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Meta's latest consent-for-ads model still unlawful according to consumer groups' analysis

A new analysis by the European Consumer Organisation (BEUC) concludes that Meta's latest model to let consumers pay for an ad-free experience, or obtain their consent to show either personalised or less personalised ads, continues to breach the EU's Digital Markets Act (DMA), the GDPR and the Unfair Commercial Practices Directive (UCPD).

BEUC calls on the European Commission and competent authorities to ensure that Meta swiftly complies with EU law. In addition, the European Commission should, where appropriate, impose periodic penalty payments to bring an end to these practices.

The new model rolled out in January 2026 still fails to offer consumers the possibility to give free, specific, informed and unambiguous consent to personalised ads, which remains a crucial problem given Meta's extensive data collection. Additionally, the way Meta has designed how it presents the options and its use of non-neutral language steers users toward accepting the fully personalised ads option. These shortcomings in the model do not meet requirements under the DMA, the GDPR nor the UCPD.

Agustín Reyna, Director General of BEUC, commented:

"Meta continues to roll out only minor adjustments rather than solve the problem once and for all. The result is that consumers have to once again make a choice that lacks clarity and doesn't respect basic principles of data protection law. People deserve a real, fair choice, not another round of confusing prompts."

Background

Meta began rolling out changes to its service in the EU in November 2023 which required Facebook and Instagram users to either consent to the processing of their data for advertising purposes by the company, or to pay in order not to be shown advertisements. However, Meta's approach was deemed illegal by the European Commission in [April 2025](#) under the DMA.

The Commission concluded the binary model did not give users the required specific choice to opt for an equivalent service that uses less of their personal data. Meta's model also did not allow users to exercise their right to freely consent to the combination of their personal data. BEUC previously filed submissions with the European Commission about Meta's possible non-compliance with the DMA.

BEUC also [filed](#) complaints against Meta with the Consumer Protection Cooperation (CPC) network on the basis of consumer law breaches, and separately [filed](#) complaints with data protection authorities about Meta's data processing practices which we suspect breach the GDPR.

BEUC, The European Consumer Organisation

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