Signal Intelligence
CREATOR RISK INTELLIGENCE
Issue 30 · June 2026

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The Signal

Monthly intelligence on Creator Risk, regulatory change, and brand safety incidents. Issue 30 · June 2026

Thirty issues. Thirty months. The Creator Risk landscape has changed more in this period than in the previous decade. This final edition of the back catalogue covers where the enforcement stands, where the next developments will come from, and what two and a half years of tracking this space has consistently shown about the brands that manage it well.

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01 — ARPP AUDIO ENFORCEMENT: THE LAST GAP CLOSES

France · ARPP · Speech-to-text · June 2026

When Signal Intelligence first reported on the ARPP's AI monitoring system in Issue 09 (September 2024), the system was scanning visual content and text. The compliance gap was audio: a creator who mentioned a brand verbally in a video — without on-screen disclosure — was producing non-compliant content that the monitoring system could not detect.

That gap closed in 2025 with the deployment of speech-to-text analysis. By June 2026, the ARPP's system has reviewed 194,000 pieces of content in H1 2025 alone — a 222% increase on the prior year — and is identifying verbal brand mentions without on-screen disclosure as non-compliant at scale. The system does not issue warnings. It flags violations. The enforcement pipeline is direct.

The practical consequence is that there is now no compliant mechanism for mentioning a brand in video content in France without on-screen disclosure. Saying the brand name is detectable. The silence of not saying it is also detectable — through the absence of content categories the system expects. French influencer marketing compliance has moved from a documentation exercise to a technical one.

What this means for brand-side teams

Any brand with French creators on paid or gifting programmes should brief those creators explicitly on audio disclosure standards — not just text overlays. The ARPP's system scans audio. The brief saying 'please add #ad' is no longer sufficient if the creator mentions the brand verbally in the opening thirty seconds of a video without a corresponding on-screen disclosure.

And under French joint liability standards, the brand shares responsibility for that non-disclosure. The creator contract is not a liability transfer. The brand that commissioned the content is accountable for whether the disclosure was made — in text, and now in audio.

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The ARPP's speech-to-text enforcement closes the last significant detection gap in French influencer marketing compliance. Every form of brand mention in creator content — visual, text, verbal — is now within the monitoring system's scope. The compliance window that existed when monitoring was limited to visual content is closed.

RECOMMENDED ACTION

Brief your French creator partners on audio disclosure requirements. Review your influencer contracts for French market activations to confirm audio disclosure is explicitly required. The ARPP does not distinguish between brands that didn't know and brands that chose not to comply.

02 — COMMENT SECTIONS ARE CONTENT

Community risk · Creator behaviour · June 2026

The Scotty K Fitness case in January 2026 — covered in Issue 25 — illustrated a category of Creator Risk that has been developing since the Djerf case in October 2024: the gap between a creator's published content and their behaviour in community interactions. Two and a half years of incident tracking has produced a consistent finding about this category.

Content scores assess posts. They do not assess responses to comments, behaviour under criticism, or conduct in unscripted moments. The incidents that originate in this category — doxxing, targeted harassment, public confrontations, filmed reactions — are not preceded by signals in the content feed. They are preceded by patterns in community engagement that are observable but rarely observed.

A creator who responds aggressively to critical comments, who singles out negative commenters, or whose community management exhibits patterns of confrontation rather than engagement is producing observable signals. Those signals are in the comment section, not the post. Standard vetting does not systematically review comment behaviour. That is the gap.

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Comment sections are content. A creator's behaviour in community interactions is observable, patterns are detectable, and the gap between how a creator presents in their posts and how they behave in their comments is a risk signal. The process that only reviews posts is reviewing half the picture.

RECOMMENDED ACTION

Include community engagement behaviour in your creator assessment process — not just post content. Review a representative sample of comment interactions for any creator being considered for an ambassador or long-term partnership. The pattern is usually visible before the incident is.

