

## [FR] Court ruling on the sale of childlike sex dolls on Shein

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Noting that illegal products, in particular childlike sex dolls but also certain weapons and medicines banned from online sale, had been reported as being offered for sale on the Shein online sales platform, designated as a "very large platform" within the meaning of the DSA by the European Commission, the French state summoned the platform's Irish operator and the main companies providing access to it in France before the president of the Paris Court of First Instance under the fast-track procedure. Its principal request was that, under Article 6-3 of the Law of 21 June 2024 on confidence in the digital economy (LCEN) and Regulation (EU) 2022/2065 on digital services (DSA), access to the platform from French territory should be blocked for three months.

After the court president referred the case back to a panel of judges, the latter ruled first of all that there was no provision that would prevent the state from taking action on the basis of Article 6-3 of the LCEN, and that the state was fully entitled to do so to combat online harm affecting a large audience and contravening rules of public policy.

Based on Article 6-3 of the LCEN and Article 8 of the DSA, which prohibit the imposition on intermediary service providers of a "general obligation to monitor the information they transmit or store or to actively seek facts or circumstances indicating illegal activity", the court noted that it was necessary to assess whether the alleged damage justified the French state's request to disable the platform.

In this case, the court found that the sale of the disputed products (childlike sex dolls, category A weapons, medicines banned from online sale) on the platform's marketplace, prohibited by several provisions of the French Criminal Code, was clearly detrimental to public order, the protection of minors or the health and safety of potential buyers and third parties, causing serious harm that it was obliged to stop or prevent. It had also been established that various products related to sexuality, but not child pornography, were being sold on the platform in the "Beauty and health" and "Sexual well-being" categories, and that when users wished to access this content, a "Confirm your age" window opened and they had to choose between "I am over 18 / I am under 18" before accessing the content.

Although not every sexual item offered for sale constituted pornographic content as defined by Article 227-24 of the French Criminal Code, it was clear from the documents produced that some products were offered for sale with particularly crude and explicit photographs and descriptions that could be classified as pornographic, and therefore fell within the scope of the criminal offence.

The court found that access to this content granted solely on the basis of users declaring their age appeared contrary to the provisions of Article 28 of the DSA, which required providers of online platforms accessible to minors to put in place "appropriate and proportionate measures to ensure a high level of privacy, safety, and security of minors, on their service". Pursuant to Article 2(1) of the DSA, this provision was binding on the defendant company, whose place of establishment was located in the EU.

Accordingly, the display and offer for sale of products that could be classified as pornographic content on a generalist, popular online platform accessible to minors that simply required users to declare that they were over 18, without any other age verification measure, constituted unlawful content creating serious harm that justified the intervention of the court pursuant to Article 6-3 of the LCEN.

However, the main request to block the platform was rejected as being manifestly disproportionate in that it would unjustifiably infringe the right to freedom of enterprise. In fact, only certain products had been identified as manifestly illegal and harmful, even though the platform offered hundreds of thousands of items for sale and placed particular emphasis on its clothing products. In addition, the disputed products identified had all been removed within 24 hours by the platform, which had reacted as soon as the first reports had been received and had also suspended its entire marketplace, leaving only clothing items for sale. While the French state maintained that the sale of these products revealed a systemic lack of control, supervision and regulation, the court noted that the platform had implemented what appeared to be a structured, multi-level moderation and internal monitoring system.

Given that reopening access to sexual products that could constitute pornographic content under the same conditions would inevitably and obviously cause serious harm by exposing minors to such content once again, the platform was ordered not to resume the sale of this type of product without implementing age verification measures – other than a simple declaration of majority – making the content inaccessible to minors, subject to a provisional fine of €10 000 per infringement detected, for a maximum period of 12 months.

***TJ Paris (procéd. accélérée au fond), 19 décembre 2025, n° 25/57861, État français c/ Sté Infinite Styles Services c. Ltd***

<https://www.doctrine.fr/d/TJ/Paris/2025/U440ED064504ADC878181>

*Paris Court of First Instance (accelerated procedure on the merits), 19 December 2025, no. 25/57861, French state v Infinite Styles Services Co. Ltd*

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