



August 19, 2025

Chairman Andrew Ferguson and Commissioners Melissa Holyoak and Mark Meador
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Request by Child Safety Advocates for the FTC to Investigate Apple's Deceptive and Unfair App Store Practices, Violations of COPPA, and the 2014 FTC Consent Decree

Via E-Mail

Dear Chairman Ferguson and Commissioners Holyoak and Meador:

We first want to thank you for hosting the recent FTC "Attention Economy" workshop. Several members of our child safety coalition were honored to participate as panelists. We especially appreciate Chairman Ferguson's leadership and insight when he said:

"We...don't have to resign ourselves into believing 'this is how it's always been'—meaning as we get older, we should look at social and technological change with resignation or indifference. It hasn't always been this way, and we have a God-given right and duty to question whether it *ought* to be this way."

This belief lies at the heart of this complaint. For too long, families have been left powerless as tech companies have exploited vulnerable children. Apple has normalized practices that would never be tolerated in the brick-and-mortar world.

Apple created and designed a system for the delivery of apps that markets harmful products to minors, brokers one-sided contracts between tech companies and vulnerable children, and undermines child safety. FTC oversight and intervention to protect vulnerable children on smartphones and in app stores is long overdue.

We are grateful for your time and attention in reviewing this complaint. Our coalition includes some of the nation's most qualified and trusted child safety experts, including the Digital Childhood Institute, Digital Childhood Alliance, the National Center on Sexual Exploitation, Protect Young Eyes, the Institute for Family Studies, the Ethics and Public Policy Center, Family Policy Alliance, and the Digital Progress Institute.

The Digital Childhood Institute (DCI) is a 501(c)3 nonprofit research and education organization founded by longtime child safety advocates, parents, and strategists. With over 40 years of combined experience, we've led efforts to expose online exploitation, shape public awareness, and advance transformative change. Our leadership has been working on app store accountability issues for nearly a decade. We can provide detailed evidence, expert testimony, and additional documentation upon request.

We will provide a brief background to contextualize this complaint, followed by five accounts of core violations that we urge the Commission to address. Each of these violations reflects a pattern of conduct by Apple that causes substantial, continuing harm to children and families.

We appreciate your consideration and stand ready to support your investigation.

Respectfully,

Digital Childhood Institute
DigitalChildhoodInstitute.org

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I. Background

For almost a decade, we have tried to notify Apple of safety issues and work with the company to improve its child protections. What follows is a summary of our efforts, nearly all of which Apple has ignored or dismissed.

A. Evidence Of Apple's Knowing Deception To Consumers Since At Least 2018

In 2018, child advocates joined together as a coalition to address the wildly misleading nature of the App Store's age ratings. We engaged the media¹ and started the nationwide #FixAppRatings campaign.²

In 2019, we met with Senator Mike Lee and asked him to hold a congressional hearing to address deceptive app ratings and broken parental controls. Our meeting directly led to a Senate Judiciary Committee hearing titled “Protecting Innocence in a Digital World,” during which Lee and other lawmakers heard how app stores deceptively rate apps and expose children to explicit content, even when teens enter innocent search terms.³

In that hearing, child safety expert Chris McKenna, CEO of Protect Young Eyes, testified that apps like Instagram and Snapchat, rated 12+ in the App Store, routinely expose minors to sexual predators, pornography, and criminal content, with no warning to parents. He explained that within one week of creating a fake 12-year-old girl's Instagram account, his team received dozens of graphic messages from adult men.

He also testified that Snapchat allows teens to access Pornhub content through hidden backdoors, and that it gave a Coors beer ad to a 13-year-old user despite supposed “age gating.” McKenna warned the Committee that current app ratings are not only broken, but also give parents a false sense of security – and without an independent, accountable ratings system, millions of children remain exposed to preventable harm.⁴ This Congressional Hearing was covered by multiple media sources.⁵

¹ Dan Rascon, “‘Honestly, It Terrifies Me’ Teen-Related Apps May Actually Contain X-Rated Material,” KUTV, February 15, 2019, <https://kutv.com/news/local/honestly-it-terrifies-me-teen-related-apps-may-actually-contain-x-rated-material>.

² “#FixAppRatings | a Movement to Create Safer Digital Places for Kids,” #FixAppRatings, July 12, 2021, <https://fixappratings.com/>; “Fixappratings | Caledonia MI,” Facebook.com, 2022, <https://www.facebook.com/fixappratings/>.

³ “Protecting Innocence in a Digital World | United States Senate Committee on the Judiciary,” Senate.gov, July 9, 2019, <https://www.judiciary.senate.gov/committee-activity/hearings/protecting-innocence-in-a-digital-world>.

⁴ Christopher Makenna, “Senate Committee on the Judiciary ‘Protecting Innocence in a Digital World’ Testimony of Christopher (Chris) McKenna Founder and CEO, Protect Young Eyes,” U.S. Senate Committee on the Judiciary, July 9, 2019, <https://www.judiciary.senate.gov/imo/media/doc/McKenna%20Testimony.pdf>.

⁵ Gretchen Willard, “Campaign for App Ratings Heading to Senate,” KSLTV.com, July 10, 2019, <https://ksltv.com/local-news/campaign-for-app-ratings-heading-to-senate/417531/>; Em McPhie, “Big Tech and FTC under Attack at Senate Hearing – Broadband Breakfast,” Broadband Breakfast, July 9, 2019, <https://broadbandbreakfast.com/big-tech-and-ftc-under-attack-at-senate-hearing/>.

That same year, we worked with Louisiana to pass a resolution urging Congress to support the #FixAppRatings initiative. The resolution warned that app store ratings, self-assigned by developers, are misleading, inconsistent, and fail to alert parents to serious risks like bullying, grooming, sex trafficking, pornography, glamorized self-harm, and illegal drug sales.⁶

In 2020, we helped Utah pass HJR 9, a resolution similar to Louisiana's. Recognizing that the way devices are designed plays a major role in how kids are exposed to harm, Utah's version called on tech companies to add age-based safety defaults and give parents simple tools to limit app use during school and sleep hours.⁷

In 2021, we worked with Representative (now Speaker) Mike Johnson from Louisiana to introduce a congressional version of these state-level resolutions.⁸ When Representative Johnson announced the resolution on October 19, 2021, he stated:

“For too long, apps have been allowed to serve as hubs for bullying, sexually explicit material, and other forms of content that jeopardize children’s safety, self-image, and overall well-being. It’s time for Big Tech to be held to the same standards of transparency as other forms of media so parents can better protect children from dangerous content.”⁹

That same year our team again prepped Senator Lee’s team to question tech executives about the accuracy of their age ratings. He questioned YouTube executive Leslie Miller about why their app was rated 17+ in the Apple App Store and “Teen” in the Google Play Store. She claimed that she was “unfamiliar” with the differences and said she would have to follow up later.¹⁰ Senator Lee then asked Snapchat executive Jennifer Stout why their app is rated 12+ despite recommending stories to children about porn stars and bar culture. She responded by claiming she was “unclear” on why that content would show up on an account meant for a teen.¹¹

⁶ Senator Beth Mizell, Senator Barrow Peacock, and Representative Bodi White, “Senate Concurrent Resolution No. 36” (2019), <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1135721>.

⁷ Rep. Susan Pulsipher and Sen. Todd Weiler, “H.J.R. 9 Joint Resolution Calling for an Application Ratings Board for Internet Ready Devices” (2020), <https://le.utah.gov/~2020/bills/static/HJR009.html>.

⁸ Rep. Mike Johnson, “H.Res.721 - Calling for the Establishment of an App Ratings Board to Enforce Consistent and Accurate Age and Content Ratings of Apps on Internet-Ready Devices and Calling on Technology Companies to Ensure the Implementation of User-Friendly and Streamlined Parental Controls on Devices Used by Minors.” (2019), <https://www.congress.gov/bill/116th-congress/house-resolution/721?r=9&s=1>.

⁹ “Representatives Johnson, Dingell Introduce Bipartisan Proposal to Protect Children from Dangerous App Content,” U.S. Congressman Mike Johnson, October 15, 2021, <https://mikejohnson.house.gov/news/documentsingle.aspx?DocumentID=983>.

¹⁰ Forbes Breaking News, “‘Wildly Inappropriate for a Child’: Lee Presses Snapchat Executive on Suitability of Their App,” YouTube, October 26, 2021, <https://www.youtube.com/watch?v=36nyxOYySjg>.

¹¹ Art Raymond, Associated Press, “Utah Sen. Mike Lee Set a Trap for Snapchat. What Happened Next?,” Deseret News, October 26, 2021, <https://www.deseret.com/utah/2021/10/26/22747081/utah-senator-mike-lee-set-trap-snapchat-what-happened-next-tiktok-youtube-senate-hearing/>.

In January 2023, Protect Young Eyes reported that YouTube’s age rating in the Apple App Store had quietly been downgraded from 17+ to 12+ without any clear justification. The app’s content, parental controls, and marketing remained unchanged, raising serious concerns about Apple’s decision. This change disrupted parental controls for families relying on the 17+ block to restrict access, and it sent the message that seventh graders are suddenly deemed ready for all the risks YouTube poses.¹²

In addition to these listed efforts, we wrote multiple letters to Apple,¹³ launched a new national movement called #Default2Safety,¹⁴ and introduced the Children’s Device Protection Act in multiple states.¹⁵ Apple was also named to the National Center on Sexual Exploitation’s Dirty Dozen list for two consecutive years, in 2023 and 2024.¹⁶

Recognizing that no amount of pressure or moral exhortation appeared to convince Apple to act, our coalition spent almost two years developing the App Store Accountability Act (ASAA), drawing on input from dozens of child safety advocates and legal experts, to require what Apple refused to do voluntarily.

In 2025, ASAA was introduced in Utah and passed with near-unanimous support.¹⁷ The bill has since passed in Texas¹⁸ and Louisiana,¹⁹ and has been introduced federally.²⁰ The ASAA was born out of the frustration of child safety advocates who had exhausted all other options.

Midway through the legislative session in Utah, when it became clear the bill would pass, Apple requested a meeting with the bill’s sponsor. During that meeting, Apple urged him to abandon the bill and instead support its own weaker solution, which stripped out key protections and

¹² Protect Young Eyes, “As of last week, YouTube is now rated 12+ in the Apple App Store. We broke the story yesterday. It has been rated age 17+ since 2015 and we’re not sure what changed: YouTube’s content didn’t change. Its controls didn’t change. Its marketing tactics didn’t change.” Facebook, January 3, 2023.

https://www.facebook.com/story.php?story_fbid=3426143274287943&id=1625396981029257&_rdr

¹³ Appendix B and Appendix C

¹⁴ Lina Nealon, “Big Tech Must Default to Safety,” NCOSE, July 8, 2021,

<https://endsexualexploitation.org/articles/big-tech-should-default2safety/>.

¹⁵ Sen. Tedd Weiler and Rep. Susan Pulsipher, “Children’s Device Protection Act” (2024),

<https://le.utah.gov/~2024/bills/static/SB0104.html>.

¹⁶ “Apple’s Record Is Rotten When It Comes to Child Protection,” National Center on Sexual Exploitation, n.d.,

<https://endsexualexploitation.org/apple/>.

¹⁷ Sen. Todd Weiler and Rep. James Dunnigan, “App Store Accountability Act,” Pub. L. No. S.B. 142 (2025),

<https://le.utah.gov/~2025/bills/static/SB0142.html>.

¹⁸ Sen. Angela Paxton et al., “An Act Relating to the Regulation of Platforms for the Sale and Distribution of Software Applications for Mobile Devices,” Pub. L. No. S.B. 2420 (2025),

<https://legiscan.com/TX/sponsors/SB2420/2025>.

¹⁹ Rep. Kim Carver, “Commercial Regulations: Provides Relative to Minors Use of Applications,” Pub. L. No. H.B. 570 (2025), <https://www.legis.la.gov/Legis/BillInfo.aspx?i=248616>.

²⁰ “Lee Introduces Bill to Protect Children Online, Hold App Stores Accountable,” Mike Lee US Senator for Utah, May 2025, <https://www.lee.senate.gov/2025/5/lee-introduces-bill-to-protect-children-online-hold-app-stores-accountable>.

eliminated meaningful accountability. When the sponsor refused, Apple announced the release of the proposed safety fixes anyway, many of which it had resisted implementing for years.²¹

We appreciate that Apple finally made a few safety changes after realizing it could not defeat legislation that would ultimately hold it accountable. At the end of the day, however, Apple's changes are insufficient.²² Its "safety updates" are in part cosmetic. They do not address the core systems Apple built and continues to protect through aggressive state and federal lobbying.²³ These systems continue to deceive families, unfairly collect data from children, and expose minors to harm.

The new app age ratings still largely rely on developer self-declaration of risks,²⁴ and children 13+ are still considered digital adults that can independently enter contracts.²⁵ Most developers remain unaware of a user's true age at the time of download, making it nearly impossible to apply appropriate safety defaults or comply with legal obligations under COPPA and contract law.²⁶ Apple goes just far enough to create the appearance of safety, without implementing the concrete protections needed to prevent harm. Families remain uninformed, developers lack critical age data, and children are left unprotected.²⁷

B. Apple Plays a Central Role in Child Online Harms

Apple has created and facilitates a one-stop shop for what our children see and do online. Indeed, children spend an average of 7.5 hours per day using screens,²⁸ and 88 percent of American teenagers own an iPhone.²⁹ When teens use their smartphones, the overwhelming majority of their time is spent in apps. Some studies estimate that as much as 90 percent of smartphone usage is devoted to apps, with only about 10 percent spent on web browsing.³⁰ The average teen uses

²¹ Apple, "Helping Protect Kids Online," 2025, <https://developer.apple.com/support/downloads/Helping-Protect-Kids-Online-2025.pdf>.

²² Melissa McKay et al., "Perspective: Apple's New Protections for Kids Don't Go Far Enough," Deseret News, March 4, 2025, <https://www.deseret.com/opinion/2025/03/04/apple-child-safety-features/>.

²³ Rolfe Winkler, Amrith Ramkumar, and Meghan Bobrowsky, "Exclusive | Apple CEO Tim Cook Called Texas Governor to Stop Online Child-Safety Legislation," WSJ (The Wall Street Journal), May 23, 2025, <https://www.wsj.com/tech/tim-cook-called-texas-governor-to-stop-online-child-safety-legislation-22858ad4>.

²⁴ Apple Developer, "Updated Age Ratings in App Store Connect," Apple, July 24, 2025, <https://developer.apple.com/news/?id=ks775ehf>.

²⁵ Apple, "Apple Expands Tools to Help Parents Protect Kids and Teens Online," Apple Newsroom, June 11, 2025, <https://www.apple.com/newsroom/2025/06/apple-expands-tools-to-help-parents-protect-kids-and-teens-online/>.

²⁶ Apple, "Apple Expands Tools to Help Parents."

²⁷ Digital Childhood Alliance, "Apple's Faux 'Safety Solution,'" n.d., <https://www.digitalchildhoodalliance.org/wp-content/uploads/2025/03/Apples-Faux-Safety-Solution.pdf>.

²⁸ AACAP, "Screen Time and Children," American Academy of Child and Adolescent Psychiatry, May 2024, https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Children-And-Watching-TV-054.aspx.

²⁹ Piper Sandler, "Taking Stock with Teens | Piper Sandler," www.pipersandler.com, 2022, <https://www.pipersandler.com/teens>.

³⁰ Andrew Buck, "People Spent 90% of Their Mobile Time Using Apps in 2021," MobiLoud, January 30, 2018, <https://www.mobiloud.com/blog/mobile-apps-vs-mobile-websites>.

around 40 apps on their phone each week and receives approximately 240 app notifications each day.³¹ Some teens use up to 125 different apps per week.³² Apple markets almost 2 million apps in its App Store.³³

Apple’s App Store is far and away the single largest distributor of children’s online experiences in the United States. Apple distributes the vast majority of apps used by children and teens and controls the very marketplace through which those apps are accessed. Apple’s marketplace is designed to enhance profits, not to protect children. As will be shown later, no other private entity has more control over what children access online, and no other company has more knowledge about which users are vulnerable minors at the time of download than Apple.

Numerous studies have described the harms that children suffer from apps and smartphone usage, including increased anxiety, depression, eating disorders, suicidal thoughts, early exposure to pornography, sleep disorders, and contact with child predators.³⁴ Worse, Apple delivers many of these features and content far outside the scope of parents’ purview.

Addictive mobile phone use is the most prevalent form of problematic screen-based behavior among teens. A recent study found that “almost 1 in 2 youths had a high addictive use trajectory for mobile phones.”³⁵ The smartphone’s constant accessibility and minimal friction between user and app create the perfect conditions for compulsive engagement. As the central delivery system for digital life, the smartphone does more than enable risk: it amplifies risk across platforms.

A July 2025 study found that children, especially girls, experience significantly worse mental health outcomes when they own a smartphone before age 13. Young adults who first used a smartphone at age 5 or 6 were far more likely to report suicidal thoughts, aggression, and hallucinations. Among females, the rate of severe suicidal thoughts nearly doubled, from 28

³¹ Beata Mostafavi, “Study: Average Teen Received More than 200 App Notifications a Day | Michigan Medicine,” [www.michiganmedicine.org](https://www.michiganmedicine.org/health-lab/study-average-teen-received-more-200-app-notifications-day), September 26, 2023, <https://www.michiganmedicine.org/health-lab/study-average-teen-received-more-200-app-notifications-day>.

