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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(30.10.2026)

The Commission designated ChatGPT as a very large online search engine (VLOSE) under the Digital Services Act (DSA) on 31 August 2026¹. Following the designation, OpenAI has four months, i.e. until January 2027, to ensure ChatGPT complies with the DSA obligations applicable for VLOSEs. For example, the provider must manage systemic risks pursuant to Articles 34 and 35 of the DSA, also stemming from the design and functioning of systems selecting and presenting advertisements, as well as compile and make publicly available a repository containing information about advertisements, as set out in Article 39 of the DSA.

The Commission is committed to continue enforcing the DSA and closely monitors regulated entities which have been designated as very large online platform (VLOP) or VLOSE.

Furthermore, Articles 50(1) and 50(2) of the AI Act² set transparency requirements applicable to ChatGPT as a generative AI system. People must be informed that they are interacting with an AI system and machine-readable marks embedded in the system's outputs to enable the detection of the content as AI-generated or manipulated. However, in this context there are no specific AI Act requirements with regard to advertisements, targeting or the use of personal data, but other EU laws may apply. Article 50 of the AI Act is applicable as of 2 August 2026 with a grace period for system already on the market before that date to comply with the marking obligation by 2 December 2026.

In addition, without prejudice to the competences of the Commission as guardian of the Treaties, the enforcement of the General Data Protection Regulation lies primarily with the competent national supervisory authorities and courts.

¹ <https://digital-strategy.ec.europa.eu/en/news/commission-designates-chatgpt-reddit-roblox-under-digital-services-act>.

² Pursuant to Article 50(1) AI Act providers must design and develop AI systems that interact directly with natural persons — such as chatbots, AI agents, and avatars — to ensure that people are informed they are interacting with AI. Pursuant to Article 50(2) AI Act providers must also ensure that the outputs of their generative AI systems are marked with effective, reliable, robust and interoperable machine-readable marks that enable the outputs to be detected as generated or manipulated by AI systems.