

(English version)

**Question for written answer E-001056/26
to the Commission
Veronika Cifrová Ostrihoňová (Renew)
(13 March 2026)**

Subject: Advertising targeting minors on TikTok and the link to the upcoming Digital Fairness Act

According to research published in a paper entitled ‘The DSA’s Blind Spot: Algorithmic Audit of Advertising and Minor Profiling on TikTok’ ⁽¹⁾, minors on TikTok are primarily exposed to influencer-style commercial content rather than formal platform advertisements, at levels five to eight times higher than those permitted for adults. In addition, 84% of the advertisements seen by minors are undisclosed, compared to 51% for adults.

While the Digital Services Act (DSA) prohibits profiling-based advertising targeting minors, its definition of ‘advertisement’ focuses on content promoted in exchange for remuneration through the platform’s advertising systems. Therefore, influencer marketing, brand self-promotion, affiliate marketing and other forms of commercial content may fall outside the scope of this definition.

In this context:

1. How does the Commission assess the risks associated with the profiling of minors through influencer-style commercial content and undisclosed advertising on platforms such as TikTok?
2. Does the Commission consider that existing EU legislation, including the DSA, provides sufficient tools to address this issue?
3. Does the Commission intend to address potential regulatory gaps related to influencer marketing and undisclosed commercial content targeting minors in the upcoming Digital Fairness Act?

Submitted: 13.3.2026

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(1 June 2026)**

The protection of children in the digital age is a key priority for the Commission. The existing legal framework already includes very high standards.

The Digital Services Act (DSA) ⁽¹⁾ regulates, *inter alia*, systemic risks posed by providers of very large online platforms like TikTok, including risks to minors ⁽²⁾, and on how the selection of advertisements influence such risks ⁽³⁾.

Providers must establish appropriate measures of privacy and safety ⁽⁴⁾ for minors and ban profiling-based advertisements ⁽⁵⁾ using their personal data.

In addition, the Protection of Minors guidelines ⁽⁶⁾ cover advertising on online platforms and the DSA requires establishing a functionality to flag commercial communications ⁽⁷⁾.

The Unfair Commercial Practices Directive ⁽⁸⁾ ensures strict consumer protection, including shielding children from misleading commercial practices. It applies to influencers, requiring them to be clear about commercial communication.

The Audiovisual Media Services Directive ⁽⁹⁾ sets minimum standards for audiovisual commercial communications (ACC), which must not cause physical, mental or moral harm to minors.

Direct exhortations to acquire products or services are prohibited (applicable to influencers who qualify as audiovisual media service providers) and video-sharing platforms must ensure compliance with ACC to different degrees ⁽¹⁰⁾. Minors’ personal data collected for age verification or parental control may not serve commercial purposes ⁽¹¹⁾.

¹ https://www.researchgate.net/publication/401691760_The_DSA's_Blind_Spot_Algorithmic_Audit_of_Advertising_and_Minor_Profiling_on_TikTok.

⁽¹⁾ <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act>.

⁽²⁾ Article 34 DSA.

⁽³⁾ Article 34(2) DSA.

⁽⁴⁾ Article 28 DSA.

⁽⁵⁾ As defined in Article 4(4) of Regulation (EU) 2016/679, <https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng>.

⁽⁶⁾ <https://digital-strategy.ec.europa.eu/en/library/commission-publishes-guidelines-protection-minors>.

⁽⁷⁾ Article 26(2) DSA.

⁽⁸⁾ <https://eur-lex.europa.eu/eli/dir/2005/29/oj/eng>, OJ L 149, 11.6.2005, pp. 22-39.

⁽⁹⁾ <https://eur-lex.europa.eu/eli/dir/2010/13/oj/eng>.

⁽¹⁰⁾ Article 9(1)(g) of Directive 2010/13/EU.

⁽¹¹⁾ Article 28(b).3 of Directive 2010/13/EU.

The forthcoming Digital Fairness Act⁽¹²⁾ will aim to strengthen consumer protection online. Its priorities will include addressing unfair influencer marketing that capitalises on the relationship between young users and content creators.

The Commission is currently assessing potential measures, including a clarification of the requirement for a salient disclosure of commercial content⁽¹³⁾. Such further measures will be informed, *inter alia*, by the recommendations of the Commission's Special Panel on Child Safety Online.

⁽¹²⁾ <https://digital-strategy.ec.europa.eu/en/consultations/commission-launches-open-consultation-forthcoming-digital-fairness-act>.

⁽¹³⁾ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14622-Digital-Fairness-Act/public-consultation_en.