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### **DMA enforcement action against Meta's pay-or-consent policy is good news for consumers**

The decision by the European Commission to issue preliminary findings against Meta for potential breach of the EU Digital Markets Act is good news for consumers using Facebook and Instagram who have been presented with unfair choices on the use of their personal data since November last year.

The option the tech giant rolled out last year forces consumers to choose between consenting to the use of their personal data for advertising purposes or paying a fee. Under the Digital Markets Act, gatekeepers are obliged to seek consumers' freely given consent to be able to combine their data across platform services or provide a less personalised but equivalent service if they refuse. But by asking for payment if consumers do not consent, Meta is neither receiving their freely-given consent, nor is it providing a less personalised but equivalent service.

**Agustin Reyna**, Director General of the European Consumer Organisation (BEUC), said: "It's good news that the Commission is taking enforcement action based on the Digital Markets Act against Meta's pay-or-consent model. It comes on top of the complaints against Meta's model for breaches of consumer law and data protection law which consumer organisations have raised in the last few months. We now urge Meta to comply with laws meant to protect consumers."

#### **Background**

The enforcement action launched today by the Commission is separate from the complaints BEUC and its members filed against Meta's ['pay-or-consent' choice](#) with consumer protection authorities in December 2023 and for its [data protection practices](#) with data protection authorities in February 2024.