³² Mostafavi, “Study: Average Teen,” <https://www.michiganmedicine.org/health-lab/study-average-teen-received-more-200-app-notifications-day>.

³³ Apple, “2024 App Store Transparency Report,” 2024, <https://www.apple.com/legal/more-resources/docs/2024-App-Store-Transparency-Report.pdf>.

³⁴ Jon Haidt, “The Teen Mental Illness Epidemic Began around 2012,” [www.afterbabel.com](https://www.afterbabel.com/p/the-teen-mental-illness-epidemic), February 8, 2023, <https://www.afterbabel.com/p/the-teen-mental-illness-epidemic>; Elia Abi-Jaoude, Karline Treurnicht Naylor, and Antonio Pignatiello, “Smartphones, Social Media Use and Youth Mental Health,” *Canadian Medical Association Journal* 192, no. 6 (February 10, 2020): E136–41, <https://doi.org/10.1503/cmaj.190434>; Adventist Health, “How Screen Time Affects Teens: Mental Health & Depression,” www.adventisthealth.org, August 4, 2023, <https://www.adventisthealth.org/blog/2023/august/how-screen-time-affects-teens-mental-health-and-/>; Denis Storey, “Chronic Smartphone Use Linked to Teen Anxiety, Depression, and Insomnia,” [Psychiatrist.com](https://www.psychiatrist.com/news/chronic-smartphone-use-linked-to-teen-anxiety-depression-and-insomnia/), August 7, 2024, <https://www.psychiatrist.com/news/chronic-smartphone-use-linked-to-teen-anxiety-depression-and-insomnia/>; Jonathan Haidt, *The Anxious Generation: How the Great Rewiring of Childhood Is Causing an Epidemic of Mental Illness* (2024).

³⁵ Yunyu Xiao et al., “Addictive Screen Use Trajectories and Suicidal Behaviors, Suicidal Ideation, and Mental Health in US Youths,” *JAMA* 334, no. 3 (2025), <https://doi.org/10.1001/jama.2025.7829>.

percent to 48 percent. Early smartphone ownership was also linked to reduced self-worth and emotional resilience in girls, and to diminished empathy, calmness, and confidence in boys.³⁶

Mental health risks linked to early smartphone ownership are not driven by social media alone. While age of first social media use explains about 40 percent of the overall association, other harms, including disrupted sleep and poor family relationships stem directly from smartphone access alone. For example, only 19 percent of sleep disruptions are tied to social media, suggesting that gaming, video streaming, and other phone-based activities are key drivers of harm. The findings make clear that the phone as a device, not just specific apps, exposes children to a broad range of developmental risks when introduced too early.³⁷

Apple is not a neutral platform in the digital lives of children. It actively enables harm by promoting and distributing unsafe apps, misrepresenting their risks, and withholding critical age information, all while marketing its App Store as a safe and trusted space for families.³⁸

C. Apple's App Store and Market Power

Apple's market capitalization exceeds \$3 trillion.³⁹ One of the main sources of Apple's profits is its App Store, which generated \$10 billion in profit in 2024 alone.⁴⁰ The Department of Justice sued Apple for having monopoly power in smartphone sales, alleging a relevant market share greater than 65 percent.⁴¹

Apple has leveraged its extraordinary market power to control every aspect of the app economy. Apple maintains almost exclusive control over the developer's relationship with their customers, which makes developers further reliant on Apple and its services. Apple's developer guidelines—which are contractual terms—require all developers to run every aspect of their business by it first.⁴²

³⁶ Tara C. Thiagarajan, Jennifer Jane Newson, and Shailender Swaminathan, "Protecting the Developing Mind in a Digital Age: A Global Policy Imperative," *Journal of Human Development and Capabilities* 26, no. 3 (July 20, 2025): 493–504, <https://doi.org/10.1080/19452829.2025.2518313>.

³⁷ Thiagarajan, et al., "Protecting the Developing Mind," 493–504.

³⁸ "Families," Apple, n.d., <https://www.apple.com/families/>.

³⁹ CompaniesMarketCap, "Apple (AAPL) - Market Capitalization," companiesmarketcap.com, August 2025, <https://companiesmarketcap.com/apple/marketcap/>.

⁴⁰ Sarah Perez, "Appfigures: Apple Made over \$10B from US App Store Commissions Last Year | TechCrunch," TechCrunch, May 8, 2025, <https://techcrunch.com/2025/05/08/appfigures-apple-made-over-10b-from-us-app-store-commissions-last-year/>.

⁴¹ Compl., *United States, et al. v. Apple, Inc.*, Docket No. C-2:24-cv-04055 (May 21, 2024 D. NJ) <https://www.justice.gov/archives/opa/media/1344546/dl?inline>.

⁴² Compl., *United States, et al. v. Apple, Inc.*, Docket No. C-2:24-cv-04055 (May 21, 2024 D. NJ) <https://www.justice.gov/archives/opa/media/1344546/dl?inline>.

The Ninth Circuit found that “Developers can distribute their apps to iOS devices *only through the App Store* and *after Apple has reviewed* an app to ensure that it meets certain security, privacy, content, and reliability requirements.”⁴³

Apple designed the app marketplace so that Apple’s App Store is “the only place where iPhone owners may lawfully buy apps.”⁴⁴ The Supreme Court described a company in Apple’s position as a “bottleneck monopolist or monopsonist,” which applies to Apple due to its monopoly power over how app developers sell their product through its store.⁴⁵

Given the size of Apple’s app marketplace, even seemingly small deceptive claims or unfair practices can cause serious harm to children. As detailed throughout this complaint, Apple’s violations are significant.

As the only conduit by which app producers market their products to iPhone users, Apple can take a large percentage of each app sale or in-app purchase, typically 30 percent.⁴⁶ This model provides developers with access to an enormous market but also takes a significant portion of their revenue. The percentage-based commissions directly link Apple’s revenue with that of the developers, creating economic incentives for Apple to reduce its oversight and tolerate developers’ harmful practices.⁴⁷

Because Apple owns the devices on which its App Store operates, such as the iPhone and iPad, it has significant knowledge about each user before any app is downloaded. Most importantly for the purposes of FTC oversight, Apple knows whether a user is an adult, a teen, or a child under 13.

Every Apple ID requires a date of birth. When a user identifies as under 13, Apple requires that the account be connected to a parent or guardian through Family Sharing.⁴⁸ To set up Family Sharing, Apple requires the account organizer to enter a valid credit card on file.⁴⁹ This verification allows Apple to confirm that the person attesting to the child’s age and providing consent is legally an adult.

⁴³ *Epic Games, Inc. v. Apple* No. 21-16506 (9th Cir. 2023).

⁴⁴ *Apple, Inc. v. Pepper*, 139 S. Ct. 1514 (2019).

⁴⁵ *Apple, Inc. v. Pepper*, 139 S. Ct. 1514.

⁴⁶ Laura Ceci, “Revenue Split for App Stores Worldwide 2024,” Statista, October 8, 2024, <https://www.statista.com/statistics/975776/revenue-split-leading-digital-content-store-worldwide/>.

⁴⁷ Francine Lafontaine and Margaret E. Slade, “Inter-Firm Contracts: Evidence,” *Economics.ubc.ca* (Journal of Economic Literature, April 2010), https://economics.ubc.ca/wp-content/uploads/sites/38/2013/05/pdf_paper_margaret-slade-interfirm-contract.pdf.

⁴⁸ “Family Sharing Overview for Kids and Teens - Apple Support,” Apple Support, May 13, 2024, <https://support.apple.com/en-us/119854>.

⁴⁹ “Set up Family Sharing - Apple Support,” Apple Support, September 16, 2024, <https://support.apple.com/en-us/108380>.

As a bottleneck monopsonist, Apple has the power to require developers to sign its standard contract, called the Apple Developer Program License Agreement (ADPLA). Through the ADPLA, Apple prevents developers from establishing a direct relationship with the customer, ensuring that the commercial relationship flows through Apple.

For example, the ADPLA prohibits developers from providing refunds to customers, allowing only Apple to do so.⁵⁰ Developers have sued Apple for limiting their ability to communicate with the users of their apps.⁵¹

Apple has positioned itself as the only party capable of ensuring at the moment of download that minors are not given access to content that may be restricted by law, such as obscenity, unlawful gambling, or sexually explicit material deemed harmful to minors, or to apps that require age-based restrictions under their own terms of service, such as dating apps.

Additionally, Apple has shifted responsibility for consent mechanisms and user monitoring away from app developers and into its own app store ecosystem. For example, Apple's App Tracking Transparency (ATT) feature⁵² requires developers to obtain user permission through Apple's interface before tracking user activity. While ATT was promoted as a tool to enhance transparency around app tracking on Apple devices, it also centralizes control. In practice, developers must go through Apple not only to verify user ages, but also to detect and respond to illegal activity on their platforms such as botnet attacks, sex trafficking, or child exploitation. Apple effectively acts as a gatekeeper, approving or mediating nearly every interaction between developers and iOS users.

II. Core Violations

This complaint urges the Commission to investigate five core violations, each stemming from Apple's deliberate design of an app marketplace that extracts profit from children while evading accountability:

1. **Knowingly Marketing Harmful or Age-Restricted Apps as Safe for Kids:** Apple falsely advertises and distributes apps with adult, violent, and sexually explicit content as safe for minors. It also approves lower age ratings than those required by the apps' own terms of service or privacy policies. It does so despite knowing that the age ratings are inaccurate, misleading, and directly expose children to serious harm. Apple controls and approves the app age ratings, amplifies and monetizes apps with known false ratings, and profits from every in-app purchase. This conduct violates Section 5 of the FTC Act.

⁵⁰ Apple Inc., "Apple Developer Program License Agreement - Agreements and Guidelines - Support," Apple Developer, Section 3.4 <https://developer.apple.com/support/terms/apple-developer-program-license-agreement/>.

⁵¹ Kamya Pandey, "Developers Sue Apple for App Store Commission Violations," MediaNama, May 7, 2025, <https://www.medianama.com/2025/05/223-developers-sue-apple-billions-app-store-commissions/>.

⁵² Seb Joseph, "The Rundown: Apple's ATT Privacy Crackdown, a Year On," Digiday, April 26, 2022, <https://digiday.com/marketing/the-rundown-apples-att-privacy-crackdown-a-year-on/>.

2. **Other Deceptive Safety Claims and the Failure of Apple’s Parental Controls:** Apple markets its App Store as a safe environment for children, with curated content, reliable age ratings, and effective parental controls. These claims are misleading. Apple’s rating system produces deceptive results; the parental controls often have bugs or are easily bypassed; and Apple has a history of blocking more effective third-party safety tools while promoting its own flawed system. Together, these practices give families a false sense of security and constitute deceptive conduct under Section 5 of the FTC Act.
3. **Unfair Trade Practices Involving Exploitative Contracting with Minors:** Apple knowingly facilitates unfair digital contracts between vulnerable children and app developers. These clickwrap agreements (or contractual terms of service) that a minor is obligated to agree to as part of the download contain arbitration clauses and exploitive data licenses that allow the developer access to highly sensitive information such as the minor’s location data, contact lists, photos, camera, and microphone.⁵³ Apple facilitates a user’s entry into such contracts even when it knows the user is a minor and not legally permitted to enter into such complex, binding contracts. Further, Apple often excludes parents from this contracting process, giving parents no reasonable opportunity to protect their vulnerable children from such one-sided contracts with powerful tech companies. Apple’s conduct is unfair under Section 5 of the FTC Act.
4. **Widespread Violations of the Children’s Online Privacy Protections Act (COPPA):** Apple knowingly enables app developers to collect personal data from children under 13 without parental consent.⁵⁴ Apple has actual knowledge of the user’s age, yet withholds this information from developers, granting them plausible deniability while facilitating unlawful data extraction. Apple also conditions a child’s participation in its data collection regime by offering so-called “freemium” gaming apps. This conduct violates COPPA and constitutes both unfair and deceptive practices in violation of 16 CFR §312.9 and Section 5 of the FTC Act.
5. **Violation of the 2014 FTC Consent Decree on In-App Purchases:** Apple continues to bill accounts for in-app purchases made by minors without obtaining express, informed parental consent, as required by the 2014 FTC consent decree.⁵⁵ This is a direct violation of a federal order. Apple allows parents to disable consent tools like “Ask to Buy,” even for very young children, including preschool-aged children, and does not require users over the age of 13 to be linked to a parent account to allow for parental consent.

⁵³ Sherrod Degrippo, “Understanding the Information TikTok Gathers and Stores | Proofpoint US,” Proofpoint, January 8, 2020, <https://www.proofpoint.com/us/blog/threat-protection/understanding-information-tiktok-gathers-and-stores>.

⁵⁴ Federal Trade Commission, “Google and YouTube Will Pay Record \$170 Million for Alleged Violations of Children’s Privacy Law,” Federal Trade Commission, September 4, 2019, <https://www.ftc.gov/news-events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrens-privacy-law>.

⁵⁵ Compl., *FTC v. Apple Inc.*, FTC Docket No. C-112-3108 <https://www.ftc.gov/sites/default/files/documents/cases/140115applecmpt.pdf>.

We respectfully urge the Commission to investigate Apple’s conduct under its authority in Section 5 of the FTC Act, COPPA, and the 2014 consent decree governing in-app purchases. Children and families deserve a digital marketplace grounded in transparency, accountability, and meaningful safeguards.

A. Knowingly Marketing Harmful or Age-Restricted Apps as Safe for Kids

The ADPLA empowers Apple to act as the developer’s agent in “marketing” their apps.⁵⁶ Through the ADPLA, developers can pay Apple to have their apps featured and marketed.⁵⁷ The ADPLA also gives Apple the final say on any age rating advertised in its store.⁵⁸

The contract states:

“Furthermore, You authorize Apple to correct the rating of any Licensed Application of Yours that has been assigned an incorrect rating; and You agree to any such corrected rating.”

Apple’s rating process relies on a self-reported questionnaire completed by the developer when submitting an app for approval. Investigative news reports indicate that Apple employs only about 500 human moderators to review roughly 100,000 app submissions each week.⁵⁹ This volume allows for an average of just 12 minutes spent reviewing each app, hardly enough time to meaningfully assess safety risks, age appropriateness, or the accuracy of the developer’s content disclosures.

Unlike movies or video games, which use independent review boards to determine whether content includes nudity, violence, or other risks, Apple allows app developers to self-report and decide for themselves whether harmful content is “infrequent and mild” or “frequent and intense.” The system then rewards those who choose the “infrequent/mild” option with a lower age rating, regardless of whether the content poses serious risks to children.

⁵⁶ Apple Inc., “Apple Developer Program License Agreement - Agreements and Guidelines - Support,” Apple Developer, <https://developer.apple.com/support/terms/apple-developer-program-license-agreement/>.

⁵⁷ Apple Inc., “Apple Developer Program License Agreement - Agreements and Guidelines - Support,” Apple Developer, Exhibit C & D, <https://developer.apple.com/support/terms/apple-developer-program-license-agreement/>.

⁵⁸ Apple Inc., “Apple Developer Program License Agreement - Agreements and Guidelines - Support,” Apple Developer, Schedule 2, <https://developer.apple.com/support/terms/apple-developer-program-license-agreement/>.

⁵⁹ Filipe Espósito, “App Store Review Process Has over 500 Human Experts; Less than 1% of Rejections Are Appealed - 9to5Mac,” 9to5Mac, May 7, 2021, <https://9to5mac.com/2021/05/07/app-store-review-process-has-over-500-human-experts-less-than-1-of-rejections-are-appealed/>.

A *TechCrunch* article noted that:

“...apps with ‘Sexual Content or Nudity’ are still allowed – even if you select ‘Frequent/Intense’ in that field. You’ll get a 17+ rating, but your app will still be allowed. However, if you click even ‘Infrequent/Mild’ in the ‘Graphic sexual content and nudity,’ your app is banned.”⁶⁰

This system creates a powerful incentive for developers to downplay or misrepresent app risks in order to reach a broader, younger audience. The app rating system operates more as a liability shield than a safeguard, allowing Apple to profit from youth engagement while deflecting responsibility for the harms that result.⁶¹

Age Rating

Select the level of frequency for each content description that best describes your app. The app's age rating that will appear on the App Store is the same across all platforms.

CONTENT DESCRIPTION	NONE	INFREQUENT/ MILD	FREQUENT/ INTENSE
Cartoon or Fantasy Violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Realistic Violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prolonged Graphic or Sadistic Realistic Violence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profanity or Crude Humor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mature or Suggestive Themes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Horror or Fear Themes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Alcohol, Tobacco, or Drug Use or References	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simulated Gambling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sexual Content or Nudity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Graphic Sexual Content and Nudity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Contests	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

This Apple-published form shows how developers rate their own apps by selecting from various content categories and usage features, generating an automatic age rating, a system that can be easily gamed.⁶²

⁶⁰ MG Siegler, “Here’s How iPhone App Store Ratings Work. Hint: They Don’t. | TechCrunch,” TechCrunch, June 29, 2009, <https://techcrunch.com/2009/06/29/heres-how-iphone-app-store-ratings-work-hint-they-dont/>.

