

DMA Health Check:

A one-year review of Apple's non-compliance on steering

One year after the European Commission's landmark ruling and a €500 million fine, this briefing exposes Apple's wilful non-compliance with the Digital Markets Act and deliberate defiance of the Commission's order



diagnosis

A year ago, the European Commission ruled that Apple is violating the [Article 5\(4\)](#) of the Digital Markets Act by continuing to block developers from directing users outside apps to make purchases, access special offers and save money – **free of charge to developers**. Apple was fined €500 million for breach of the DMA and issued a cease-and-desist order.

Apple has answered the Commission's ruling with delay, defiance, and circumvention measures.

apple's failure to implement the prescribed treatment

The European Commission's April 2025 decision set out clear requirements for Apple to comply with the Digital Markets Act. However, Apple's revised [terms](#) still fall short

Requirement	Status	Notes
1. Allow app developers to share truthful information about pricing, offers and how to buy	⊗ FAILURE	While link-outs are technically permitted, Apple requires a "deterrent disclosure sheet" – an interstitial warning designed to discourage, not inform. Friction engineered into the interface is still non-compliance, and in absolute breach of, the April 2025 decision.
2. Not extract fees on purchases made outside apps	⊗ FAILURE	The DMA requires steering to be free of charge. Consumers want to know where to get the best deals and developers have a legal right to tell them. Apple blocks both. Where fees haven't stopped steering outright, Apple has simply repackaged them under new labels – a Store Services Fee, a Core Technology Commission, and an Initial Acquisition Fee – with combined charges reaching up to 20%, more than Apple charged before the DMA existed.
3. Limit the Initial Acquisition Fee (IAF) in scope, not charge for users Apple didn't acquire, and not bill developers for value Apple didn't create	⊗ FAILURE	The IAF applies even when Apple did nothing to acquire the user. It charges developers for customers they found themselves. Worse, a developer who pays for Apple Search Ads to acquire a user can then be charged the IAF for that same user – paying Apple twice for the same acquisition.

lingering symptoms

Apple hasn't just failed to comply – it has publicly challenged the Commission's authority to demand it.

At the Commission's own DMA [workshop](#), Apple's chief compliance officer Kyle Andeer stated: "We don't believe that the lawmakers intended for the EC's DMA teams to be the final arbiters of user safety and security." At another [workshop](#), he described Apple's revised terms as going "beyond what the law requires" – framing litigation, not compliance, as Apple's preferred path.

Apple went further, [calling for the repeal](#) of the DMA. The Commission's response was unambiguous: compliance is "an obligation, not a choice."

the impact

Apple's insistence on extracting commissions at every point of contact between developers and their users – while exempting physical goods, services, and its own apps from equivalent charges – taxes the developer economy at scale and distorts the conditions under which innovation can thrive.

This selective application is not only a continuation of the conduct condemned in the April 2025 steering decision; it constitutes a separate and ongoing violation of Article 6(12) of the DMA, which requires Apple to apply fair, reasonable, and non-discriminatory conditions of access to the App Store for all business users.

When developers cannot engage with users on their own terms, the entire ecosystem suffers: developers cannot invest in new products, cannot build direct relationships with their audiences, and cannot grow their businesses without Apple taking a cut of every interaction. The anti-steering architecture does not just harm individual developers – it suppresses the innovation the DMA was designed to unleash.

Taken together, these practices represent a cumulative drag on Europe's digital economy: one that raises costs, constrains competition, and leaves the EU app ecosystem structurally weaker than it should be.

- Combined fees of up to 20% under Apple's current EU terms represent a structural tax on the developer economy – one with no equivalent for physical goods or services, and no route around it.
 - Small and independent developers face the steepest barriers – the very innovators the DMA was designed to enable. Unlike large platforms with the scale to absorb Apple's compounding fee structure, independent developers have no leverage and no alternative.
 - Competing distribution models remain economically unviable under the current fee structure.
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prognosis and recommendations

Apple's playbook has been simple and consistent: rewrite the DMA's requirements in its own image, rebrand the substitution, and insist the Commission got it wrong. Every month of inaction proves its bet right – and makes the €500 million fine look less like a deterrent and more like the cost of doing business.

This contrasts sharply with the situation in the United States, where a federal judge recently [held Apple in contempt](#) for similar behavior, compelling the company to permit steering free of charges. In the US, developers can now steer users to better deals without penalty – making the American market more open, more competitive, and more favourable to innovation than the European one. This discrepancy makes the EU market less attractive for developers, and is a clear blow to the EU's competitiveness agenda. If the Commission accepts Apple's current terms, it will be accepting an ecosystem that is structurally worse for European app developers than the one their American counterparts enjoy – with less consumer choice and less innovation as the result.

The goal is free and fair competition – where developers reach their users, consumers access the best deals, and no gatekeeper taxes every interaction between the two. One year on, Apple has ensured it remains undelivered.

CAF calls on the Commission to crack down on Apple's behaviour which has left the EU digital economy in a worse position than it was before the DMA ever passed – and strongly supports the European Parliament IMCO Committee's [resolution](#) to scrutinise Apple's terms and sanction any circumvention.