# Europe’s competition law landscape shifts with enforcement, reforms, and greenwashing crackdown in 2025



As businesses prepare for the final quarter of 2025, several key competition law trends in Europe demand close attention, particularly for those operating cross-border. A briefing compiled from expert teams across major European capitals highlights critical developments encompassing merger control, investment scrutiny, enforcement focus on competition breaches, and sector-specific regulatory actions.

In the United Kingdom, the Government has taken significant steps to reform the National Security and Investment Act (NSIA), aiming to balance robust national security assessments with reducing burdens on businesses. Announced in July 2025, these reforms introduce a more pragmatic approach to internal reorganisations and insolvency practitioner appointments by implementing new exemptions. Additionally, adjustments to the mandatory notification regime expand sensitive sectors to include water, designate semiconductors and critical minerals as stand-alone sectors, and clarify existing sector definitions. This move is designed to restore confidence among investors and businesses after a period of uncertainty following government changes in mid-2024. Since the NSIA's activation, there have been over 1,100 notifications within a year, underscoring its significant impact on transaction timelines and dealmaking strategies. The Government’s consultation on these reforms concludes in October 2025, with anticipated implementation around January 2026.

Simultaneously, the UK is reviewing its opt-out collective actions regime for competition law breaches, a mechanism where individuals are automatically included in lawsuits unless they opt-out. Launched in August 2025, this 10-year review comes amid concerns over slow case progression—the sole case reaching judgment was dismissed—and high costs borne by businesses and public bodies. The regime aims to enhance redress for victims of anti-competitive conduct and deter such behaviour, but challenges remain, including scrutiny over litigation funding following a June 2025 Civil Justice Council report. The Government's Call for Evidence seeks feedback on various elements such as case funding frameworks, scope, alternative dispute resolution, settlements, and damages distribution. This review intends to ensure the regime balances consumer justice with preventing frivolous or speculative claims, with responses closing in mid-October 2025.

Across the continent, Poland has emerged as a front-line enforcer of greenwashing claims and labour market competition. The Polish Competition Authority (PCA) has charged major retailers and parcel delivery companies for misleading “eco” marketing practices, including unsubstantiated environmental claims and exaggerated carbon savings. These actions align with wider European enforcement trends driven by Directive (EU) 2024/825, due for implementation by September 2026, which tightens the rules on environmental claims and prohibits vague or unsupported green assertions and false repairability claims. The PCA's broader consumer enforcement agenda also targets unfair digital market practices, reflecting a shift towards more stringent oversight. Additionally, the PCA has markedly intensified its crackdown on anti-competitive labour market practices, treating agreements such as no-poach and wage-fixing as inherently unlawful, regardless of proven market impact. Recent high-profile investigations into coordination among grocery chains and transport companies illustrate the authority’s commitment to deterring collusion affecting employment conditions, with substantial fines and penalties for offending managers.

In France, merger control is poised for transformation following a key European Court of Justice judgment that restricts the EU Commission’s jurisdiction over below-threshold mergers. The French Competition Authority (FCA) is considering introducing a “call-in” power to review potentially harmful transactions even if they fall below existing thresholds. Public consultation favours this targeted approach, allowing the FCA to assess risks based on clear criteria such as turnover and local nexus requirements. The FCA plans to present detailed proposals and guidelines later this year. Meanwhile, the French foreign direct investment (FDI) regime recorded heightened activity in 2024, with a rise in applications and an increase in conditional authorisations and requests for remedy revisions. The Treasury's 2025 annual report and updated guidelines signal an effort to enhance transparency, predictability, and the scope of control, including adding new critical sectors like raw materials extraction and critical technologies.

Spain's merger control regime has faced scrutiny following the proposed BBVA takeover of Banco Sabadell. Despite conditional clearance from the national competition authority (CNMC), government intervention introduced additional conditions, sparking considerable debate over the extent of ministerial powers in merger reviews. The European Commission has since initiated infringement proceedings, arguing that Spanish law unduly restricts the free movement of capital and establishment rights under EU law. Spain must respond promptly to avoid escalation, which might eventually reach the Court of Justice of the European Union. Another notable enforcement trend in Spain is the CNMC’s focus on breaches of merger-related commitments. Since early 2023, the authority has imposed multiple fines—ranging from tens of thousands to millions of euros—against companies failing to comply with conditions set during merger assessments. This stringent monitoring underscores the need for companies to maintain robust compliance systems to avoid costly penalties.

Common themes resonate across Europe’s competition law landscape. Greenwashing claims have gained significant enforcement attention, with regulators in multiple countries including the UK, France, the Netherlands, Italy, and Poland actively pursuing companies for misleading environmental marketing. This trend reflects a broader push for corporate accountability in sustainability claims, underscored by evolving regulations and heightened consumer expectations. Labour market collusion is similarly under the spotlight, with substantial fines levied across Europe against companies found guilty of no-poach agreements and wage-fixing, reflecting the application of competition law principles to employment practices. Furthermore, enforcement of merger commitment breaches appears to be an expanding focus, with the UK enhancing its powers to impose severe penalties for non-compliance and similar actions ongoing in France and Spain.

