available within a limited time. According to Art. 6 (1) (b), such statements are misleading because they contain false information or deceive the consumer about the availability and quantity of a certain product. Furthermore, behavioural research has shown that products displayed with activity messages will be selected more often than the same product without activity messages.¹⁰³

Low stock messages

Wording such as “only xx left” and “limited stock” are typical examples that deceive consumers, making them believe that certain products will only be available to purchase for a limited period of time. Consumers are pushed to act fast to not miss out on a purchase opportunity. While this practice may be legitimate if based on accurate stock data, we have not been able to verify whether SHEIN’s claims are substantiated. As there is no evidence showing that the information conveyed reflects the reality, we believe that these messages mislead consumers and therefore constitute an unfair commercial practice.

Point 7 of Annex 1 explicitly prohibits falsely stating that a product is only available within a limited time. According to Art. 6 (1) (b), such statements are misleading because they contain false information or deceive the consumer about the availability and quantity of a certain product. This type of practice is also regarded as misleading under Art. 7 (2), because the information is unintelligible and ambiguous to the consumer. Furthermore, products accompanied with low stock messages were likely to be selected by consumers 56.70% of the time according to research. When the same product was displayed without the low stock message, it was only selected for purchase 33.67% of the time.¹⁰⁴

¹⁰³ W. Chee-Koh et al., ‘Unintended consumption: The effects of four e-commerce dark patterns’ (2023), *Cleaner and Responsible Consumption*, Volume 11 www.sciencedirect.com/science/article/pii/S2666784323000463 (accessed 14 January 2025).

¹⁰⁴ *Idem*.

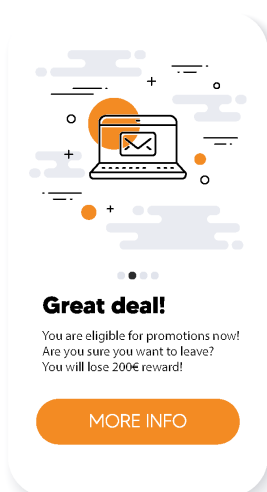
Countdown timer/limited time message

Countdown timers not working properly (resetting after the discount is supposed to end) and limited time messages such as “Hurry! Almost sold out”, “selling fast”, “flash sale” and “special deals just for you” including a timer are examples of unfair commercial practices, creating a sense of urgency. It is difficult for consumers to know if the information displayed is really trustworthy. Furthermore, tests conducted by BEUC’s Norwegian member Forbrukerrådet, false countdown timers was revealed.¹⁰⁵ While this practice may be legitimate if based on accurate stock data, we have not been able to verify whether SHEIN’s claims are substantiated. In the absence of such verification, these messages mislead consumers and therefore constitute an unfair commercial practice. Point 7 of Annex 1 explicitly prohibits falsely stating that a product is only available within a limited time. According to Point 18 of Annex 1, incorrect countdown timers and limited time messages create a misleading urgency about product availability.

Peer pressure through testimonials

The testimonials referenced in this alert concern product reviews displayed on SHEIN’s platforms, all of which are rated between four and five stars. No reviews with lower ratings were observed, and no explanation is provided for their absence. While SHEIN does provide a so called “Reviews Policy”¹⁰⁶ and while these testimonials may be legitimate, we have not been able to verify whether it is genuinely implemented. Furthermore, there is no explanation to the absence of reviews under four stars. According to Art. 7 (6), not providing clear information about the origin of the reviews is a misleading omission. Since there isn’t any visible information on whether the trader has taken the necessary steps to check if the reviews originate from consumers who have purchased the items, this is an infringement of point 23b and 23c of Annex 1.

Dark patterns constituting aggressive commercial practices per se



Confirm-shaming

Phrases such as “You are eligible for promotions now! Are you sure you want to leave?”, “Sure to leave? You will lose 200€ reward” and “Don’t miss out on this time-limited offer! Would you like to continue shopping?” are used to emotionally manipulate consumers, making them feel guilt or shame. In one of the examples, the word “free” (as in free shipping) is mentioned three times in one pop-up. According to Art. 6 (1) (e), such wording implies that rejecting the service – leaving the website or not downloading the app – could cause a loss. Additionally, the phrase ‘undue influence’ is referred to in the UCPD, defined as “exploiting a position of power in relation to the consumer so as to apply pressure, even without using or threatening to use physical force, in a way which significantly limits the consumer’s ability to make an informed decision.” Hence, using these kinds of phrases with the aim of emotionally manipulating consumers is an aggressive unfair commercial practice according to Art. 8.