03 — REGULATORY SNAPSHOT

Six markets · June 2026

FRANCE	ARPP speech-to-text enforcement fully operational — audio brand mentions detectable. 194,000+ posts reviewed H1 2025. H1 2026 on track to exceed that figure. Brand-level enforcement norm. Maximum fine €300,000.
GERMANY	UWG private enforcement at record levels. Competitor-driven disclosure cases dominating. No new legislation required — enforcement velocity through existing UWG framework is increasing. Brands with German creator programmes face the most commercially aggressive enforcement environment in Europe.
ITALY	Ferragni Law and AGCOM Code fully operational. Post-acquittal landscape stable. Italy remains the most comprehensively regulated market and the template for the Digital Fairness Act.
UK	DMCCA enforcement decisions expected H2 2026. FCA second-round finfluencer enforcement active. ASA named non-compliers list at highest count since launch. ASA-CMA referral pipeline operational.
EU-WIDE	Digital Fairness Act legislative proposal expected Q3-Q4 2026 — the most significant EU creator marketing regulatory development since the GDPR. EU AI Act first enforcement decisions expected. DSA active.
USA	FTC enforcement maintained — Consumer Reviews Rule active. First major authenticity misrepresentation class action judgement delivered or imminent. FINRA and FCA financial services enforcement active. Dual liability standard fully established.

04 — WHAT WE'RE WATCHING

Forward signals · June 2026

Digital Fairness Act	The legislative proposal is expected in the next quarter. When published, Signal Intelligence will cover it in full. This will be the dominant regulatory story of H2 2026 and the most significant development for EU brand teams since the GDPR.

First DMCCA enforcement decision	The CMA's first published decision will establish the UK enforcement standard under the new framework. Expected H2 2026. The 10% global turnover penalty ceiling will become real when the first case is decided.
Germany escalation	The acceleration of UWG private enforcement cases shows no sign of slowing. The question is whether a particularly high-profile competitor-driven case — involving a recognisable brand and a significant damages award — generates the kind of coverage that changes the risk perception across the industry. Signal Intelligence is tracking this.

05 — OPINION

France moved first. Germany is next. The DFA is Q3-Q4.

Thirty issues ago, the regulatory map looked like this: an FTC guidance update in the US, a complaint-driven ASA in the UK, an isolated AGCM fine in Italy, and France beginning to build what would become the most technically capable enforcement system in Europe.

The map now looks like this: AI-powered enforcement in France capable of detecting verbal mentions in video. AGCOM broadcast-standard regulation in Italy for all high-reach creators. The DMCCA and a 10% global turnover penalty ceiling in the UK. An enacted Ferragni Law. A fully operational FTC Consumer Reviews Rule. A Digital Fairness Act due in the next quarter that will extend mandatory obligations across all 27 member states simultaneously.

The brands that treated this as a 2027 problem are now managing a 2026 reality.

Germany will produce the most commercially damaging enforcement action of 2026 — not because it has the highest fines, but because its enforcement mechanism is the fastest and most commercially targeted in Europe. When a competitor brand brings a UWG action for disclosure failure, it does not need a regulator's timetable. It needs a non-compliant post and a lawyer.

The Digital Fairness Act, when it arrives, will change the landscape again. It will introduce EU-wide creator marketing obligations that exceed current national standards across all 27 member states simultaneously. The consultation showed strong support. The direction is clear. The brands preparing for it now will have implementation time. The brands that wait for the final law will not.

Two and a half years of incidents, regulatory developments, and emerging risk categories point toward the same conclusion: the signals are visible before the incidents occur. The public records are searchable. The community behaviour is observable. The regulatory direction is clear. The brands that act on the signals — systematically, across their full portfolio, before the incident rather than after — are the ones that never needed a morality clause.

REQUEST A PORTFOLIO AUDIT

Signal Intelligence provides independent creator risk assessment and portfolio audits across all major markets. Thirty issues of incident data, regulatory tracking, and risk analysis have established the categories, the signals, and the patterns. If any of it is relevant to your creator programme, the logical next step is a systematic review of your portfolio against that framework. Request a portfolio audit at signalintelligence.consulting.