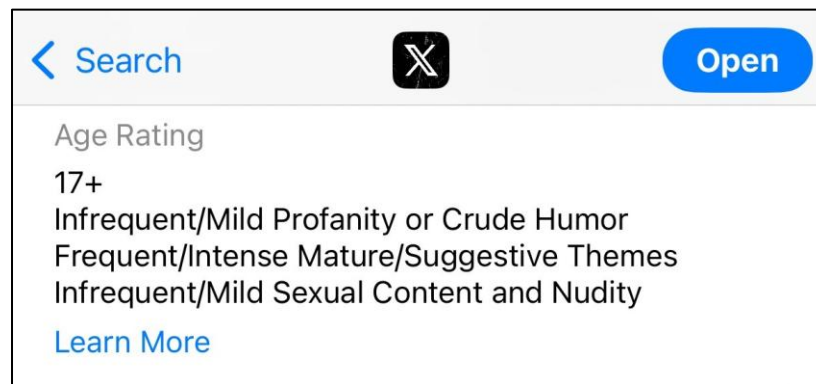
⁶¹ Apple Developer, “Set an App Age Rating - Manage App Information - App Store Connect - Help - Apple Developer,” Apple.com, 2025, <https://developer.apple.com/help/app-store-connect/manage-app-information/set-an-app-age-rating>.

⁶² Apple Developer, “Set an App Age Rating,” <https://developer.apple.com/help/app-store-connect/manage-app-information/set-an-app-age-rating>.

For example, X (formerly Twitter) claims in its App Store listing that the platform contains only “infrequent/mild sexual content and nudity.” Studies have found that, in reality, approximately 13 percent of content on X is “Not Safe for Work,” including pornography, obscene material, and nude videos.⁶³

According to research cited by Australia’s eSafety Commissioner, more teens between the ages of 16 and 18 reported seeing pornography on X than on dedicated adult websites, with 41 percent encountering it on X, compared to 37 percent on pornographic sites.⁶⁴

Australia’s online safety commissioner recently accused Apple and Google of keeping Reddit and X in their app stores because of the revenue they generate, despite both platforms hosting pornography in violation of the company’s own app store policies.⁶⁵



The advertised App Store’s age rating and content descriptors for X misrepresent the nature and frequency of mature content found on the app.

X and Reddit are not the only apps to host pornographic content despite Apple’s own advertised terms of service claiming pornography is not allowed on apps.⁶⁶ Bluesky also openly hosts obscene content while failing to disclose it in the app store age rating or content descriptors.⁶⁷ X, Reddit, and Bluesky all allow users as young as 13 to create accounts.

⁶³ Kieran Press-Reynolds, “A Total of 13% of Twitter Is Not-Safe-For-Work,” Business Insider, October 26, 2022, <https://www.businessinsider.com/nsfw-not-safe-for-work-explicit-content-twitter-growing-internal-2022-10>.

⁶⁴ Josh Taylor, “The Australian Government Wants to Stop Minors Accessing Online Pornography. But How Will the Trial Work?,” *The Guardian*, May 3, 2024, sec. Australia news, <https://www.theguardian.com/australia-news/article/2024/may/03/australia-porn-age-verification-technology-government>.

⁶⁵ Josh Taylor, “Google and Apple Keeping Reddit and X in App Stores despite Pornography due to Revenue, ESafety Boss Says,” *The Guardian* (The Guardian, May 30, 2024), <https://www.theguardian.com/technology/article/2024/may/31/google-and-apple-keeping-reddit-and-x-in-app-stores-despite-pornography-due-to-revenue-esafety-boss-says>.

⁶⁶ Apple, “App Store Review Guidelines - Apple Developer,” Apple.com, September 13, 2024, <https://developer.apple.com/app-store/review/guidelines/>.

⁶⁷ Isobel Asher Hamilton, “Reddit CEO Steve Huffman Stands by the Site’s Porn Policy,” Business Insider, March 2021, <https://www.businessinsider.com/reddit-porn-ceo-steve-huffman-pornography-2021-3>; Jon, “Schedule NSFW

Undisclosed obscene content is just one of many problems with the App Store. In 2022, Apple’s own review team determined that TikTok contained “frequent or intense mature or suggestive content” and should be rated 17+, rather than appropriate for children 12 and older. Apple notified TikTok that the rating was inaccurate, yet neither company took action to correct it.⁶⁸

That same year, 15 state attorneys general were so outraged by Apple’s inaccurate rating of TikTok that they conducted an independent investigation and sent a formal letter demanding that Apple change TikTok’s age rating to 17+.⁶⁹ These events unfolded as widespread public reporting on TikTok’s risks to minors, including allowing the “choking challenge” and other “challenges” to go viral, which resulted in the death of several children and teens.⁷⁰ Over a dozen states have sued TikTok for designing its platform to be addictive and harmful to the mental health of children. The lawsuits accuse TikTok of using manipulative features like autoplay and algorithmic feeds while downplaying the risks to parents.⁷¹

Despite all this evidence, Apple took no substantial action against TikTok and instead continued to prominently feature the app at the top of its advertised “Must-Have” list,⁷² reinforcing the misleading rating and further amplifying its reach to young users.

Even after Congress designated TikTok a national security threat and the Supreme Court allowed legislation addressing that threat to proceed,⁷³ Apple continued to advertise the app as safe for children 12 and older, maintaining its prominent placement in the App Store. TikTok’s 12+ rating, as we have shown, is misleading on the basis of the app’s content and national security risks; but it also conflicts with COPPA compliance and the platform’s own stated minimum age in its terms of service.⁷⁴

Posts on Bluesky (Policy, Labels, More!),” Fedica.com (Tweepsmap, May 30, 2024), <https://fedica.com/blog/schedule-nsfw-bluesky-mastodon/>.

⁶⁸ Cristiano Lima-Strong, “Apple Told TikTok It’s Unfit for Young Teens, New Lawsuit Details Allege,” Washington Post (The Washington Post, October 31, 2024), <https://www.washingtonpost.com/technology/2024/10/31/tiktok-lawsuit-teen-child-safety-apple/>.

⁶⁹ Press Release, Consumer Protection/Scams, “Paxton Demands That Apple and Google Raise TikTok’s Maturity Rating on Application Store Sites,” Texas Attorney General, December 28, 2023, <https://www.texasattorneygeneral.gov/news/releases/paxton-demands-apple-and-google-raise-tiktoks-maturity-rating-application-store-sites>.

⁷⁰ Gigen Mammoser, “Dangerous Social Media ‘Blackout Challenge’ Can Cause Brain Damage, Death in Less than 5 Minutes,” Healthline (Healthline Media, September 9, 2024), <https://www.healthline.com/health-news/tiktok-blackout-challenge>.

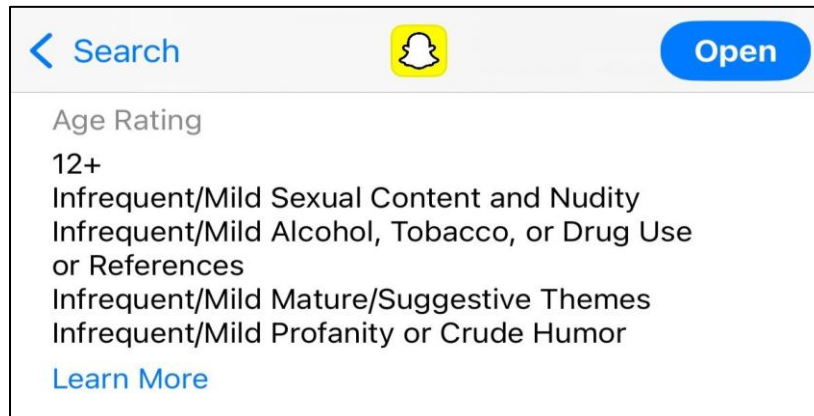
⁷¹ Bobby Allyn, “More than a Dozen States Sue TikTok, Alleging It Harms Kids and Is Designed to Addict Them,” NPR, October 8, 2024, <https://www.npr.org/2024/10/08/g-s1-26823/states-sue-tiktok-child-safety-mental-health>.

⁷² Melissa McKay, X (formerly Twitter) (@Melissa_M818, November 8, 2023), https://x.com/melissa_m818/status/1722284459507224950?s=46.

⁷³ TikTok Inc., Et Al., Petitioners v. Merrick B. Garland, *slip op.*, Nos. 24-656 & 240657 (U.S. Jan. 17, 2025), *Supreme Court of the United States*, https://www.supremecourt.gov/opinions/24pdf/24-656_ca7d.pdf.

⁷⁴ TikTok, “Teen Privacy and Safety Settings | TikTok Help Center,” support.tiktok.com, 2025, <https://support.tiktok.com/en/account-and-privacy/account-privacy-settings/privacy-and-safety-settings-for-users-under-age-18>.

The deception is not limited to TikTok. Apple’s App Store misleads parents about the safety of nearly all major social media apps. In recent years, numerous news reports have, for instance, exposed Snapchat’s problems with drug trafficking,⁷⁵ prostitution,⁷⁶ sexually mature “Discover News stories,”⁷⁷ and sextortion risk.⁷⁸ Yet Apple rates Snapchat as appropriate for children 12 and older, with only vague content warnings that are hidden at the bottom of the App Store listing, where it goes unnoticed by most parents.



The 12+ age rating and muted content descriptors fail to alert parents to the 10,000 reported incidents of sextortion each month, along with other serious risks of Snapchat.⁷⁹

Instagram, which Apple has long marketed as appropriate for children aged 12+, has also become a locus for serious harms to minors, including sextortion.⁸⁰ Numerous studies and investigative reports have highlighted Instagram’s role in exacerbating body image issues, anxiety, and depression, particularly among teen girls.⁸¹ Instagram’s so-called “teen accounts,” which are

⁷⁵ Idil Mussa, “Parents Say Snapchat Makes It Easy for Drug Dealers to Sell to Their Kids,” CBC, February 3, 2025, <https://www.cbc.ca/news/gopublic/snapchat-drug-dealers-youth-1.7442837>.

⁷⁶ NCOSE, “How Stripping, Prostitution, and Sex Trafficking Occurs through Snapchat,” NCOSE, January 31, 2018, <https://endsexualexploitation.org/articles/prostitution-sex-trafficking-occurs-snapchat/>.

⁷⁷ “Protect Young Eyes - Snapchat’s Cosmo after Dark Mode (It’s Porn),” Protectyouneyes.com, 2018, <https://www.protectyouneyes.com/blog-articles/snapchat-introduces-cosmo-after-dark-its-porn>.

⁷⁸ Claire Metz, “Sheriff: Flagler County Man Used Snapchat to Track down Teen,” WESH 2, September 12, 2022, <https://www.wesh.com/article/flagler-county-snapchat-predator/41172189>.

⁷⁹ Chase DiBenedetto, “Snapchat Ignored Sextortion, Child Grooming, New Mexico Lawsuit Alleges,” Mashable, October 2024, <https://mashable.com/article/snapchat-sextortion-grooming-lawsuit>.

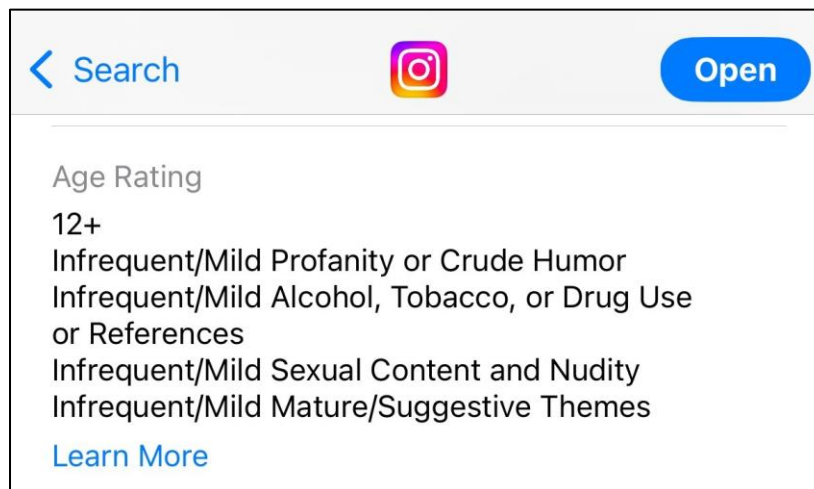
⁸⁰ Tom Lawrence, “British Teenage Boys Are Being Targeted on Snapchat and Instagram by Nigerian ‘Sextortion’ Gangs Posing as Young Women,” Mail Online (Daily Mail, March 20, 2025), <https://www.dailymail.co.uk/news/article-14517575/boys-Snapchat-Instagram-Nigerian-sextortion.html>.

⁸¹ James Vincent, “Instagram Internal Research: ‘We Make Body Image Issues Worse for One in Three Teen Girls,’” The Verge, September 15, 2021, <https://www.theverge.com/2021/9/15/22675130/facebook-instagram-teens-mental-health-damage-internal-research>.

supposed to protect minors from harmful content, were recently found to be at least partially ineffective.⁸²

Meta’s own internal documents from 2021 show that 100,000 children on Instagram and Facebook were sexually harassed each day.⁸³ In 2020, after an Apple executive reported that their 12-year-old child had been sexually solicited on Instagram, a Meta employee warned internally that the incident could lead to Facebook being removed from the App Store, calling it “the kind of thing that pisses Apple off.”⁸⁴

Despite direct knowledge of sexual exploitation and broader harms, Apple took no public action, and Meta’s apps remain rated as safe for pre-teens in the App Store. Teens spend an average of nearly an hour a day on Instagram.⁸⁵



Instagram is still rated 12+ in Apple’s App Store, despite widely documented risks of sextortion, body image harm, and disordered eating.⁸⁶

It is not just social media apps that pose a problem. Gaming apps are also deceptively rated. Roblox, a massively popular game, is rated 12+ for “infrequent or mild cartoon or fantasy

⁸² Geoffrey A Fowler, “Gen Z Users and a Dad Tested Instagram Teen Accounts. Their Feeds Were Shocking,” The Washington Post, May 18, 2025, <https://www.washingtonpost.com/technology/2025/05/18/instagram-teen-accounts-test/>.

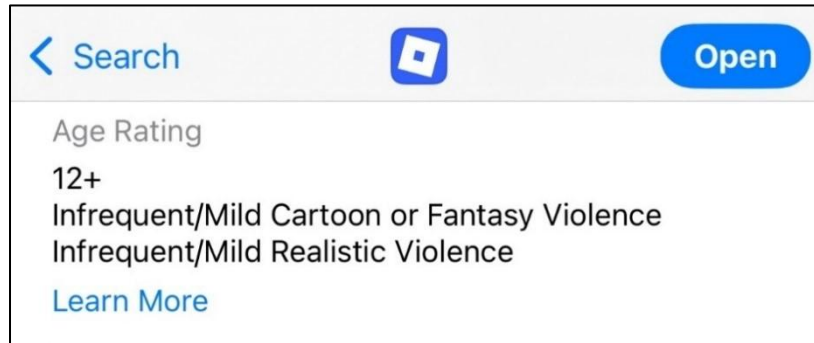
⁸³ Katherine Blunt and Jeff Horwitz, “Children on Instagram and Facebook Were Frequent Targets of Sexual Harassment, State Says,” WSJ (The Wall Street Journal, January 18, 2024), <https://www.wsj.com/tech/children-on-instagram-and-facebook-were-frequent-targets-of-sexual-harassment-state-says-68401b07>.

⁸⁴ Clare Duffy, “Children Targeted with Sexually Explicit Photos on Facebook and Instagram, Lawsuit Claims,” CNN, January 19, 2024, <https://www.cnn.com/2024/01/19/tech/meta-child-exploitation-new-mexico-lawsuit>.

⁸⁵ Brad Adgate, “Gallup: Teens Spend More Time on Social Media than on Homework,” *Forbes*, October 18, 2023, <https://www.forbes.com/sites/bradadgate/2023/10/18/gallup-teens-spend-more-time-on-social-media-than-on-homework/>.

⁸⁶ Kara Alaimo, “Social Media Is Disproportionately Hurting Girls,” Afterbabel.com (After Babel, December 4, 2024), <https://www.afterbabel.com/p/social-media-conversations-with-daughters>.

violence.” Parents using Apple’s parental controls may approve the download based on that rating alone, unaware that the app includes anonymous chat, user-generated pornography, and violent roleplay. Investigators have described Roblox as an “X-rated pedophile hellscape.”⁸⁷



Apple’s 12+ age rating for Roblox fails to disclose the serious risks of grooming, pornography, and violent roleplay that children encounter on the platform.

Apple continues to downplay the risks, likely because children are spending billions inside the app. Roblox generated over \$4.3 billion in bookings in 2024 alone,⁸⁸ much of it from children, and Apple takes a cut of every in-app purchase.

In one recent case, a predator used Roblox’s chat features to groom what he believed was an 11-year-old girl, attempting to arrange an in-person meeting for sexual abuse.⁸⁹ In another case, a 17-year-old male used Roblox to solicit explicit images from multiple children over the course of a year, sometimes coercing them into exploiting their younger siblings.⁹⁰ The harms children face on Roblox cannot be reconciled with Apple’s misleading 12+ age rating and its content disclosures describing only “infrequent cartoon violence.”