Forced registration

SHEIN requires consumers to create an account or log in through Google or Facebook to complete a purchase. There is no possibility of continuing as a guest. This is a way for traders to force consumers to provide their personal details, being rewarded with the possibility to order clothes and accessories. Requiring registration may not in itself be an unfair commercial practice. However, when it’s used in a manipulative manner and in combination with other misleading practice, then it is likely to constitute an unfair commercial practice under the UCPD. In SHEIN’s case, registration is pushed through a sequence of deceptive design techniques: consumers are offered “special deals” immediately upon accessing the website, but when

¹⁰⁵ See the Annex under “Countdown timer/limited time message.”

¹⁰⁶ SHEIN, ‘Reviews Policy’ <https://euqs.shein.com/Review-Guidance-a-478.html> (accessed 31 January 2025).

attempting to access these deals, they are prompted to create an account. Further discounts are then offered as an additional incentive. If consumers decide to close the pop-up, they are confronted with another pop-up including confirm-shaming and toying with emotion techniques, attempting to make them feel guilty and creating an account. It's this combination of techniques and the emotionally manipulative framing that we believe qualifies the practice as a dark pattern. This is an aggressive unfair commercial practice according to Art. 8 due to the coercion. This type of coercion also creates the impression that consumers cannot leave the app or website until registration has been completed, a type of design prohibited according to point 24 of Annex 1.

Toying with emotion

A typical type of design characterised as a dark pattern is when a website or app is designed to interfere with the visual design to conceal, obscure or distort information. One example is in many of SHEIN's pop-ups, so-called "nagging"; the button allowing consumers to continue is large, prominent, colourful and visual appealing, while the button to return or close the tab is small, dull-coloured and less noticeable. This is an aggressive commercial practice according to Art. 8 due to the fact that these practices are likely to significantly impair the consumer's freedom of choice or conduct with regard to the product. This practice is likely to cause the consumer to take a transactional decision that the consumer would not have taken otherwise. It pushes consumers and is not designed to make the consumer take a thoughtful and well-informed decision. In our examples, toying with emotion is often used in combination with other unfair commercial practices, including in many of SHEIN's pop-ups and notifications.

Infinite scroll

Infinite scroll is a design pattern where webpages continuously load content as users scroll down. In practice, an endless choice of clothes and accessories appears on the website or app, and it is not possible to reach the end of the page. Because of infinite scroll, consumers tend to spend much more time on the interface and are exposed to - and ultimately buy - products they did not aspire to buy initially. Infinite scroll techniques have also been depicted as "particularly risky for youth" as they create high dependency among those exposed to this.¹⁰⁷ In a post on X in 2019, the creator of the infinite scroll feature himself pointed out: *"one of my lessons from infinite scroll: that optimising something for ease-of-use does not mean best for the user or humanity."*¹⁰⁸ This is an aggressive commercial practice according to Art. 8 due to the fact that these practices are likely to significantly impair the consumer's freedom of choice or conduct with regard to the product. Consumers end up spending excessive time due to the unfair commercial practice, meaning that their choice has arguably been influenced beyond their free will.

Nagging

Nagging refers to a design pattern that repeatedly prompts consumers to take action that the trader prefers, often through interruptions like push notifications that demand consumers' attention and time or through repeated pop-ups. According to point 26 of Annex 1, it's considered an aggressive commercial practice to make persistent and unwanted solicitations. In this case, SHEIN's repeated intrusions during normal interactions, such as when visiting the homepage of the website or app, or even when the app is not in use, is considered an aggressive commercial practice under both point 26 of Annex 1 and Art. 8. In one of our examples, SHEIN sent 12 notifications in only one day.¹⁰⁹

107 American Psychological Association, 'Youth and Social Media' (2024) www.apa.org/topics/social-media-internet/youth-social-media-2024#:~:text=Infinite%20scroll%20is%20particularly%20risky%20for%20youth (accessed 7 April 2025).

108 Aza Raskin on X, 'Status Update' (29 May 2019) <https://x.com/aza/status/1138268959982022656?lang=en> (accessed 7 April 2025). (See also: F. Jost, 'Le créateur du scroll infini sur smartphone cherche aujourd'hui des parades à son invention' (2019), France Info www.francetvinfo.fr/internet/telephonie/video-le-createur-du-scroll-infini-sur-smartphone-cherche-aujourd-hui-des-parades-a-son-invention_4101423.html) (accessed 7 April 2025).

