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E-001325/2025

Answer given by Executive Vice-President Ribera
on behalf of the European Commission
(13.5.2025)

The Digital Markets Act (DMA)¹ aims to establish fair and contestable digital markets in the EU and to support businesses, including small and medium-sized enterprises that depend on large online platforms for digital advertisement. As such, the DMA aims to create a more dynamic advertising market that offers more transparency and, potentially lower cost, via alternatives to gatekeepers' advertising services.

The DMA does not ban personalised advertisement. It gives users the choice whether to grant access to their personal data for targeted advertising purposes. Targeted advertising exploits personal data of users and it is therefore important that users should be asked if they agree to it. If users decide that their personal data should not be used for personalised advertisement, advertisers can still reach them, but they must do so with an equivalent but less personalised alternative, respecting the users' choice.

In the case of Meta, the Commission has found that its binary 'Consent or Pay' model is not compliant with the DMA as it does not offer a less personalised but equivalent alternative of its social networks². Users who do not want their personal data to be used for targeting advertisements are asked to pay a price and advertisers cannot reach them at all.

The Commission's assessment is independent from the Court judgment in case of Meta Inc and Others,³ which does not approve of subscription models under all circumstances, and which concerns the General Data Protection Regulation⁴ and competition law, not the DMA.

¹ See https://digital-markets-act.ec.europa.eu/index_en

² See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1085

³ See Case C-252/21, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62021CJ0252>

⁴ Regulation (EU) 2016/679, OJ L 119, 04.05.2016.