CREATOR RISK INTELLIGENCE

The Signal

Monthly intelligence on Creator Risk, regulatory change, and brand safety incidents. Issue 12 · December 2024

2024 was the year historical content became the primary Creator Risk vector. Not legal proceedings, not fraud, not regulatory action — though all three featured. The dominant pattern was the same in January as it was in October: content posted years before a partnership ended a campaign that was already live. This is our year in review.

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01 — 2024: THE YEAR IN REVIEW

Creator Risk · Twelve months · What the pattern shows

The signal that mattered most in 2024 was not the one that made the biggest headlines. Pandorogate broke in December 2023 and dominated the first quarter. The Ferragni criminal proceedings opened in September. The Djerf workplace allegations generated significant press in October. All three were significant. But the structural trend that defined the year was quieter and more consistent: historical content ended more live campaigns in 2024 than any other single risk category.

The six defining patterns of 2024

Historical content dominated	More brand partnership terminations in 2024 were attributable to resurfaced historical content than to any other cause. In each case the content was publicly available. In each case no historical search had been conducted before activation.
The brand pays, not the creator	The FTC's dual liability standard was reinforced in multiple enforcement actions. Brands — not individual creators — are the primary targets of regulatory action. A creator contract is not a liability transfer document.

Employment culture as brand risk	The Djerf case introduced a new risk category that content-based vetting cannot detect: the gap between a creator's public values positioning and the internal culture of their business.
Regulation accelerated	Italy moved from a regulatory fine (December 2023) to a finalised AGCOM Code of Conduct within twelve months. France expanded AI-powered enforcement. The UK passed the DMCCA. The regulatory environment entering 2025 is materially different from the one that existed in January 2024.
Content scores are insufficient	In every major incident of 2024 — Ferragni, Doritos, Djerf, multiple smaller cases — the creator's content score was strong. The risk was not in the content. A content score is a necessary condition for brand partnership, not a sufficient one.
Criminal proceedings are possible	The Ferragni trial established that creator marketing conduct that misleads consumers can be framed as criminal fraud in a major European jurisdiction. This changes the upper end of the risk spectrum permanently.

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2024 taught brands that content scores are insufficient, that historical content is a structural risk not a one-off, and that regulation is accelerating in every major market simultaneously. The signals that will define 2025 are visible now. The brands that are watching them have time to act.

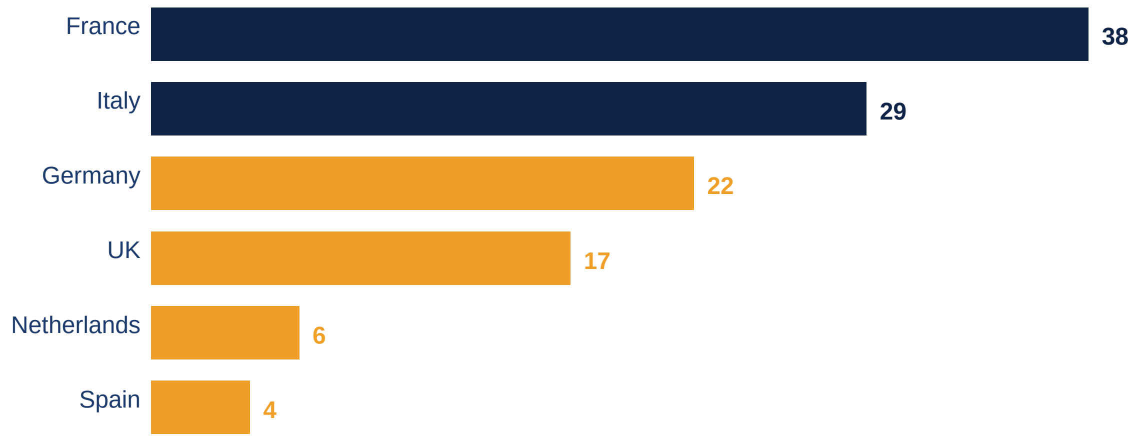
02 — CHRISTMAS SPECIAL: ENFORCEMENT BY MARKET

European influencer enforcement activity · Full year 2024 · Signal Intelligence compilation

For this year-end edition, Signal Intelligence has compiled public enforcement records across all major European markets for 2024. The data covers formal regulatory actions, published rulings, and named enforcement cases — drawn from ARPP, AGCM, ASA, Wettbewerbszentrale (Germany), and EU-level DSA enforcement records.