109 See the Annex.



IMPACT OF DARK PATTERNS ON BEHAVIOUR AND CONSUMER HARM

Empirical studies have shown that dark patterns can have detrimental consequences on consumer behaviour, often leading to harmful outcomes. Recent research has highlighted the effectiveness of dark patterns, noting that they are **“strikingly effective in getting consumers to do what they would not do when confronted with more neutral user interfaces”**.¹¹⁰ Importantly, the detrimental effects of dark patterns may not be limited to

certain categories of consumers. For example, research published in 2025 found that dark patterns can be effective on all types of consumers, and not exclusively on the vulnerable ones.¹¹¹ Another research found that although consumers might be able to identify dark patterns, they most of the time still remain vaguely aware of the concrete harm they may entail for them.¹¹²

The harm for consumers is manifold:

Promoting unwilling spending and triggering economic loss for consumers: A study conducted by BEUC’s UK member Citizens Advice¹¹³ on deceptive design in e-commerce revealed that in the last 12 months (the study was published in July 2023), 8.5 million consumers spent money on something they didn’t want, need or regretted – because of dark patterns. As a result, almost £2.1bn was spent on products consumers didn’t want, need or regretted, because of the way companies design their websites and apps. The total consumer harm for each individual was calculated at £276 during the last 12 months.¹¹⁴ Similar to the study from Forbrukerrådet, the Citizens Advice study disclosed that 27% purchased the wrong product because of misleading information, 25% purchased products because they were initially advertised as cheaper, 22% felt

110 J. Luguri & L. Strahilevitz, ‘Shining a Light on Dark Patterns’ (2021) *Journal of Legal Analysis*, Volume 13, Issue 1, <<https://academic.oup.com/jla/article/13/1/43/6180579>>, p. 43–109 (accessed 22 February 2025).

111 A. Zac & al., ‘Dark patterns and consumer vulnerability’ (2025) *Behavioural Public Policy* www.cambridge.org/core/journals/behavioural-public-policy/article/dark-patterns-and-consumer-vulnerability/83EF6347CCB19EDA195C54229D34D3A8#, p. 1–50 (accessed 9 April 2025).

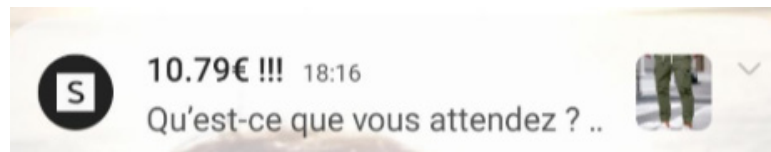
112 K. Bongard-Blanchy et al., ‘I am Definitely Manipulated, Even When I am Aware of it. It’s Ridiculous! – Dark Patterns from the End-User Perspective’ (2021) *ACM DIS Conference on Designing Interactive Systems* <https://arxiv.org/abs/2104.12653> (accessed 9 April 2025).

113 Citizen Advice, ‘Pushed to purchase’ (2023) https://assets.ctfassets.net/mfz4nbgura3g/4IHIs8hVMDQ3cu3pD9Hijk/fd791f709562e740be483914aa98f18f/Pushed_20to_20Purchase_20report_20_20-20July_202023.pdf (accessed 4 March 2025).

114 *Idem*, p. 3.

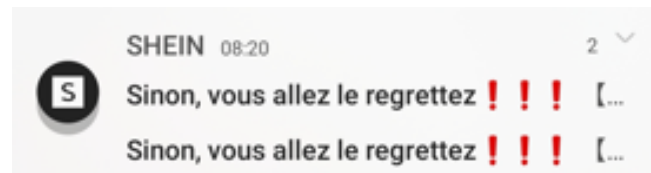
pressured into making a purchase due to limited stock claims, and 21% felt pressured into making a purchase due to countdown timers.¹¹⁵ Furthermore, a study conducted among university students on deceptive design on ultra-fast fashion websites revealed several insightful participant quotes: *“This seller is hoping to take advantage of my anxiety to get me to buy impulsively.”*¹¹⁶ Participants also reported that countdown-based practices influenced their purchasing decisions. Another participant said: *“It made me feel like I may not see the items again, so I should buy it soon.”*¹¹⁷

As a result of consumers being manipulated into spending more money than they had planned to and buying products didn’t want, the investigation from **Citizens Advice** also revealed that two in five consumers felt frustrated and one in five felt anxious.¹¹⁸ Other studies have shown that more than five in six Americans have made impulse purchases, with each consumer spending an average of \$81.75 per shopping session, which is nearly \$18bn in total.



Shein notification received on 23 April 2025 (in French: “10.79 €!!! What are you waiting for?”)

In a study conducted on three different types of dark patterns - specifically limited quantity/ low stock messages, high demand messages and positive testimonials –results showed that these three dark patterns significantly contributed to impulsive buying.¹¹⁹ Another study revealed that countdown timers increase consumers’ ‘FOMO’ (fear of missing out).¹²⁰ In relation to the dark patterns found on SHEIN’s website, receiving unexpected or surprise coupons at the beginning of a shopping trip online can lead to unplanned purchases.¹²¹ A consumer described her shopping experience on SHEIN as follows: *“I was quite disappointed with an order that took a long time to arrive. For items that cost €4 a piece, you couldn’t expect incredible quality. In fact, I had the impression that I’d been pushed into buying tonnes of useless stuff that I still have in my dressing room, never worn. I didn’t want to sell them on Vinted because I didn’t want to encourage other consumers.”*¹²²



Shein notifications received on 1 May 2025 (in French: “Otherwise, you are going to regret it!!!”)