Finally, the slew of new AI chatbots often misrate their risks. Just last month, the Grok AI app that Apple sells added a chatbot feature that lets users converse with a cartoon girl named Ani. Users found that Ani soon “engages in sexually explicit conversation.” Her system instructions are to always be “a little horny,” “to be explicit,” and “to initiate most of the time.” She is

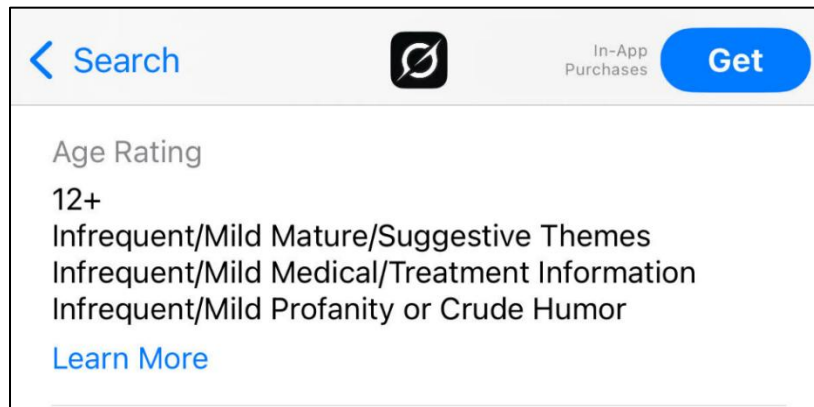
⁸⁷ “Roblox: Inflated Key Metrics for Wall Street and a Pedophile Hellscape for Kids – Hindenburg Research,” Hindenburgresearch.com, October 8, 2024, <https://hindenburgresearch.com/roblox/>.

⁸⁸ Roblox, “Roblox Reports Fourth Quarter and Full Year 2024 Financial Results,” February 6, 2025, https://s27.q4cdn.com/984876518/files/doc_financials/2024/q4/Q4-2024-Press-Release.pdf.

⁸⁹ U.S. Attorney’s Office, Western District of New York, “Fairport Man Who Used Roblox to Attempt to Communicate with Minors for Sex Arrested,” Justice.gov, May 6, 2025, <https://www.justice.gov/usao-wdny/pr/fairport-man-who-used-roblox-attempt-communicate-minors-sex-arrested>.

⁹⁰ Brandon Hogan, “17-Year-Old Arrested in Marion County, Accused of Sexually Exploiting Children on Roblox,” WKMG (WKMG News 6 & ClickOrlando, April 30, 2025), <https://www.clickorlando.com/news/local/2025/04/30/17-year-old-arrested-in-marion-county-accused-of-sexually-exploiting-children-on-roblox/>.

programmed not to be afraid to be erotic and will describe bondage sexual scenes. Even with this addition, Apple rates the Grok AI app as appropriate for children as young as 12.⁹¹



Grok is rated 12+ in Apple’s App Store, even with a chatbot that is designed to be sexually explicit.⁹²

Finally, Apple continues to rate most VPN apps as suitable for children as young as four years old,⁹³ even though these apps are used by minors to bypass legally mandated age-verification systems. In doing so, Apple effectively hands children the tools to undermine the very safeguards meant to protect them, even when parents have set reasonable limits to prevent these risks.

Despite examples like these, Apple’s tagline is “The App Store: A Safe Place for Kids”⁹⁴ and it markets its store as a “curated” platform that users can rely upon to be “safe and trusted.”

In Apple’s own words:

“The App Store is designed to be a safe and trusted place for users around the world to discover and download apps. Apple maintains the safety of the App Store by offering a curated store where every app is reviewed by a member of the App Review team. App submissions are reviewed to help ensure they meet Apple’s high standards for privacy, security, and safety—consistent with the App Review Guidelines.”⁹⁵

⁹¹ Casey Newton, “Grok’s New Porn Companion Is Rated for Kids 12+ in the App Store,” Platformer, July 15, 2025, <https://www.platformer.news/grok-ani-app-store-rating-nsfw-avatar-apple/>.

⁹² Haley McNamara Halverson, “XAI’s 12+ Chatbot Designed to ‘Be Explicit’ and ‘Go Full Literotica,’” NCOSE, July 16, 2025, <https://endsexualexploitation.org/articles/xais-12-chatbot-designed-to-be-explicit-and-go-full-literotica/>.

⁹³ “VPN - Super Unlimited Proxy,” App Store, May 15, 2018, <https://apps.apple.com/us/app/vpn-super-unlimited-proxy/id1370293473>.

⁹⁴ “Families,” Apple.

⁹⁵ “Maintaining a Safe App Store Experience - Apple Support,” Apple Support, May 27, 2025, <https://support.apple.com/en-us/122712>.

The use of the word “curated” is intentional and misleading. It signals to consumers that apps have been carefully selected and reviewed with Apple’s expert oversight, much like a museum employs well-trained and credentialed professionals to thoughtfully choose works of art for public exhibition.

Within its deceptively claimed “safe” app store, the Canadian Centre for Child Protection found that Apple markets kink and hookup apps intended for adult audiences to 11-year-old children.⁹⁶ They also found that Apple readily lets 13-year-old users download kink and Chatroulette-style apps (apps that pair strangers for video chats and are notoriously used for sexual content). Apple brokers those transactions even though the developers state in their terms of service that they will deny access to their apps if they know the user is under 17.⁹⁷

Apple has also repeatedly been warned by independent researchers, journalists, and other child protection experts that its App Store is not “safe” and that its rating and approval system is systemically exposing children to serious harm. Multiple investigations and reports over the past several years have shown that Apple allows dangerous apps to be marketed to minors, often under misleading age ratings or with inadequate content disclosures.

These warnings have not been subtle, infrequent, or speculative. They have been clear, well-documented, and urgent. Yet Apple has failed to take meaningful action, continuing to market itself as a trusted gatekeeper while enabling widespread exposure to inappropriate and harmful content and exploitative experiences.

In 2021, for example, the Tech Transparency Project investigated how loopholes in Apple’s safeguards put children at risk by allowing apps with inappropriate or dangerous content to be easily accessed by underage users.⁹⁸ The Canadian Centre found that both Apple and Google frequently assigned age ratings that failed to capture and warn of the actual risks present in the apps, particularly for platforms containing sexually explicit content, live chat features, or those that enable access to strangers.⁹⁹ The report revealed that app store descriptions frequently omit or downplay safety concerns, making it challenging for parents to make informed decisions. The report concluded that Apple’s self-regulated rating system is fundamentally inadequate and called for greater oversight and accountability to protect children from harm.

The Wall Street Journal released an exposé on Apple’s App Store in December 2024, which found that **1 in 4 apps tested over a 24-hour period were deceptively rated as safe for children** when, in reality, they contained violent or sexual games, anonymous chats, and

⁹⁶ Canadian Centre for Child Protection, “Reviewing the Enforcement of App Age Ratings in Apple’s App Store and Google Play,” 2022, https://content.c3p.ca/pdfs/C3P_AppAgeRatingReport_en.pdf.

⁹⁷ Canadian Centre for Child Protection, “Reviewing the Enforcement,” 2022.

⁹⁸ “TTP - Apple’s App Store Loopholes Put Children at Risk,” Techtransparencyproject.org, August 25, 2021, <https://www.techtransparencyproject.org/articles/apples-app-store-loopholes-put-children-risk>.

⁹⁹ “Resources & Research: Reviewing the Enforcement of App Age Ratings in Apple’s App Store® and Google Play®,” protectchildren.ca, 2019, <https://protectchildren.ca/en/resources-research/app-age-ratings-report/>.

suggestive content.¹⁰⁰ Instances of Apple selling harmful apps to children have been so prevalent over the years that we believe any FTC investigation will undoubtedly show extensive instances where Apple markets and sells apps as safe for teens and children that are inappropriate and harmful to them.

In addition to misrating apps based on content, a high percentage of apps have age ratings that are significantly lower than their own terms of service or privacy policies. For example, many apps rated 4+ or 9+ in Apple's App Store explicitly prohibit use by anyone under 13, or even under 18, in their legal terms.

One recent analysis found that 45 percent of the top 500 grossing apps have App Store age ratings lower than the age required in their terms of service, and 74 percent have ratings lower than their stated privacy policies require.¹⁰¹ When reviewing these statistics, Good Law Project stated that, "These tech giants are refusing to do the right thing and act, simply because it is so lucrative not to do so."¹⁰² The Executive Director of 5Rights, a UK based child safety group, commented how, "It is unfathomable how Apple and Google can so blatantly mislead consumers."¹⁰³

Even under Apple's recently announced "age ratings refresh," which appears to have been rushed out to head off the success of the App Store Accountability Act, no meaningful accountability was included. The so-called improved ratings guidelines provided to developers continue to allow wildly inappropriate material to be labeled as safe for 13- and 16-year-olds, including sexual content, nudity, gambling, drug use, realistic violence, and unrestricted web access. Previously, unrestricted web access was only available to users in the 17 and older age category, but now it is available for 16-year-olds, thus making apps marketed to teens less safe than before the update.¹⁰⁴

¹⁰⁰ Aaron Tilley, "Apple's App Store Puts Kids a Click Away from a Slew of Inappropriate Apps," WSJ (Wall Street Journal, December 22, 2024), <https://www.wsj.com/tech/apples-app-store-puts-kids-a-click-away-from-a-slew-of-inappropriate-apps-dfde01d5>.

¹⁰¹ Mark Sellman, "Four-Year-Olds 'Exploited' by Tech Giants' App Store Age Ratings," Thetimes.com (The Times, June 30, 2025), <https://www.thetimes.com/uk/technology-uk/article/four-year-olds-exploited-by-tech-giants-app-store-age-ratings-6txf0z0zr>.

¹⁰² Sellman, "Four-Year-Olds 'Exploited'," <https://www.thetimes.com/uk/technology-uk/article/four-year-olds-exploited-by-tech-giants-app-store-age-ratings-6txf0z0zr>.

¹⁰³ Sellman, "Four-Year-Olds 'Exploited.'"

¹⁰⁴ Apple, "Helping Protect Kids Online," 2025, <https://developer.apple.com/support/downloads/Helping-Protect-Kids-Online-2025.pdf>.

AGE 13+ YEARS OLD	The app may contain instances of content not suitable for users under 13, including infrequent or mild medical or treatment-focused content, references to alcohol, tobacco, or drug use, sexual content or nudity, realistic violence, or simulated gambling; or frequent or intense contests, profanity or crude humor, horror or fear-themed content, or cartoon or fantasy violence.
AGE 16+ YEARS OLD	The app may contain instances of content not suitable for users under 16, including through unrestricted web access, frequent or intense mature or suggestive content, or medical or treatment-focused content.

Apple’s new “Helping Protect Kids Online” features, announced just weeks before the Utah Legislature passed the App Store Accountability Act, still allow apps to be rated as safe for children 13 and older despite containing mature content, including sexual content, nudity, gambling, drug use, realistic violence, and unrestricted web access.

Apple’s deceptive use of age ratings violates the law. Deceptive practices are those that are likely to mislead a consumer who is acting reasonably under the circumstances.¹⁰⁵ This includes statements that are untrue when made by a store. In *Porter & Dietsch v. FTC*, for example, the Seventh Circuit held that the FTC could hold a retailer liable for false statements about a product

¹⁰⁵ Federal Trade Commission, *FTC Policy Statement on Deception*, October 14, 1983, appended to *Cliffdale Associates, Inc.*, 103 F.T.C. 110 (1984), https://www.ftc.gov/system/files/documents/public_statements/410531/831014deceptionstmt.pdf.

that it sold and advertised, even if the retailer merely republished what the manufacturer claimed about the product and was unaware that the statements were false.¹⁰⁶

The Court held that section 12(a) of the FTC Act imposes a strict liability standard on the dissemination of false advertising, quoting section 12(a) in relevant part: “It shall be unlawful for any person, partnership, or corporation to disseminate, or cause to be disseminated, any false advertisement” It was sufficient for liability that the retailer simply republished, or made available, the manufacturer’s false statements.

Porter & Dietsch applies to this complaint because Apple also operates a store. Like *Porter & Dietsch*, Apple republishes or amplifies false statements about the products it chooses to sell—even worse, Apple controls the rating system and deceptive individual ratings.

An unpublished opinion by the Second Circuit upheld the FTC’s legal view that a company engages in deceptive practices if it permits deceptive advertising when it “has the authority to control the deceptive content at issue,” as well as when it participates in a deceptive scheme.¹⁰⁷ The Second Circuit held that a defendant:

“who knows of another’s deceptive practices and has the authority to control those deceptive acts or practices, but allows the deception to proceed, may be held liable for engaging in a deceptive practice injurious to consumers. This is consistent with the FTC’s longstanding policy that an omission in certain circumstances may constitute a deceptive or unfair practice.”¹⁰⁸

The Court continued:

“a defendant acting with knowledge of deception who either directly participates in that deception or has the authority to control the deceptive practice of another, but allows the deception to proceed, engages, through its own actions, in a deceptive act or practice that causes harm to consumers.”¹⁰⁹

There can be little dispute that Apple knows that numerous age ratings for apps it chooses to sell are deceitful. Apple sets the ratings. And there can be no dispute that Apple has the market power, as well as the contractual ability through the ADPLA, to correct the deceptions.

¹⁰⁶ *Porter & Deitsch v. FTC*, 605 F.2d 294, 308-09 (7th Cir. 2019).

¹⁰⁷ *FTC v. LeadClick Media, LLC*, 15-1009-cv, slip op. at 22 (2d Cir. 2015)
<https://www.ftc.gov/system/files/documents/cases/160923leanspaopinion.pdf>.

¹⁰⁸ *LeadClick Media*, slip op. at 25 (2d Cir. 2015)
<https://www.ftc.gov/system/files/documents/cases/160923leanspaopinion.pdf>.

¹⁰⁹ *LeadClick Media*, slip op. at 27 (2d Cir. 2015)
<https://www.ftc.gov/system/files/documents/cases/160923leanspaopinion.pdf>.

Consumers, especially parents, rely on app age ratings. Studies show that most parents depend on an app's age rating when deciding if it is an appropriate purchase or download for their child.¹¹⁰ Apple may try to avoid liability by portraying itself as merely operating a "mall" or being a passive host for independent developers. The Supreme Court, however, rejected this characterization in *Apple Inc. v. Pepper*, holding that Apple is not simply a platform but the direct seller of all apps in its App Store. As the Court explained, "There is no intermediary in the distribution chain between Apple and the consumer. Apple is a distributor and retailer of apps. It sells them directly to consumers through its App Store."¹¹¹

Apple plays a central role in shaping how apps are marketed and perceived by families. It sets the terms, approves the ratings, controls the storefront, and profits from every download and in-app purchase. As developers have attested in court: "A developer must obtain Apple's approval for its apps and in-app products before [a developer] can sell them in the App Store."¹¹² The company cannot claim to be a neutral distributor while knowingly allowing deceptive age ratings and content descriptors to persist, especially when those ratings enable the sale of apps that expose minors to pornography, sexual exploitation, and other well-documented harms. Apple's conduct is deeply irresponsible, and worse, it is unlawful under the FTC Act.

The FTC has increasingly targeted not just companies making deceptive claims, but also the platforms and tools that facilitate such practices. In 2022, the Commission fined Fashion Nova \$4.2 million for suppressing negative reviews using a third-party system that only published favorable feedback.¹¹³ In 2024, review platform Sitejabber was ordered to stop manipulating ratings by presenting pre-sale data as genuine reviews.¹¹⁴ The FTC also cracked down on the AI tool Rytr for offering fake review generation services.¹¹⁵ These actions culminated in a 2024 rule banning the sale or use of fake reviews, undisclosed endorsements, and deceptive rating

¹¹⁰ "Appropriateness of App Age Restrictions," ProtectKidsOnline.ca, June 10, 2022, https://protectkidsonline.ca/app/en/blog_202206_app_age_rating.

¹¹¹ *Apple Inc v Pepper et al., slip opinion*, No. 17-204 (U.S. Sup. Ct. May 13, 201), delivered by Justice Kavanaugh, *Supreme Court of the United States*, https://www.supremecourt.gov/opinions/18pdf/17-204_bq7d.pdf.

¹¹² Compl., *Cameron v. Apple*, Docket No. 4:19-cv-03074-DMR, (D. CA), p. 13.

¹¹³ "FTC Finalizes Order with Fashion Nova over Allegations It Blocked Negative Reviews," Federal Trade Commission, March 21, 2022, <https://www.ftc.gov/news-events/news/press-releases/2022/03/ftc-finalizes-order-fashion-nova-over-allegations-it-blocked-negative-reviews>.

¹¹⁴ "FTC Order against AI-Enabled Review Platform Sitejabber Will Ensure Consumers Get Truthful and Accurate Reviews," Federal Trade Commission, November 6, 2024, <https://www.ftc.gov/news-events/news/press-releases/2024/11/ftc-order-against-ai-enabled-review-platform-sitejabber-will-ensure-consumers-get-truthful-accurate>.

¹¹⁵ "FTC Approves Final Order against Rytr, Seller of an AI 'Testimonial & Review' Service, for Providing Subscribers with Means to Generate False and Deceptive Reviews," Federal Trade Commission, December 18, 2024, <https://www.ftc.gov/news-events/news/press-releases/2024/12/ftc-approves-final-order-against-rytr-seller-ai-testimonial-review-service-providing-subscribers>.

manipulation,¹¹⁶ making clear that gatekeepers enabling deception will be held accountable alongside direct advertisers.

