

Norwegian non-paper: Input to the development of a proposal for a Digital Fairness Act

***Persistent concerns with commercial practices in digital media necessitate stronger protection of children***

Having regard to the ongoing consultation and call for evidence published by the European Commission on 17 July 2025, Norway would like to recall our input to the Digital Fairness Fitness Check, which for ease of reference is available [here](#). We also note the [input](#) from the Nordic Consumer Protection Authorities of 1 July 2025 to the Digital Fairness Act, which we hope will be useful for the Commission.

Norway is an integral part of the EU Single Market through the European Economic Area (EEA) agreement, whereby incorporation of relevant EU legislation into the Agreement ensures legal homogeneity throughout the EEA. In the field of consumer protection, the Norwegian Consumer Council (Forbrukerrådet) and the Norwegian Consumer Authority (Forbrukertilsynet) proactively cooperate with their EU colleagues and have over several years prioritised consumer protection in the digital sphere. The Consumer Authority participates in the Consumer Protection Cooperation Network which was established pursuant to CPC Regulation (EU) 2017/2394.

Digital media, including social media and video games, harness powerful data insights and technology that has the potential of manipulating consumers. We remain deeply concerned about **targeted advertising, manipulative online choice architecture, addictive design and gambling-like mechanisms such as loot boxes and problematic commercial practices** in video games. There is a clear need to safeguard children vis-à-vis these practices, in particular in relation to traders that are not covered by the Digital Services Act.

The Norwegian Screen Use Committee delivered its report on 11 November 2024, following a mandate from the Government to provide comprehensive knowledge on how children and adolescents' screen use affects their health, quality of life, learning, and upbringing.<sup>1</sup> The Committee's findings include recommendations on consumer protection. While noting the importance of implementing the DSA, which already is prioritised, the Committee assessed that there is a **further need for regulation of addictive designs**, notably in services that are used by children and young people. The Committee noted that children to a lesser degree have developed cognitive skills to cope with the disturbances and the addictive mechanisms of digital technologies. Among its recommendations is **effective regulation of the addictive characteristics of social media and gambling-like elements in video games**.

Loot boxes and similar gambling-like mechanisms in video games may constitute a gateway into **addiction or gambling problems, in addition to exposing gamers to risks from over-consumption of money or time**. Stronger protections from mechanisms in games and apps that mimic gambling and/or obscure spending and erode autonomy is expected to benefit all consumers, but should in particular aim to protect children.

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<sup>1</sup> Official Norwegian Reports [NOU 2024: 20 - regjeringen.no](#). The report includes a summary in [English \(see chapter 20\)](#).

## ***Children need increased protection in digital media, including social media and video games, from marketing of certain inappropriate products.***

There are abundant examples from Norway that illustrate the need to take actions regarding **marketing that children are exposed to** in digital media:

- Already in 2018, a report from Consumption Research Norway (SIFO) showed that 80 % of children had received ads for gambling, almost 50 % for plastic surgery or cosmetic treatments, 25 % for alcohol. The children themselves stated that they would rather not receive marketing for alcohol, gambling or cosmetic treatments.<sup>2</sup>
- In a 2022 study by the Media Authority, 64 % of 13–18-year-olds responded that they had received advertising for beauty products, and more than 50 % had received advertising for products that was intended to give weight reduction or larger muscles.<sup>3</sup>
- In joint supervisory action, the Consumer Authority, the Directorate of Health and the Medical Products Agency have revealed a large amount of marketing that can lead to negative body image and pressure for children in social media.<sup>4</sup>
- A survey conducted by the Consumer Council in 2024 shows that half of young people between the ages of 13 and 24 use muscle-building supplements or products that can help them perform better during exercise. 30 % of the respondents reported that they experience a lot of body pressure.<sup>5</sup>
- A literature review on children's consumer protection in digital media from SIFO in 2023 refers to a survey of apps used by children under the age of 5 where 95 % of apps contained at least one type of advertising.<sup>6</sup>
- The Privacy Commission shows in its report that a 12-year-old girl received an ad for diet pills in a calculator app.<sup>7</sup>

On this background, the Ministry of Children and Families has recently consulted on a potential introduction of stricter regulation of marketing of certain products in social media and in video games in the Norwegian Marketing Control Act.<sup>8</sup> An essential feature of the consultation proposal stipulates that **marketing which can be expected to be seen or heard by children** in social media and in video games should not feature products that are unsuitable for children. The aim is to better protect children from marketing of certain product categories – **regardless of whether children are the intended audience or not**. Among the products that could be covered are **cosmetic surgery, procedures, injections and treatments, certain categories of dietary supplements, tanning beds and weight loss-products**. It could also be considered whether further product categories should be covered,

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<sup>2</sup> Available in Norwegian here: [Nye forskningsmetodar avslører ulovleg reklame til barn - OsloMet](#)

<sup>3</sup> Available in Norwegian here: [Barn og medier 2022 - Medietilsynet](#)

<sup>4</sup> Available in Norwegian here: [Markedsfører kosmetiske inngrep på populære plattformer for barn - Forbrukertilsynet](#)

<sup>5</sup> Available in Norwegian here: [En av to unge bruker muskelbyggende kosttilskudd – Forbrukerrådet](#)

<sup>6</sup> Available in Norwegian here: <https://hdl.handle.net/11250/3097051> SIFO-rapport 10-2023 – Barns digitale forbrukervern. En kunnskapsgjennomgang om digital sårbarhet og negative konsekvenser ved kommersiell påvirkning

<sup>7</sup> Available in Norwegian here: [NOU 2022: 11 - regjeringen.no](#) Official Norwegian Reports 2022:11  
Your privacy – our shared responsibility

<sup>8</sup> Available in Norwegian here: [Høring - Høringsnotat med forslag til endringer i markedsføringsloven - Barns forbrukervern i digitale medier - regjeringen.no](#)

including loot boxes and other gambling-like mechanisms in games, and products and services of a pornographic nature.

There is a need to **carefully consider how protection from such marketing can be tailored in order to adequately protect children, without disproportionately restricting legitimate advertising**, including advertising directed at adult consumers. The consultation proposal is currently being assessed further. As children are exposed to marketing across borders, the need for cooperation and common approaches to this issue across the Member States is underlined. Therefore, we consider that how children's protection from these types of advertising can be sufficiently increased should be explored in the development of the Digital Fairness Act.

We would also like to draw the Commission's attention to recent regulations in Norway that restrict the marketing of **unhealthy foods and drinks** to children, which entered into force 25 April 2025 with a transition period of six months.<sup>9</sup>

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<sup>9</sup> [Norway bans marketing of unhealthy food and drinks to children - regjeringen.no](https://www.regjeringen.no/en/dokumenter/unhealthy-food-and-drinks-to-children/id2811448/)