115 *Idem*, p. 5.

116 O. Dias Bagott, ‘The Implications of Deceptive Design in Ultra-fast Fashion Online: The Case for Design Friction Thesis’ (2024) www.academia.edu/125894468/The_Implications_of_Deceptive_Design_in_Ultra_Fast_Fashion_Online_The_Case_for_Design_Friction_Thesis, p. 26 (accessed 23 March 2025).

117 Citizen Advice, ‘Pushed to purchase’ (2023) https://assets.ctfassets.net/mfz4nbgura3g/4IHIs8hVMDQ3cu3pD9Hijk/fd791f709562e740be483914aa98f18f/Pushed_20to_20Purchase_20report_20_20-20July_202023.pdf, p. 27 (accessed 4 March 2025).

118 *Idem*, p. 7.

119 R. Sin, T. Harris, S. Nilsson and T. Beck, ‘Dark patterns in online shopping: Do they work and can nudges help mitigate impulse buying’ (2022) Behavioural Public Policy www.cambridge.org/core/journals/behavioural-public-policy/article/dark-patterns-in-online-shopping-do-they-work-and-can-nudges-help-mitigate-impulse-buying/996B92402604A7E3D417ECBAE2C38362 (accessed 11 March 2025).

120 J. Tiemessen, H. Schraffenberg and G. Acar, ‘The Time is Ticking: The Effect of Limited Time Discounts on Consumers’ Buying Behavior and Experience’ (2023) CHI Conference on Human Factors in Computing Systems <https://unesacar.net/assets/CHI-EA-23-Time-is-Ticking-Deceptive-Countdown-Timers.pdf>, p. 5 (accessed 27 March 2025).

121 C. Moser et al., ‘Impulse buying: Design practices and consumer needs’ (2019) Proceedings of the CHI Conference on Human Factors in Computing Systems <https://dl.acm.org/doi/fullHtml/10.1145/3290605.3300472> (accessed 27 March 2025).

122 Capital, ‘Shein, plus jamais: pourquoi cette étudiante boude la fast fashion’ (2023) www.capital.fr/entreprises-marches/shein-plus-jamais-pourquoi-cette-etudiante-boude-la-fast-fashion-1493459 (accessed 8 April 2025 - the quote has been machine-translated from French into English).

Stirring overconsumption, disempowering consumers in the green transition, and fuelling the fast fashion problem: Fast fashion traders like SHEIN use dark patterns to get consumers addicted to consumption.¹²³ A study¹²⁴ examining four common dark patterns (low-stock messages, activity messages, countdown timers and limited time messages - all addressed in this alert), commonly used by traders to trigger purchases. Consumers selected products featuring these four types of dark patterns more frequently than the same products without the dark patterns. Among those four, the most effective dark pattern was the use of limited time messages. **This illustrates how deceptive design directly contributes to overconsumption.** Scholars in the field of sustainable consumption tend to agree that while consumers may have limited influence over environmentally harmful supply chains, they do retain agency over their purchasing behaviour.¹²⁵ **Yet, when exposed to dark patterns, consumers lose that control.** They disempower consumers in their ability to make sustainable choices and hinder their participation in the green transition. Although awareness of the fast fashion industry's negative impact has grown, fast fashion continues to be perceived as the norm. Research shows that young adults are particularly prone to overconsumption, often driven by advertisements and trends on social media. Young adults frequently engage in impulse buying and are often unaware of the broader environmental and social consequences of their consumption behaviour.¹²⁶

For all these reasons, we call on consumer protection authorities across Europe, as well as the European Commission, to take rapid action and to ensure that the collective interest of European consumers is protected.

123 The Guardian, 'Ultra-fast fashion is taking over – and using every trick in the book to get us addicted' (2022) www.theguardian.com/commentisfree/2022/apr/18/ultra-fast-fashion-retail-sites-shein (accessed 3 March 2025).

124 W. Chee-Koh et al., 'Unintended consumption: The effects of four e-commerce dark patterns', *Cleaner and Responsible Consumption*, (2023), www.sciencedirect.com/science/article/pii/S2666784323000463.

125 T. Wiedmann, M. Lenzen, L.T. Keyßer and J.K. Steinberger, 'Scientists' warning on affluence' (2020) *Nature Communications* 11-3107 <https://doi.org/10.1038/s41467-020-16941-y> (accessed 16 April 2025).

126 J. De Koning, M. Lavanga and W. Spekkink, 'Exploring the clothing overconsumption of young adults: An experimental study with communication interventions' (2024) *Journal of Cleaner Production* 467 www.sciencedirect.com/science/article/pii/S0959652624024193 (accessed 3 April 2025).