B. Other Deceptive Safety Claims and the Failure of Apple’s Parental Controls

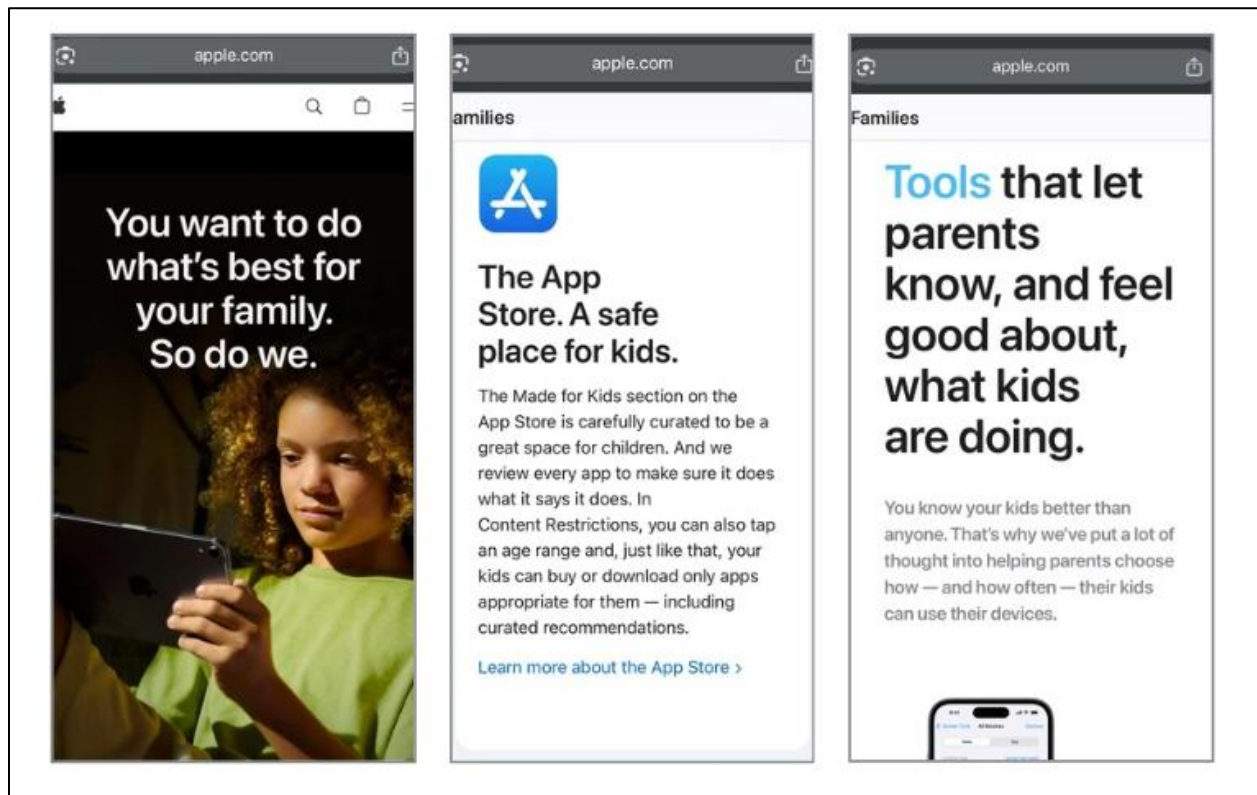
In addition to deceptive app age ratings and content descriptors, Apple’s advertising about its own safety processes and the effectiveness of its parental controls is misleading. Apple falsely markets the amount of vetting it does for apps and the quality control it provides before selecting the apps it presents in its App Store.

Apple also publicly makes the following overarching claims on its website that, based on patterns of corporate behavior stretching several years, are deceptive:¹¹⁷

- *“You want what’s best for your family. So do we.”*
- *“The App Store. A safe place for kids.”*
- *“Tools that let parents know, and feel good about, what kids are doing.”*

¹¹⁶ “Federal Trade Commission Announces Final Rule Banning Fake Reviews and Testimonials,” Federal Trade Commission, August 14, 2024, <https://www.ftc.gov/news-events/news/press-releases/2024/08/federal-trade-commission-announces-final-rule-banning-fake-reviews-testimonials>.

¹¹⁷ “Families,” Apple.



Relatedly, Apple’s failure to disclose the flaws inherent in its own rating system is deceptive. Apple promotes its system as one of the safest in the world. During the Fortnite appeals process, attorneys for Apple claimed that the iOS App Store with its costly human review system was “as safe as a six-point racing harness.”¹¹⁸ But as shown above, its system is deeply flawed.

Even when developers accurately respond to Apple’s content questionnaire, the rating process can still produce misleading results. A social media app may contain only limited adult sexual content overall, but its algorithm can repeatedly push that content to a curious child, making the app far more harmful than the rating suggests.¹¹⁹

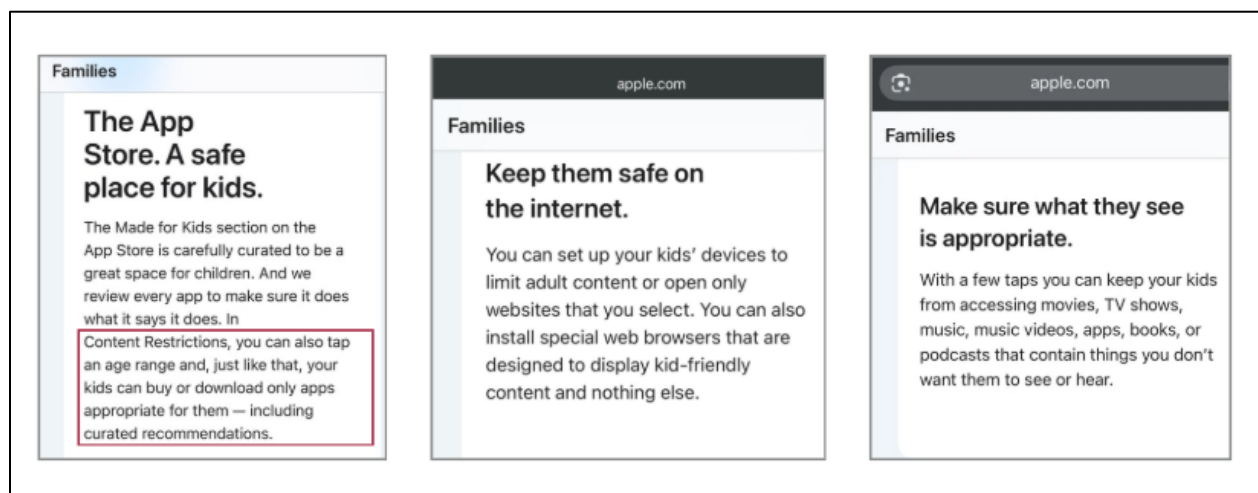
By not asking a set of better-designed questions to match what the parent expects when they see an age rating, such as “What will my child’s app experience be?”, Apple misleads parents into trusting apps they shouldn’t, even when developers have made a good-faith effort to be honest on the rating questionnaire.

¹¹⁸ Kyle Orland, “Epic Strikes Back at Apple’s iOS ‘Security’ Defense in Appeals Court,” Ars Technica, November 15, 2022, <https://arstechnica.com/gaming/2022/11/apple-and-epic-spar-over-security-vs-consumer-choice-in-appeals-court/>.

¹¹⁹ Rob Barry et al., “How TikTok Serves up Sex and Drug Videos to Minors,” WSJ (The Wall Street Journal), September 8, 2021), <https://www.wsj.com/tech/tiktok-algorithm-sex-drugs-minors-11631052944>.

Apple markets its parental controls deceptively. Apple makes the following claims about its parental controls that give parents a false sense of security.¹²⁰

- *“Content Restrictions, you can also tap an age range and, just like that, your kids can buy or download only apps appropriate for them.”*
- *“You can set your kids’ devices to limit adult content.”*
- *“With a few taps you can keep your kids from accessing movies, TV shows, music, music videos, apps, books, or podcasts that contain things you don’t want them to see or hear.”*



Apple attorney Mark Perry publicly boasted that “Apple made the decision to make this the safest, the most secure, the most private computing device that the world has ever known. What is kept out by walled gardens is fraudsters, pornsters, and hackers.”¹²¹

As far back as 2018, Apple claimed it had “always looked out for kids,” adding, “We lead the industry by offering intuitive parental controls built right into the operating system.”¹²²

This claim is demonstrably false. Leading child safety expert Chris McKenna, founder of Protect Young Eyes, has documented that Apple’s parental controls require more than twenty steps to

¹²⁰ “Families,” Apple.

¹²¹ Associated Press, “Battle over the iPhone App Store Spills into Appeals Court,” NBC News, November 15, 2022, <https://www.nbcnews.com/tech/apple/battle-iphone-app-store-spills-appeals-court-rcna57382>.

¹²² Craig Johnson, “Pushed on Child Safety, Apple Says It ‘Has Always Looked out for Kids,’” Boston 25 News, January 9, 2018, <https://www.boston25news.com/consumer/clark-howard/pushed-on-child-safety-apple-says-it-has-always-looked-out-for-kids/680774350/>.

configure¹²³ and still contain significant loopholes that leave children unprotected, including backdoors to porn in many apps, including the Bible app.¹²⁴

Apple's parental controls are also often glitchy and fail to operate as advertised. Many parents report that features like "Ask to Buy" are so unreliable, frequently failing to send notifications or requests, that they have turned off the controls altogether. On one community thread alone, more than 30,000 parents upvoted that they were experiencing this same issue.¹²⁵ In comments to *The Wall Street Journal*, Apple admitted that a persistent bug in its "Screen Time" tool has allowed children to bypass time restrictions and access potentially unsafe content, often without their parents knowing.¹²⁶

These bugs come on top of the fact that Apple's Screen Time controls require almost two dozen steps to set up, making the process burdensome for many parents.¹²⁷ In a widely-read review, a *Washington Post* tech editor found that even with expert help, parents struggled with Screen Time's "frustrating" settings, hidden "loopholes," and inappropriate default options.¹²⁸

The author noted in confusion, "Even though Apple knows the child's age, the default settings are not child-appropriate."¹²⁹

Additionally, the parental controls are only as good as the accuracy of the age ratings on which they rely. If parents choose to enable Apple's parental controls (known as "Screen Time"), parents can limit app downloads based on Apple's age ratings. But when the age ratings are inaccurate, parents have a false sense of security and end up unwittingly approving downloads at scale based on those false age ratings, exposing their children to harmful or exploitative material.

¹²³ "iOS Parental Controls (Screen Time) Complete Guide - Protect Young Eyes," Protectyouneyes.com, 2024, <https://www.protectyouneyes.com/devices/apple-ios-iphone-ipad-parental-controls>.

¹²⁴ Chris McKenna, "How to Protect Kids from Porn," Afterbabel.com (After Babel, July 17, 2025), https://www.afterbabel.com/p/how-protect-kids-from-porn?utm_source=substack&utm_medium=email&utm_content=share.

¹²⁵ Carissa Marie, "Not Receiving Ask to Buy Requests - Apple Community," Apple.com, June 29, 2025, <https://discussions.apple.com/thread/8444829?sortBy=rank>.

¹²⁶ Gordon Kelly, "Apple Confirms Screen Time Problems for iPad, iPhone Users," Forbes, August 5, 2023, <https://www.forbes.com/sites/gordonkelly/2023/08/05/apple-ios-16-ipados-16-iphone-ipad-bug-screentime-bug-new-iphone-problem/>.

¹²⁷ "iOS Parental Controls (Screen Time) Complete Guide - Protect Young Eyes," Protectyouneyes.com, 2024, <https://www.protectyouneyes.com/devices/apple-ios-iphone-ipad-parental-controls>.

¹²⁸ Geoffrey A Fowler, "We Tested Apple's iOS 12 Screen Time Parental Controls. First Came Tears — Then Frustration.," The Washington Post, August 23, 2018, <https://www.washingtonpost.com/technology/2018/08/23/we-tested-apples-new-screen-time-parental-controls-first-came-tears-then-frustration/>.

¹²⁹ Fowler, "We Tested Apple's," <https://www.washingtonpost.com/technology/2018/08/23/we-tested-apples-new-screen-time-parental-controls-first-came-tears-then-frustration/>.

To make matters worse, Apple reportedly suppressed the sale of better, competing parental control apps. In 2019, a *New York Times* report found that:

“Apple has targeted 11 of the 17 most downloaded third-party apps designed to help phone users limit screen time or oversee their children's phone use. Apple either removed the apps from the App Store outright or restricted them in some way.”¹³⁰

By suppressing third-party parental control apps that can better protect children, Apple's actions in marketing its inadequate parental control app as reliable become even more deceptive and unfair.

Taken together, these practices reveal a pattern of deception and misleading advertising. Apple overstates the safety of its app review process and parental control tools, while concealing documented flaws in both. It misleads parents through vague content labels, unreliable controls, and polished marketing that does not reflect the real experience of families. At the same time, Apple potentially restricts access to competing parental control apps that could offer stronger protections. These actions violate the trust of consumers and federal law.

The FTC has a well-established record of taking strong enforcement action against deceptive advertising across different sectors. In the tech space, for instance, Sony agreed in 2014 to settle FTC charges that it misled consumers with promotional claims about the PlayStation Vita's “remote play” and “cross-platform” capabilities.¹³¹ These features actually only worked for certain titles, resulting in a program offering eligible buyers a \$25 cash refund or a \$50 voucher and barring similar future misrepresentations. In another notable case, Lenovo reached a settlement in 2017 after the FTC charged the company with pre-installing ad-injecting software on laptops that compromised browser security; the order prevents Lenovo from misrepresenting such preloaded software and mandates user consent and a 20-year security program.¹³² On the health-tech front, FTC allegations against Lumosity led to a \$50 million judgment for the its “brain-training” ads.¹³³ These ads claimed benefits like improved performance and protection

¹³⁰ Jack Nicas, “Apple Cracks down on Apps That Fight iPhone Addiction,” *The New York Times*, April 27, 2019, <https://www.nytimes.com/2019/04/27/technology/apple-screen-time-trackers.html>; Shara Tibken, “Banned Parental-Control App Fires Back at Apple, Calls Statement Misleading,” *CNET*, May 1, 2019, <https://www.cnet.com/tech/mobile/banned-parental-control-app-ourpact-fires-back-at-apple-calls-statement-misleading/>.

¹³¹ “Sony Computer Entertainment America to Provide Consumer Refunds to Settle FTC Charges over Misleading Ads for PlayStation Vita Gaming Console,” Federal Trade Commission, November 25, 2014, <https://www.ftc.gov/news-events/news/press-releases/2014/11/sony-computer-entertainment-america-provide-consumer-refunds-settle-ftc-charges-over-misleading-ads>.

¹³² “Lenovo Settles FTC Charges It Harmed Consumers with Preinstalled Software on Its Laptops That Compromised Online Security,” Federal Trade Commission, September 4, 2017, <https://www.ftc.gov/news-events/news/press-releases/2017/09/lenovo-settles-ftc-charges-it-harmed-consumers-preinstalled-software-its-laptops-compromised-online>.

¹³³ “Lumosity to Pay \$2 Million to Settle FTC Deceptive Advertising Charges for Its ‘Brain Training’ Program,” Federal Trade Commission, January 4, 2016, <https://www.ftc.gov/news-events/news/press-releases/2016/01/lumosity-pay-2-million-settle-ftc-deceptive-advertising-charges-its-brain-training-program>.

against dementia and Alzheimer’s but lacked solid scientific backing; the settlement also prohibits future unsubstantiated claims and requires subscriber notification and cancellation option.

C. Exploitative Contracting with Minors

Section 5 of the FTC Act forbids unfair trade practices. A practice is considered “unfair” if it “causes or is likely to cause substantial injury to consumers which is not reasonably avoidable by consumers themselves and not outweighed by countervailing benefits to consumers or to competition.”¹³⁴ Failing to disclose material facts, taking advantage of vulnerable customers, and hiding the true costs of goods are textbook unfair trade practices.

Apple unfairly facilitates digital contracts on minors through hidden clickwrap agreements (lengthy terms of service that a user must accept), often at the point of download. Minors do not have the legal capacity to enter complex, exploitative, binding agreements.

Apple knows each user’s age, as every Apple ID is tied to a date of birth, and accounts for children under 13 must be linked to a parent through Family Sharing. Yet Apple routinely allows minors to accept binding terms of service without parental involvement and without informing the developer that the user is underage.

These concealed contracts are immediately processed as valid, granting access to the app, transmitting the child’s data to the developer, and allowing Apple to take a substantial cut of any in-app purchases. Developers, unaware that the user is a minor, cannot activate safety defaults, comply with COPPA, or enforce their own age-based restrictions.

No title company or bank would treat a contract signed by a child as valid without parental consent, yet Apple does exactly that at scale. It facilitates binding agreements between children and third-party developers, knowing the user is underage, while withholding that fact from the developer. In any other industry, this would be recognized as legally and ethically indefensible.

These contracts often contain deeply one-sided provisions. Common terms include:

- Mandatory arbitration clauses that prevent families from pursuing legal remedies for injury to a child in court.
- Class action waivers that isolate victims and shield platforms from accountability.
- Broad licenses granting developers permanent rights to any photos, videos, or content the child uploads.

¹³⁴ Federal Trade Commission, “A Brief Overview of the Federal Trade Commission’s Investigative, Law Enforcement, and Rulemaking Authority,” Federal Trade Commission, July 2025, <https://www.ftc.gov/about-ftc/mission/enforcement-authority>.

