European Commission fines Apple and Meta for not complying with the DMA

IRIS 2025-5:1/5

Eric Munch
European Audiovisual Observatory

On 23 April 2025, the European Commission (the Commission) found Apple and Meta in breach of the Digital Markets Act (DMA). Apple was found to have breached its anti-steering obligation, and Meta the obligation to give consumers the choice of a service that uses less of their personal data – both obligations under the DMA. Apple and Meta were fined EUR 500 million and EUR 200 million respectively.

The Commission found that Apple did not comply with its obligation to allow app developers distributing their apps via its App Store to inform customers, free of charge, of alternative offers outside the App Store, steer them to those offers and allow them to make purchases. By imposing a number of restrictions, Apple was found to prevent app developers from benefitting from the advantages of alternative distribution channels outside the App Store, subsequently also preventing consumers from benefitting from alternative and cheaper offers. As part of the Commission's decision, Apple was also ordered to remove the technical and commercial restrictions on steering and to refrain from perpetuating the non-compliant conduct in the future.

With regard to Meta, the Commission found that its "consent or pay" advertising model, launched in November 2023, did not comply with the DMA. The advertising model offered EU users of Facebook and Instagram a choice between consenting to personal data combination for personalised advertising and paying a monthly subscription to an ad-free service. It was found not to comply with the DMA due to the fact that it did not give users the required specific choice to opt for a service that uses less of their personal data while remaining otherwise equivalent to the "personalised ads" service. It also did not allow users to exercise their right to freely consent to the combination of their personal data. Following numerous exchanges with the Commission, Meta had introduced another version of the free personalised ads model in November 2024 which allegedly uses less personal data to display advertisements. The Commission is currently assessing this new option and has requested Meta to provide evidence of the impact that this new ads model has in practice.

The 23 April 2025 decision is without prejudice to the ongoing assessment, as the non-compliance concerns the time period during which end users in the EU were

© European Audiovisual Observatory (Council of Europe) 2026

only offered the binary “consent or pay” option, between March 2024, when the DMA obligations became legally binding, and November 2024, when Meta’s new ads model was introduced.

Apple and Meta were both given 60 days to comply with the Commission’s decisions.

It is worth noting that the Commission also found that Meta’s online intermediation service, Facebook Marketplace, should no longer be designated under the DMA, following a request submitted by Meta on 5 March 2024. With under 10 000 business users in 2024, the Marketplace was found to no longer meet the relevant threshold that would give rise to a presumption that it was an important gateway for business users to reach end users.

Commission finds Apple and Meta in breach of the Digital Markets Act

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

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026