Influencer marketing enforcement actions by market · Full year 2024

Source: ARPP, AGCM, ASA, Wettbewerbszentrale · Signal Intelligence



Published enforcement records full year 2024. Signal Intelligence compilation. Germany figure covers Wettbewerbszentrale private enforcement actions only — full regulatory enforcement figure likely higher.

France's enforcement lead reflects the ARPP's AI monitoring infrastructure, which enables proactive identification of non-compliant content rather than waiting for complaints. Italy's figure reflects the surge of enforcement activity following Pandorogate. Germany's figure is likely understated — private enforcement by competitor brands under UWG is not captured in the public record and is estimated to be significantly higher than the published figures suggest.

03 — FERRAGNI UPDATE

Criminal trial · Status at year end · December 2024

In December 2024, Ferragni reached a settlement with consumer body Codacons — agreeing to pay €150 to each affected consumer who had contacted the organisation and making a €200,000 charitable donation to charity. Her lawyers confirmed the settlement resolves the civil consumer complaint. The criminal investigation by Milan prosecutors, which was announced in January 2024, remains separately active and is moving towards a decision on indictment.

The Ferragni case enters 2025 with three unresolved threads: the criminal investigation (not yet a trial — prosecutors have not yet formally indicted), the DDL Beneficenza still working through the Italian parliamentary process, and Ferragni's ongoing attempt to rebuild commercial relationships. The Codacons settlement closes one front. The other two remain open.

Signal Intelligence will continue tracking all three threads into 2025. The risk profile as it stands in December 2024 is defined almost entirely by legal and regulatory exposure — dimensions that content analysis cannot detect and that standard vetting processes do not assess.

04 — REGULATORY NOTE

Year-end snapshot · All markets · December 2024

FRANCE	ARPP AI monitoring fully operational, expanding in 2025. 2024 enforcement: 38 formal actions. Maximum fine €300,000. Brand liability joint and several with creator. The most active and technologically advanced enforcement environment in Europe entering 2025.
ITALY	AGCOM Code of Conduct active from January 2025. Maximum fine €600,000 — highest in Europe. Ferragni criminal trial ongoing. DDL Beneficenza still in parliament. Italy has the most comprehensive creator regulatory architecture in Europe, built almost entirely within the 2024 calendar year.
GERMANY	UWG §5a enforcement active. Private enforcement by competitor brands is the dominant mechanism — estimated to significantly exceed published regulatory figures. Hashtag-cloud disclosure ruled insufficient by multiple courts. Germany operates a competitive enforcement model where the threat comes from industry peers as much as regulators.
UK	ASA Active Ad Monitoring operational. DMCCA unfair commercial practices provisions in force from April 2025. CMA 10% global turnover penalty ceiling. FCA finfluencer rules published. UK entering 2025 with its strongest enforcement architecture for influencer marketing.
USA	FTC Consumer Reviews and Testimonials Rule effective October 2024 — fake social media indicators now explicitly prohibited. Endorsement Guides enforcement maintained. FTC enforcement actions against brands up significantly year-on-year. Dual liability standard firmly established.

EU-WIDE	EU AI Act in force — AI-generated content disclosure requirements phasing in. DSA platform obligations active. Digital Fairness Act consultation expected in 2025. The EU regulatory environment is consolidating, with influencer marketing explicitly in scope across multiple instruments simultaneously.

The regulatory landscape entering 2025 is unrecognisable from the one that existed in January 2024. Every major European market has active enforcement. The FTC has new enforcement tools. The EU AI Act is in force. The signals that will define 2025 are already visible. We will be watching them.

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The Signal is published monthly by Signal Intelligence. Each issue covers real Creator Risk incidents, regulatory developments, and the intelligence that brand-side teams need before they need it. Subscribe at signalintelligence.consulting — and if this issue was forwarded to you, make sure you're on the list for the next one.