- Data collection provisions that permit indefinite retention and third-party sharing of a minor’s sensitive information.

These contract terms matter. For example, children have been sexually exploited, trafficked, and harassed on apps Apple approved and rated as safe for young users.¹³⁵ When families sue to hold developers accountable, the developers use the arbitration clauses buried in lengthy legalese to avoid or minimize liability.¹³⁶

Experts have warned that personal data collected during childhood, as permitted by these contracts imposed on minors, can resurface years later with serious consequences for college admissions and job opportunities, to name a few. Studies show that 68 percent of the top 150 apps transmit a child’s location, and nearly 60 percent seek access to photos, contacts, and other sensitive information stored on the device.¹³⁷

Children are losing control over the most private parts of their lives as personal information stored on their device is quietly extracted, repackaged, and sold for profit through Apple’s ecosystem. The consequences are permanent, and the harm is often irreversible.

Clickwrap agreements historically have only been considered valid when users have a reasonable opportunity to review the terms. In *Specht v. Netscape Communications Corp.*, the Second Circuit held that a digital contract was unenforceable because the terms were not sufficiently visible at the time of assent.¹³⁸ The Court emphasized that meaningful consent requires clear, upfront notice.¹³⁹ This standard is just the first step to protect minors, who lack the developmental capacity to understand complex legal agreements and especially need clear, plain, upfront notice of what they are accepting. For complex contracts with lengthy legalese, minors need a parent to consent for them. But Apple often makes that impossible or impractical.

As the FTC can confirm through investigation, when parents receive an app approval request, the initial screen is dominated by promotional content. The age rating appears in small gray text, and crucial details—such as privacy risks, content warnings, and terms of service—are not immediately visible. As parents scroll through subsequent screens, the interface continues to prioritize marketing over safety, burying essential information beneath layers of advertising.

¹³⁵ Michael H. Keller, “Apple, Google & Live Streaming Apps Allegedly Facilitate Child Sexual Exploitation - Business & Human Rights Resource Centre,” Business & Human Rights Resource Centre (The New York Times, December 7, 2025), <https://www.business-humanrights.org/en/latest-news/apple-google-livestream-apps-allegedly-facilitate-child-sexual-exploitation/>.

¹³⁶ Kayne McGladrey, “Character Technologies Case Tests Enforceability of Arbitration Clauses for Minors Using AI Platforms. Court Reserves Key Legal Questions during Arbitration.,” LinkedIn.com, April 28, 2025, <https://www.linkedin.com/pulse/ai-arbitration-case-tests-minors-contract-rights-kayne-mcgladrey-1d0ee>.

¹³⁷ Mayank Sharma, “Your Children Are Likely Being Tracked by Some of Their Favorite Apps,” Lifewire, August 22, 2022, <https://www.lifewire.com/your-children-are-likely-being-tracked-by-some-of-their-favorite-apps-6501791>.

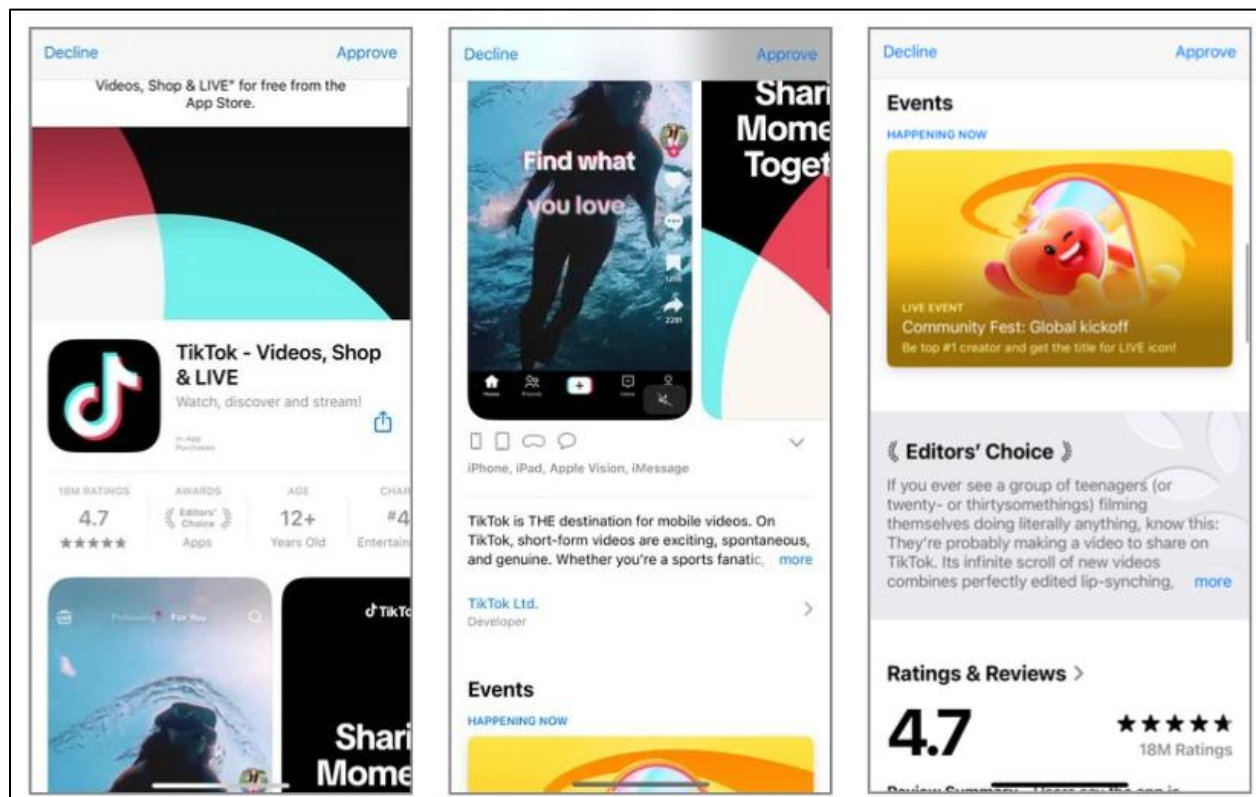
¹³⁸ *Specht v. Netscape Commc’ns Corp.*, 306 F.3d 17, 30–32 (2d Cir. 2002)

¹³⁹ *Specht v. Netscape Commc’ns Corp.*, 306 F.3d 17, 30–32 (2d Cir. 2002)

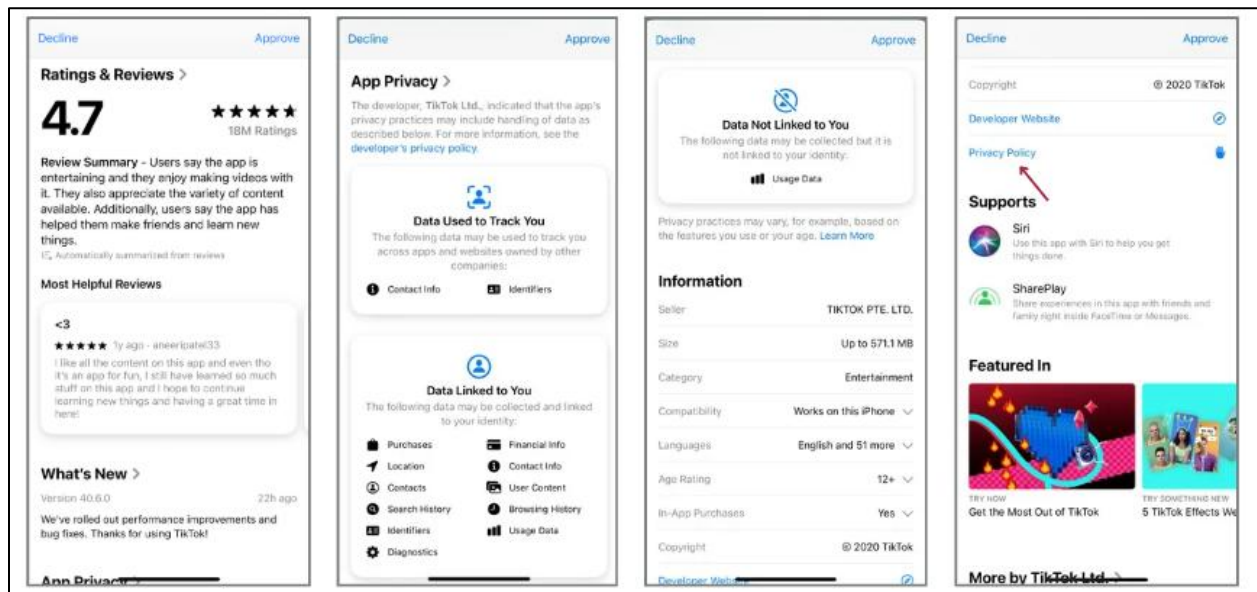
As shown in the screenshots below, to view privacy risk details, a parent must continue scrolling down several screens. Even then, the content descriptors are hidden in a dropdown submenu beneath the age rating, requiring an extra click to access. To make matters worse, links to the developer's privacy policy and website were nonfunctional on two of the devices recently used for testing this feature.¹⁴⁰ To access the complete terms of service, parents would have to exit the "Ask to Buy" interface, navigate to the App Store, locate the app manually, and click the terms of service link there.

Additionally, if a child's parents have blocked Safari, a browser that comes pre-installed on Apple devices, but allowed access to the App Store, the pop-up screens meant to show the privacy policy and terms of service do not function at all. This makes it almost impossible for the child (or parent) to access and review the terms of service that Apple and developers regard as binding contracts.

Apple controls every part of this experience and deliberately chooses a layout that prioritizes sales over safety. The download process that Apple administers through its app store fails to provide the clear, upfront notice of the contractual terms that *Specht v. Netscape* requires.



¹⁴⁰ Melissa McKay, X (formerly Twitter) (@melissa_M818, July 8, 2025), https://x.com/melissa_m818/status/1942750107751039276?s=46.



Apple’s consent interface for parents fails to present critical information at the moment they are deciding whether to approve or decline a purchase. The screen is dominated by promotional imagery and app marketing, while key details, such as age ratings, content risks, and the legal terms of service, are either hidden behind dropdown menus, buried several pages below, or for some, entirely inaccessible.

Apple’s conduct clearly qualifies as unfair under the FTC’s three-part test:

1. **Substantial Injury:** Children and families suffer serious legal, financial, reputational, and emotional harm. These include the loss of legal remedies, exposure to commercial exploitation, and permanent loss of control over personal content and data.
2. **Not Reasonably Avoidable:** Minors lack the legal and developmental capacity to consent to complex terms. Apple’s design often excludes parents or gives them no real chance to review or reject the agreement. Even with “Ask to Buy,” the terms can be buried behind broken or inaccessible links, making an informed review effectively impossible.
3. **No Countervailing Benefits:** There is no lawful or defensible justification for allowing a child to enter into a binding legal contract without parental consent. Apple has the data and technical capacity to fairly allow parents to approve their child’s online contracts.

In short, Apple is aware that the user is a child, knows the developer is often unaware, knows the developer will likely believe the contract is binding, and yet brokers the transaction anyway. That business decision meets every standard of unfairness under Section 5.

The FTC has actively challenged unfair or deceptive contractual practices across multiple industries. In 2024, the agency issued a formal policy warning that franchisors may not lawfully impose undisclosed or punitive fees on franchisees or use contract clauses that silence them from reporting regulatory concerns.¹⁴¹ In a notable privacy case, the FTC took action against Sears Holdings in 2009 for burying intrusive tracking software disclosures deep within an end-user license agreement; the consent order demanded clearer disclosure and the deletion of previously collected data.¹⁴² And, in 2004, the FTC charged Gateway Learning Corp with both deceptive and unfair conduct for retroactively altering its privacy policy without consumer notification, resulting in a 20-year consent decree.¹⁴³ These actions underscore the FTC’s commitment to ensuring that contract terms are transparent, enforceable, and uphold consumer expectations.

D. Widespread COPPA Violations

COPPA prohibits the collection, use, or disclosure of personal information from children under 13 without first obtaining verifiable parental consent for certain situations. COPPA violations are considered unfair or deceptive acts or practices under 16 CFR §312.9. COPPA applies to app developers and online services that either (1) target children or (2) have actual knowledge that a user is under 13. Because “actual knowledge” has a high legal threshold,¹⁴⁴ most developers can avoid liability for collecting large quantities of a child’s data without a parent’s consent by claiming they did not know the user’s true age.

This is especially true where a minor lies about their true age to obtain an app, something that a large number of minors do.¹⁴⁵ Apple, however, has the information and unlawfully assists developers in evading COPPA’s prohibitions.

Every Apple ID requires a date of birth. When a user enters an age under 13, Apple blocks account creation until it is linked to a parent or guardian through Family Sharing. This process not only gives Apple clear knowledge of the child’s age but also includes a parental attestation confirming the child is under 13. The combination of Apple’s own age data and a parent’s explicit confirmation provides Apple with actual knowledge of which users are children and

¹⁴¹ “FTC Takes Action to Ensure Franchisees’ Complaints Are Heard and to Protect against Illegal Fees,” Federal Trade Commission, July 12, 2024, <https://www.ftc.gov/news-events/news/press-releases/2024/07/ftc-takes-action-ensure-franchisees-complaints-are-heard-protect-against-illegal-fees>.

¹⁴² *In the Matter of Sears Holdings Management Corporation*, File No. 082 3099, Federal Trade Commission, June 4, 2009, <https://www.ftc.gov/sites/default/files/documents/cases/2009/06/090604searsagreement.pdf>

¹⁴³ *In the Matter of Gateway Learning Corporation*, File No. 042-3047, Federal Trade Commission, July 7, 2004, <https://www.ftc.gov/sites/default/files/documents/cases/2004/07/040707agree0423047.pdf>.

¹⁴⁴ *Intel Corp. Investment Policy Committee v. Sulyma*, 140 S.Ct. 768 (2020) (holding that “actual knowledge” requires actual subjective knowledge of a fact).

¹⁴⁵ Mark Sweney, “More than 80% of Children Lie about Their Age to Use Sites like Facebook,” the Guardian (The Guardian, December 2017), <https://www.theguardian.com/media/2013/jul/26/children-lie-age-facebook-asa>; “A Third of Children Have False Social Media Age of 18+,” www.ofcom.org.uk, January 5, 2024, <https://www.ofcom.org.uk/online-safety/protecting-children/a-third-of-children-have-false-social-media-age-of-18>; GuardChild, “Internet Statistics | GuardChild,” Guardchild.com, 2015, <https://www.guardchild.com/statistics/>.

entitled to COPPA protections. Apple holds a degree of age certainty that is virtually unmatched in the tech industry.

Not only does Apple fail to protect these children, but it also delivers them to developers without disclosing their age. This enables developers to collect data, serve targeted ads, and monetize underage users with impunity, all with Apple's knowledge and assistance. Some estimate that by the time a child turns 13, online advertisers have gathered more than 17 million data points on the child to target them.¹⁴⁶ Apple is helping defeat the goals of COPPA.

Entities are held liable for assisting civil wrongdoing if they encourage or provide substantial assistance for the violation, know of the wrongdoing, and their conduct is a substantial factor in causing the harm.¹⁴⁷ Apple's conduct meets those conditions. COPPA violations by app developers would dramatically decrease if Apple communicated that they were dealing with a child. Apple, therefore, encourages and assists in the continued violations by providing the developer with plausible deniability. And, as set forth above, Apple is well aware that developers are collecting the data of children under 13.

Apple has designed its consent tools in ways that further undermine the goals of COPPA. It allows parents to disable the "Ask to Buy" feature for any child. At the same time, the consent tools Apple provides are notoriously unreliable, often failing to send notifications¹⁴⁸ or resetting without warning.¹⁴⁹

These persistent technical failures have led many parents to turn off the very tools that are supposed to facilitate parental consent. Rather than improving the system to support meaningful oversight, Apple has created parental controls so frustrating that they drive families away from using them altogether.¹⁵⁰ As a result, children access and use data-collecting apps without meaningful oversight, and developers operate without the verifiable consent that COPPA requires.

¹⁴⁶ Kenny Stancil, "Big Tech 'Fundamentally at Odds with Children's Well-Being,' Advocates Say," [www.commondreams.org](https://www.commondreams.org/news/2022/03/22/big-tech-fundamentally-odds-childrens-well-being-advocates-say), March 22, 2022, <https://www.commondreams.org/news/2022/03/22/big-tech-fundamentally-odds-childrens-well-being-advocates-say>.

¹⁴⁷ Judicial Council of California. CACI No. 3610: *Aiding and Abetting Tort – Essential Factual Elements*. In *Judicial Council of California Civil Jury Instructions (2025 edition)* <https://www.justia.com/trials-litigation/docs/caci/3600/3610/>.

¹⁴⁸ Pho Da Nguyen, "Screen Time Request Not Triggering Notific... - Apple Community," Apple.com, October 12, 2023, <https://discussions.apple.com/thread/255199421?sortBy=rank>.

¹⁴⁹ Gordon Kelly, "Apple Confirms Screen Time Problems for iPad, iPhone Users," *Forbes*, August 5, 2023, <https://www.forbes.com/sites/gordonkelly/2023/08/05/apple-ios-16-ipados-16-iphone-ipad-bug-screentime-bug-new-iphone-problem/>.