Investment scrutiny regimes continue to intensify in scope and activity. Global trends towards transparency include annual reporting on foreign direct investment controls, as exemplified by France, the UK, and the US. The EU is progressing towards harmonising these regimes through common standards, yet individual member states are also adopting bespoke mechanisms—such as call-in powers for below-threshold mergers—to address competition concerns more effectively at the national level. The UK’s introduction of an “acquirer-focused” threshold to capture potential “killer acquisitions” exemplifies such innovation.

As businesses plan for corporate transactions and refine competition compliance frameworks, staying abreast of these developments across jurisdictions is crucial. Enhanced scrutiny, evolving legal regimes, and rigorous enforcement actions are shaping a complex European competition law environment that demands strategic foresight and operational vigilance.

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* Paragraph 1 – [[1]](https://www.lexology.com/library/detail.aspx?g=756d460e-a310-4090-a6f6-adcd94bf3beb), [[4]](https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence)
* Paragraph 2 – [[1]](https://www.lexology.com/library/detail.aspx?g=756d460e-a310-4090-a6f6-adcd94bf3beb), [[2]](https://www.gov.uk/government/news/national-security-powers-to-be-updated-to-reduce-the-burden-on-businesses), [[5]](https://www.gov.uk/government/news/national-security-powers-to-be-updated-to-reduce-the-burden-on-businesses)
* Paragraph 3 – [[1]](https://www.lexology.com/library/detail.aspx?g=756d460e-a310-4090-a6f6-adcd94bf3beb), [[3]](https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence), [[4]](https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence), [[6]](https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence)
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## Bibliography

1. <https://www.lexology.com/library/detail.aspx?g=756d460e-a310-4090-a6f6-adcd94bf3beb> - Please view link - unable to able to access data
2. <https://www.gov.uk/government/news/national-security-powers-to-be-updated-to-reduce-the-burden-on-businesses> - In July 2025, the UK Government announced reforms to the National Security and Investment Act (NSIA) to enhance transparency and reduce business burdens. Key changes include a more pragmatic approach to internal reorganisations and insolvency practitioner appointments, with new exemptions, and adjustments to the mandatory notification regime, adding a sensitive sector for water, designating semiconductors and critical minerals as stand-alone sectors, and clarifying existing sector definitions. These reforms aim to reassure businesses and investors after 15 months of uncertainty following the July 2024 change in Government. The consultation closes on 12 October 2025, with changes expected to take effect around January 2026. Further information is available in the July 2025 briefing and via the National Security and Foreign Direct Investment Screening Hub.
3. <https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence> - In August 2025, the UK Government launched a Call for Evidence as part of a 10-year review of the opt-out collective actions regime for competition law breaches. This regime automatically includes individuals within a defined class unless they 'opt out', aiming to improve redress for harm caused by anti-competitive behaviour and deter such conduct. However, challenges have arisen, including slow case progression, with only one case (BT v Justin Le Patourel) reaching final judgment, which was dismissed, and high costs for businesses and public bodies, including damages and legal fees, with litigation funding generally under scrutiny following the Civil Justice Council’s June 2025 report. The consultation, open until 14 October 2025, will inform future proposals, with another opportunity for feedback at that stage. While no specific measures to manage litigation costs have been proposed yet, procedural improvements may be introduced to address these and other issues identified in the review.
4. <https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence> - The UK Government has launched a Call for Evidence on the opt-out collective actions regime, seeking views on its operation and impact to ensure it is fit for purpose. The review focuses on access to, and the framework for, funding cases within the regime; scope and certification of cases; alternative dispute resolution (ADR), settlement, and damages; and distribution of funds. Responses are requested by 14 October 2025 and will inform proposals for change to the regime. The review aims to balance achieving justice for consumers with preventing undue interference with businesses due to unmeritorious or speculative claims.
5. <https://www.gov.uk/government/news/national-security-powers-to-be-updated-to-reduce-the-burden-on-businesses> - In July 2025, the UK Government announced reforms to the National Security and Investment Act (NSIA) to enhance transparency and reduce business burdens. Key changes include a more pragmatic approach to internal reorganisations and insolvency practitioner appointments, with new exemptions, and adjustments to the mandatory notification regime, adding a sensitive sector for water, designating semiconductors and critical minerals as stand-alone sectors, and clarifying existing sector definitions. These reforms aim to reassure businesses and investors after 15 months of uncertainty following the July 2024 change in Government. The consultation closes on 12 October 2025, with changes expected to take effect around January 2026. Further information is available in the July 2025 briefing and via the National Security and Foreign Direct Investment Screening Hub.
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