¹⁵⁰ Cecily Mauran, "Apple Confirms Screen Time Bug in Parental Controls," *Mashable*, July 30, 2023, <https://mashable.com/article/apple-confirms-screen-time-bug-parental-controls>; Julie Jargon, "Exclusive | Apple Admits to Bug in Screen Time Parental Controls," *WSJ (The Wall Street Journal)*, July 29, 2023, <https://www.wsj.com/tech/personal-tech/apples-parental-controls-are-broken-55a2aa52>.

Under Apple’s forthcoming rushed “safety update,” parents can optionally share their child’s age range with developers, rather than requiring Apple to transmit this information by default.¹⁵¹

“Through this new feature, parents can allow their kids to share the age range associated with their Child Accounts with app developers. If they do, developers will be able to utilize a Declared Age Range API to request this information, which can serve as an additional resource to provide age-appropriate content for their users. As with everything we do, the feature will be designed around privacy and users will be in control of their data. The age range will be shared with developers if and only if parents decide to allow this information to be shared, and they can also disable sharing if they change their mind.”

By framing this as a “privacy” and “parent choice” feature, Apple sidesteps its legal obligations as the platform gatekeeper, even though it is the only actor with the technical and contractual control to ensure consistent, system-level compliance. Internal disclosures following a congressional hearing revealed that fewer than 1% of parents enable additional in-app safety tools,¹⁵² which underscores that Apple’s “optional compliance” strategy is both ineffective and irresponsible.

By knowingly facilitating unlawful data collection and shielding developers from accountability, Apple meets the legal threshold for substantial assistance in civil wrongdoing. COPPA violations would be significantly reduced if Apple simply disclosed the user’s age to the developer. Instead, Apple provides the infrastructure and legal cover that allow these violations to continue at scale.

Apple not only unfairly facilitates COPPA violations, but it also directly violates COPPA. COPPA prohibits tech companies from conditioning “a child’s participation in a game, the offering of a prize, or another activity on the child disclosing more personal information than is reasonably necessary to participate in such activity.”¹⁵³ COPPA also requires that tech companies provide “a reasonable means for a parent to review the personal information collected from a child and to refuse to permit its further use or maintenance.”¹⁵⁴ Apple violates both provisions. First, as discussed previously, Apple does not give parents the ability to understand how much personal information will be collected from their child and to refuse it before the child has already downloaded most apps. Second, Apple entices children to give up extreme amounts of data (far more than is necessary to run the game) in return for access to free games (that often later additionally monetize the child through in-app purchases). Apple thus violates COPPA by

¹⁵¹ Apple, “Helping Protect Kids Online,” 2025, <https://developer.apple.com/support/downloads/Helping-Protect-Kids-Online-2025.pdf>.

¹⁵² Kat Tenbarge, “Fewer than 1% of Parents Use Social Media Tools to Monitor Their Children’s Accounts, Tech Companies Say,” NBC News, March 29, 2024, <https://www.nbcnews.com/tech/social-media/fewer-1-parents-use-social-media-tools-monitor-childrens-accounts-tech-rcna145592>.

¹⁵³ C.F.R. § 312.3(d)

¹⁵⁴ C.F.R. § 312.3(c)

conditioning the collection of data from vulnerable children on the child’s participation in the free game.

The FTC has vigorously enforced COPPA in many contexts. In 2019, ByteDance’s TikTok paid a \$5.7 million penalty for unlawfully collecting data from children under 13 without parental consent.¹⁵⁵ Additionally, in 2019, YouTube settled for a record \$170 million after the FTC found it knowingly collected personal information from children by labeling and promoting “made for kids” content and gathering detailed user data, such as viewing habits and device identifiers, to serve targeted ads, demonstrating clear awareness that many users were minors.¹⁵⁶ In 2023, Microsoft was fined \$20 million for allowing children under 13 to create Xbox accounts without appropriate parental consent, violating COPPA’s notice, consent, and data retention requirements.¹⁵⁷

E. Violation Of The 2014 FTC Consent Decree On In-App Purchases

In 2014, the FTC sued Apple for unfair practices because it did not tell parents that their children could incur charges on apps without their parents’ authorization for 15 minutes.¹⁵⁸ Apple settled with the FTC, agreeing to a consent decree that would be effective until 2034. The decree enjoined Apple from “billing an account for any In-App Charge without having obtained Express, Informed Consent to Apple’s billing that account for the In-App Charge.”¹⁵⁹

Apple was required to take reasonable efforts “to ensure that the person providing consent is the account holder (as opposed to the child).” The “Account Holder,” must provide the “Express, Informed Consent” which was defined to require “an affirmative act communicating informed authorization of In-App Charges. . . .”¹⁶⁰ “In-App Charges” were not limited to Apple’s own Apps, but included activity in all apps “billed by Apple.”¹⁶¹

¹⁵⁵ “Video Social Networking App Musical.ly Agrees to Settle FTC Allegations That It Violated Children’s Privacy Law,” Federal Trade Commission, February 26, 2019, <https://www.ftc.gov/news-events/news/press-releases/2019/02/video-social-networking-app-musically-agrees-settle-ftc-allegations-it-violated-childrens-privacy>.

¹⁵⁶ “Google and YouTube Will Pay Record \$170 Million for Alleged Violations of Children’s Privacy Law,” Federal Trade Commission, September 3, 2019, <https://www.ftc.gov/news-events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrens-privacy-law>.

¹⁵⁷ “FTC Will Require Microsoft to Pay \$20 Million over Charges It Illegally Collected Personal Information from Children without Their Parents’ Consent,” Federal Trade Commission, June 5, 2023, <https://www.ftc.gov/news-events/news/press-releases/2023/06/ftc-will-require-microsoft-pay-20-million-over-charges-it-illegally-collected-personal-information>.

¹⁵⁸ Compl., *FTC v. Apple Inc.*, FTC Docket No. C-112-3108 <https://www.ftc.gov/sites/default/files/documents/cases/140115applecmpt.pdf>.

¹⁵⁹ Compl., *FTC v. Apple Inc.*, FTC Docket No. C-112-3108, § I, <https://www.ftc.gov/sites/default/files/documents/cases/140115applecmpt.pdf>.

¹⁶⁰ Compl., *FTC v. Apple Inc.*, FTC Docket No. C-112-3108, Definitions, <https://www.ftc.gov/sites/default/files/documents/cases/140115applecmpt.pdf>.

¹⁶¹ Compl., *FTC v. Apple Inc.*, FTC Docket No. C-112-3108, Definitions, <https://www.ftc.gov/sites/default/files/documents/cases/140115applecmpt.pdf>.

Apple violates the 2014 FTC consent decree on in-app purchases. Minors cannot give “Express, Informed Consent” on their own, without their parents’ (the account holder’s) knowledge. That was the basis of the original lawsuit. One survey found that 12 percent of teens have accidentally made an in-app purchase, with most of them saying it resulted in a “big” bill. Many of the survey respondents indicated that they mistakenly thought the product was free.¹⁶² This underlines the importance of a parent providing “Express, Informed Consent.”

Yet, Apple continues to bill for in-app purchases made in apps downloaded by minors without obtaining parental consent. One mother reported her son racked up over \$16,000 for in-app charges in Apple’s App Store in 2022. After local media publicity, Apple only refunded a portion of the charges.¹⁶³ There are online forums dedicated to trying to help parents recover in-app charges that Apple permitted without any parental consent.¹⁶⁴

A recent survey conducted in March of 2025 found that over half of children reported spending money online in the last month. Among boys aged 13–15 who gamed last month, 67% spent money. Nearly a third said they often regret these purchases, 42% found the items unclear at the time of purchase, and 41% admitted to spending more than they should. Only 20% of parents said they receive a notification when their child tries to make an online purchase.¹⁶⁵

Apple does not require teens over age 13 to be linked to a parent account. As stated above, even for children under 13, parents can turn off “Ask to Buy.” With fewer than half of parents using any form of parental controls on smartphones,¹⁶⁶ most children ages 13 to 17 and many under 13 are making in-app purchases without parental approval. This violates the 2014 FTC consent decree, which required Apple to obtain informed parental consent before charging minors. Apple knows this and continues profiting from unauthorized purchases anyway.

The FTC has historically pursued companies violating consent decrees as well as those engaging in deceptive in-app purchase practices, especially involving children. The Commission has targeted app developers and platforms that deceptively market in-app purchases to children

¹⁶² Childnet International and Phonepay Plus, “Young People’s Experiences with In-App Purchases,” Childnet, November 2021, <https://www.childnet.com/wp-content/uploads/2021/11/Young-peoples-experiences-of-in-app-purchases.pdf>.

¹⁶³ Nicole Pelletiere, “Mom Warns Parents after Son Charges \$16K on In-App Game Purchases,” ABC13 Houston, December 19, 2022, <https://abc13.com/post/ipad-games-parent-permission-video-game-spending-unauthorized-purchase/12591434/>; see also Anna Tims, “Our Eight-Year-Old Daughter Spent £8,500 on the Apple App Store,” The Guardian (The Guardian, March 3, 2025), <https://www.theguardian.com/money/2025/mar/03/our-eight-year-old-daughter-spent-over-8500-on-the-apple-app-store>.

¹⁶⁴ Apple, “Request Refund for Purchases Made by a Kid - Apple Community,” Apple.com, August 9, 2023, https://discussions.apple.com/thread/255054493?utm_source=chatgpt.com&sortBy=rank.

¹⁶⁵ Ofcom, Children’s Online Spending and Potential Financial Harm: Quantitative Research, June 2025, <https://www.ofcom.org.uk/siteassets/resources/documents/online-safety/research-statistics-and-data/online-services-research/childrens-online-spending-and-potential-financial-harm-quantitative-research.pdf>.

¹⁶⁶ Family Online Safety Institute, “Parental Controls for Online Safety Are Underutilized, New Study Finds,” Family Online Safety Institute, May 28, 2025, <https://fosi.org/parental-controls-for-online-safety-are-underutilized-new-study-finds/>.

without proper disclosures or parental consent. Besides Apple, the FTC has taken enforcement actions against Google,¹⁶⁷ Amazon,¹⁶⁸ and Epic Games¹⁶⁹ for allowing unauthorized or deceptive in-app purchases by children, resulting in refunds and requirements to strengthen parental controls and disclosures.

In terms of enforcing tech-related consent decrees, the Commission recently referred TikTok's continued collection of personal data from children under 13 without parental consent to the Department of Justice for violations of its 2019 COPPA consent order mentioned above.¹⁷⁰ The FTC should enforce the terms of its settlement and consider holding Apple in civil contempt of a court order for its continued facilitation of in-app purchases without parental consent.

III. Conclusion

Apple is not a passive distributor. It is the architect, gatekeeper, and direct seller of nearly every app used by children. It decides which apps appear in the App Store, approves their age ratings, controls their marketing, and knows every user's age at the point of download. With this level of control, Apple has built a system that prioritizes frictionless transactions and revenue growth rather than the safety and well-being of children.

Apple knowingly markets harmful apps as safe for minors. It approves platforms that host pornography, exploitation, and predatory content, while assigning misleading age ratings that downplay the risks. It facilitates contracts between children and developers without parental involvement, allows unlawful data collection from users under thirteen, and continues to bill families for in-app purchases without obtaining valid consent. Its parental controls are unreliable, and its systems are designed to exclude parents rather than empower them.

Nearly every well-documented harm that has befallen children on apps, including exposure to sexual content, grooming, harassment, and serious psychological harm, reaches them through an app store or smartphone. Apple has the knowledge, the tools, and the legal responsibility to prevent these harms. Instead, it has chosen to profit from them, leaving children and families exposed to avoidable, ongoing harm.

¹⁶⁷ *In the Matter of Google Inc.*, File No. 122-3237, Federal Trade Commission, (Agreement Containing Consent Order), September 4, 2014, <https://www.ftc.gov/system/files/documents/cases/140904googleplayorder.pdf>.

¹⁶⁸ *Federal Trade Commission v. Amazon.com, Inc.*, Case No. C14-1038-JCC, Order Granting Amazon's Motion for Partial Summary Judgment and Granting the FTC's Motion for Summary Judgment, U.S. District Court for the Western District of Washington at Seattle, April 26, 2016, <https://www.ftc.gov/system/files/documents/cases/160427amazonorder.pdf>.

¹⁶⁹ *In the Matter of Epic Games, Inc.*, Docket No. C-4790, Complaint and Decision and Order, Federal Trade Commission, issued March 13, 2023, https://www.ftc.gov/system/files/ftc_gov/pdf/1923203epicgamesfinalconsent.pdf.

¹⁷⁰ "Statement of the Commission Regarding TikTok Complaint Referral to DOJ," Federal Trade Commission, June 18, 2024, https://www.ftc.gov/news-events/news/press-releases/2024/06/statement-commission-regarding-tiktok-complaint-referral-doj?utm_source=govdelivery.

We urge the Commission to investigate Apple for unfair and deceptive trade practices, violations of COPPA, and ongoing noncompliance with the 2014 consent decree. The digital marketplace Apple controls is not safe for children. It is time for the Commission to act and hold Apple accountable before more children across the country suffer irreparable harm as a result of Apple's systemic exploitation.

IV. Personal Story

As a stay-at-home mother of five and someone who has spent years volunteering my time to help craft child online safety legislation, I have always tried to do everything right to protect my own children online. I've used Apple's tools. I've followed their guidance. At times, I've even trusted their promises. But none of it was enough.

In 2022, when my son was 11, he asked me to download a simple cartoon-style game he had found while browsing the Apple App Store on my phone. The App Store rated it safe for children 12 and older.¹⁷¹ I carefully reviewed all content warnings and approved the download. To be extra cautious, I paid to remove the ads, thinking that would prevent anything inappropriate from showing up.

I left him momentarily to fold laundry in the next room. Suddenly, shrieks filled the air, and I ran back to him. He was screaming and crying that the in-game ad took off a girl's shirt, and it wanted him "to take off her bra." His hands were shaking as he handed me the phone.

I took the device and opened the app myself. Within minutes, I saw the same ad that he had described. It was a cartoon strip show where it asked the child to make a choice about which piece of clothing would be removed next. The final screen gave the child the choice to "take off the bra" or "underpants off" before taking the child to the app store ad for the sexual roleplay game called "MeChat - Love secrets."¹⁷²

After spending more time playing the game, I was shown additional ads for apps that promote gambling, marijuana cultivation, nude threesomes, and abortion.¹⁷³ Apparently, the "no ads" feature I had purchased only removed banner advertisements. It did not apply to the ads shown to children when they opted to watch videos in exchange for free in-game currency.

I had heard of many other children being exposed to inappropriate advertisements on apps rated for children, and I reached out to my network. I sent evidence to the National Center on Sexual Exploitation, and these types of ads were specifically cited in the notification letter to Apple

¹⁷¹ "Office Fever - Rollic Games • Game Solver," Game Solver, 2023, <https://game-solver.com/office-fever/>.

¹⁷² Appendix

¹⁷³ Appendix

explaining the reasons for their inclusion on the National Center on Sexual Exploitation's 2024 Dirty Dozen list.¹⁷⁴

The problem is so severe that states like Arizona have begun passing stand-alone legislation to prohibit mature advertisements containing violence, sexual content, and drug use in apps directed at children.¹⁷⁵ This should already be the industry standard, not the exception.

Late-stage amendments to the Arizona bill, likely influenced by Big Tech interests, quietly changed the definition of "directed at children" to apply only to users under age 11 rather than under age 12. This change would exclude widely used platforms such as Instagram, Snapchat, and TikTok, all of which are currently rated 12+, from any obligation to shield children from mature advertisements. This narrowing of protections shows how effectively industry influence can gut legislation, even when the stated goal is to protect children.¹⁷⁶

As a mother, I find it deeply troubling that Apple has been permitted to operate this way for so long without meaningful oversight. Outside of not giving my children devices at all, I have no way to understand the real risks my children will face, and no real tools to prevent them. As both a parent and someone who works in this field, I can say with confidence that families cannot protect their children in an ecosystem designed to obscure risks, shift accountability, and prioritize profit over safety.

I respectfully urge the Commission to take decisive action to restore transparency and enforce the protections that families and children have long been denied. For nearly two decades, parents have been forced to navigate a digital ecosystem stacked against them. It is confusing, unregulated, and harmful, and tech companies have continued to profit despite actual knowledge of the damage. The burden on families has become unsustainable, and accountability is long overdue.

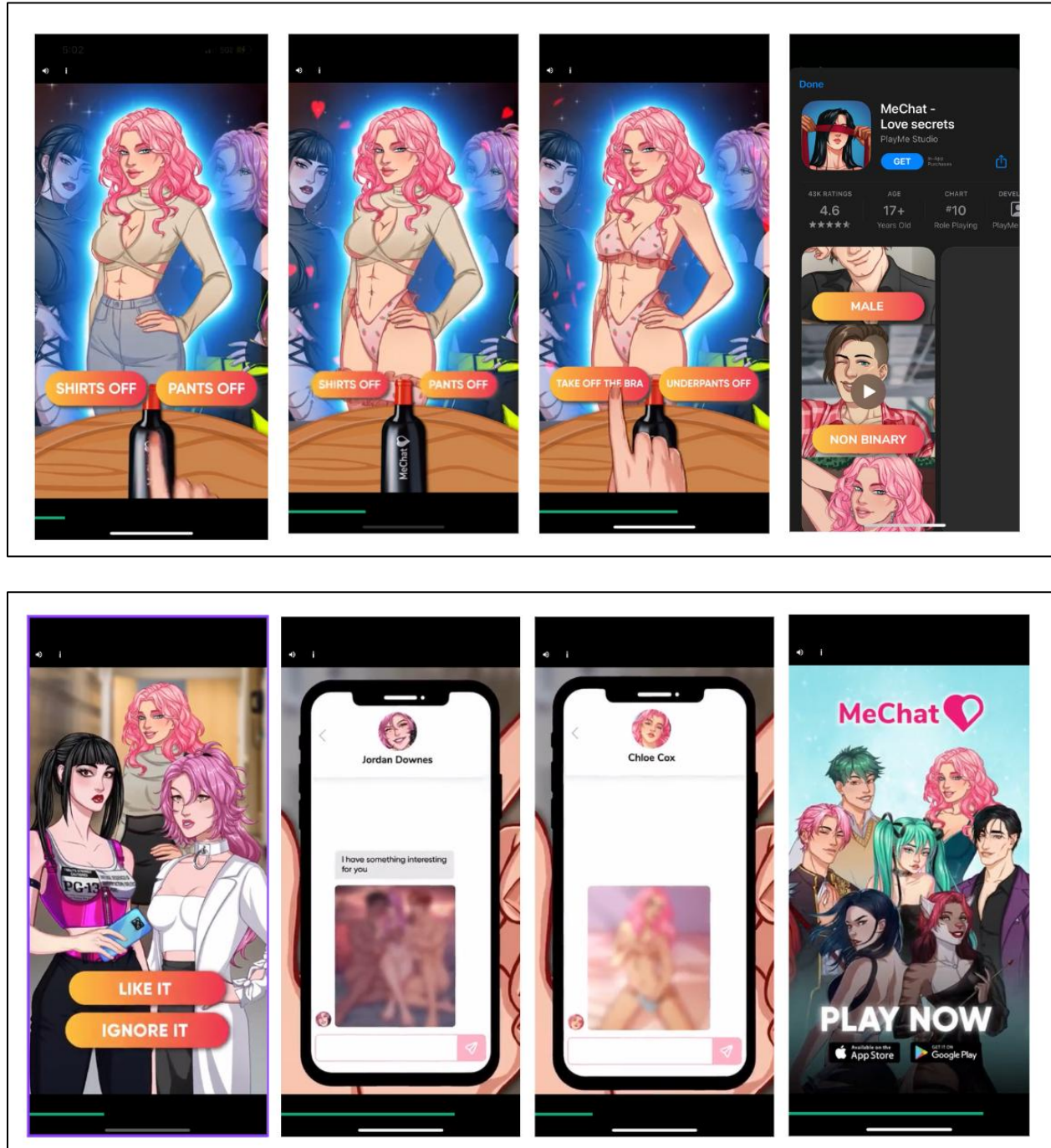
¹⁷⁴ Chris McKenna and Lina Nealon to Tim Cook, "Apple on 2024 Dirty Dozen List for Refusing to Detect CSAM on iCloud, Failing to Default Safety Features for Teens, and Dangerous and Deceptive App Store Practices," Letter, March 13, 2024.

¹⁷⁵ Representative Julie Willoughby, "Digital Advertising; Content; Children; Penalty," Pub. L. No. HB 2195 (21AD), <https://www.azleg.gov/legtext/57leg/1r/bills/hb2195p.htm>.

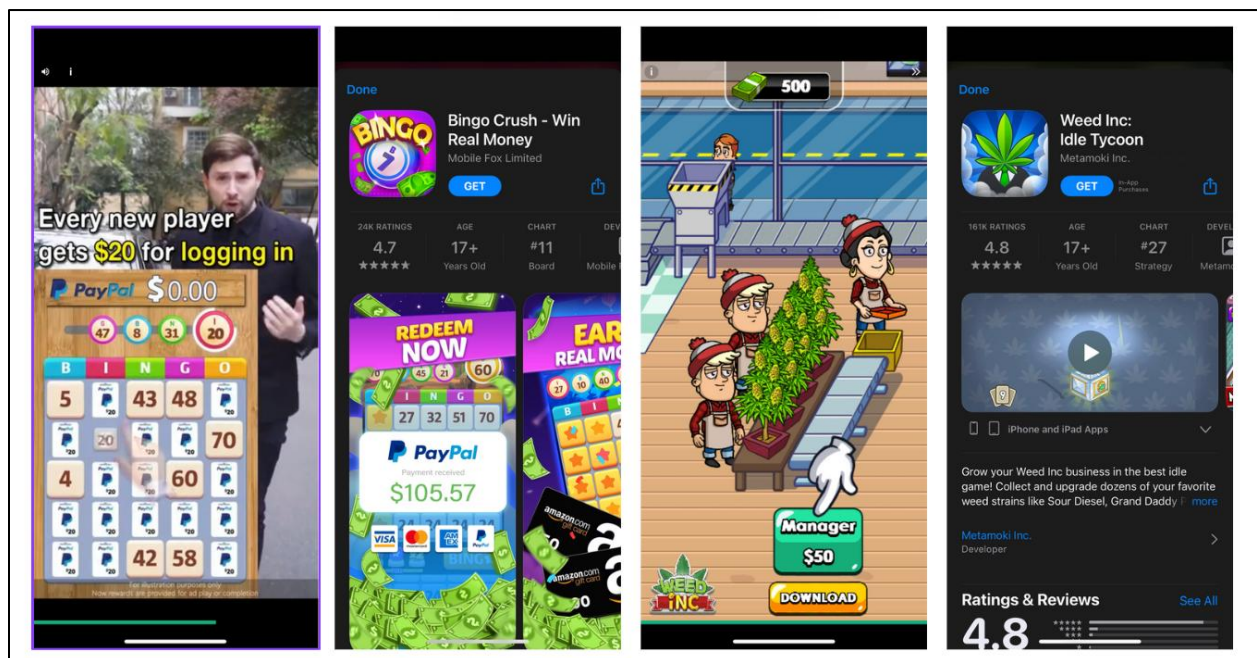
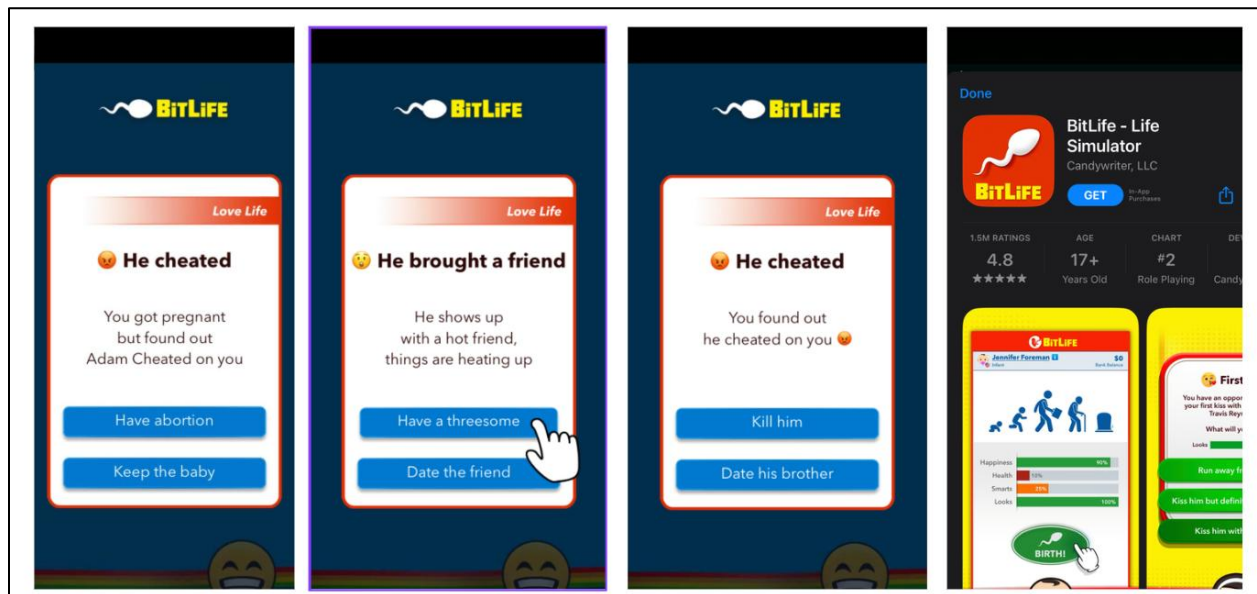
¹⁷⁶ Willoughby, "Digital Advertising," <https://www.azleg.gov/legtext/57leg/1r/bills/hb2195p.htm>.

V. Appendix

A. Personal Story About Mature In-App Ads



Ads shown to users in a cartoon game rated 12+ in the Apple App Store. Many users reportedly get sexual roleplay ads.



Ads shown to users in a cartoon game rated 12+ in the Apple App Store. The child also got repeated ads for gambling games even in a 4+ rated Snoopy game.

B. August 9, 2021, Letter to Tim Cook Regarding 10 Critical iOS Child Safety Fixes



August 9, 2021

Mr. Tim Cook
Chief Executive Officer
Apple, Inc.
One Apple Park Way
Cupertino CA, 95014

RE: 10 Critical iOS Child Safety Fixes

Dear Mr. Cook,

Thank you for your significant announcement last week about Apple's efforts to curb the spread of child sexual abuse material. We are thrilled that you are taking a proactive approach to protecting children. These new features will undoubtedly prevent online abuses and enable parents to play a more informed role in how their children navigate technology.

Because of Apple's clear commitment to families, we would like to introduce you to our new #Default2Safety campaign. This campaign was created with input from parents and victims of online harm. We have also spent countless hours researching how device features could be improved to reduce exploitation. We hope you will carefully consider our ten critical changes that could further improve child safety on Apple devices. As a coalition of safety organizations, nonprofits, and parents, we represent thousands of individuals who join us in making this petition.

In June, Google announced that Chromebooks will start featuring new "safety by design" defaults based on the age of users.¹ Both TikTok and Instagram are now also implementing child protections based on the user's birthday. We are certain that Apple can meet and exceed the child safety standards currently being set by other tech companies.

Apple's current parental controls (called Screen Time) are riddled with backdoors and loopholes.² Additionally, Apple's app ratings can be inaccurate and are generic.³ Screen Time setup takes over 30 steps⁴ and many parents do not have the necessary time or knowledge to correctly complete the steps. Unfortunately, there are no automatic default protections for children even though the Apple ID requires the birthday of the child.⁵ Finally, it is not currently possible for parents to control app use during multiple critical times such as school, meals, and bedtime.

¹ Nealon, Lina (June 29, 2021). Major Victory! Google Defaults K-12 Chromebooks and Products to Safety. [Blog post]. Retrieved July 11, 2021, from: <https://endsexualexploitation.org>.

² Albergotti, Reed. (October 15, 2019). Teens Find Circumventing Apple's Parental Controls is Child's Play. [Article]. Retrieved June 29, 2021, from <https://washingtonpost.com>.

³ <https://fixappratings.com>

⁴ McKenna, Chris (October 17, 2020). Apple iOS Parental Controls [Article]. Retrieved June 29, 2021, from <https://protectyouneyes.com>

⁵ Fowler, Geoffrey. (August 23, 2018). We tested Apple's iOS12 Screen Time parental controls. First came tears – then frustration. [Article]. Retrieved Jun e29, 2021, from <https://www.washingtonpost.com/>.

The National Center on Sexual Exploitation and Protect Young Eyes
info@protectyouneyes.com

Safety defaults ensure that all children, not just those with wealthy and involved parents, have equal opportunities for protection. We are encouraged that the Screen Time API will soon give outside safety apps improved access to iOS. But our research has shown that relying on third-party apps to fill holes left by Screen Time favors families with time, money, and tech skills.

We are asking Apple to implement the following ten changes to its parental controls:

1. Automatically engage age-based safety defaults during device setup using the birthday given for the Apple ID. Following Google's lead, the "safety by default" approach should also be implemented for all school-issued iPads.
2. Provide additional control over iMessages by giving parents the option to prevent iMessage deletion while their young children are learning to use technology responsibly.
3. Create an accurate, accountable, age-based app rating system with better, individualized descriptions. Currently, some app ratings and descriptions are so misleading that they could be considered "deceptive" under Section 5 of the Federal Trade Commission Act: Unfair or Deceptive Acts or Practices.
4. Close known backdoors and loopholes. For example, if parents remove Safari access, then Apple must find a way to disable in-app browsers. Multiple articles have been written about the many ways that kids easily circumvent Apple's current parental controls.⁶
5. Provide more flexible options for parents to block selected apps during multiple times throughout the day. Apple's "Downtime" is underdeveloped and offers incredibly limited options for screen time management. Imagine Downtime options labeled "School Mode" or "Bedtime" with access to emergency contacts, music, and the calculator.
6. Enforce Apple's published developer rules and remove apps, including Twitter and Reddit, that are breaking critical rules regarding violent and pornographic content. These platforms are not labeled as explicit apps, and their user agreements allow children ages 13+ to join.⁷
7. Block sexualized album covers and explicit song clips when Apple Music is set to "clean." Apple Music should have options that reflect its 4+ App Store rating.
8. Provide a toggle that enforces YouTube Restricted Mode across the entire device.
9. Expand on the recently announced use of on-device artificial intelligence by giving parents the option to receive notifications if their children under age 16 (rather than 13) send/receive explicit images. Also, consider allowing parents to use the same advanced technology in other scenarios, like web browsing, to block explicit content before young children are exposed.
10. Periodically review the top social media apps to ensure that they are adhering to best business practices for privacy, content moderation, and parental controls. Social media apps that do not adequately police harmful content should be given a more mature app rating or be removed from the App Store.

Your company has taken a significant step forward. We believe that you now have the unique **opportunity and responsibility** to further improve child safety and enrich the lives of millions of families. We are asking Apple to implement "safety by design" defaults, like Instagram, TikTok, and

⁶ McKenna, Chris. (October 4, 2019). 12 Ingenious Screen Time Hacks (and solutions) [Blog post]. Retrieved June 29, 2021, from <https://protectyouneyes.com>

⁷ Twitter User Agreement. Retrieved July 11, 2021, from: https://cdn.cms-twigitalassets.com/content/dam/legal-twitter/site-assets/privacy-policy-new/Privacy-Policy-Terms-of-Service_EN.pdf

Google, and also to make other critical improvements. We welcome the opportunity to work together towards protecting vulnerable children and teens, especially those from marginalized communities.

Please respond by August 25, 2021, so that we can further this conversation in an appropriate timeframe. Responses can be sent to Dawn Hawkins, CEO of The National Center on Sexual Exploitation: dawn@ncose.com. Please copy Lina Nealon: lnealon@ncose.com and Chris McKenna: chrism@protectyoungeyes.com.

Sincerely,

*The National Center on Sexual Exploitation
Protect Young Eyes*

Attachment: Let's Make Apple Safer

Attachment: Why the Screen Time API Isn't the Solution At-Risk Children Need

Supporting Organizations:

Wait Until 8 th	Citizens for Decency
Healthy Screen Habits	End Exploitation Montana
The Save the Kids Foundation	Raising Today's Kids
Better Screen Time	Maryland Coalition Against Pornography
Game Quitters	Lynn's Warriors
Star Guides Wilderness	NextTalk
Everyschool	Educate Empower Kids
Be Broken Ministries	Thriving with 8
Parents Aware	CEASE (Centre to End All Sexual Exploitation)
Hopeful Mom	Walk Her Home
Youth Wellbeing Project	The Looking Up Foundation
Connecting to Protect	eChildhood
Be In Touch	Collective Shout
Defend Young Minds	

Individuals:

Melissa McKay, Child Advocate, RN
Todd Weiler, Utah State Senator
Brady Brammer, Utah State House of
Representatives
Katey McPherson, Child Advocate

The National Center on Sexual Exploitation and Protect Young Eyes
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LET'S MAKE APPLE SAFER

Defaulting to safety protects "at risk" and marginalized children.

With nearly 90% of teens owning an iPhone (Piper Sandler, 2021), **Apple has the unique responsibility to partner with parents in protecting their children.** In June, Google announced that Chromebooks will start featuring new "safety by design" defaults based on the age of users. Safety defaults ensure that all children, not just those with wealthy and involved parents, have equal opportunities for protection. Relying on third-party apps to fill holes left by Screen Time favors families with time, money, and tech skills.

Apple, please consider these ten critical improvements to protect kids:

1 SAFETY DEFAULTS

Automatically engage age-based safety defaults during device setup using the birthday given for the Apple ID. Examples include shutting off Safari and the App store for young users and engaging SafeSearch for teen users. Block explicit lyrics on music, mature book titles, NC-17 movies, and 17+ apps in the App store for minors and set AirDrop and privacy levels to their most restrictive settings.



2 iMESSAGE CONTROL

Provide greater control over iMessage by giving parents the option to prevent iMessage deletion while their young children are learning to use technology responsibly.



3 APP RATINGS

Create an accurate, accountable, age-based app rating system with better, individualized descriptions. Improvements should also include stricter requirements for third-party in-app advertisements. Currently it is not uncommon for mature ads to be shown on 4+ and 9+ rated apps and some are sexual in nature.



4 CLOSE BACKDOORS

Close known backdoors and loopholes. Example: If parents have removed Safari access, then Apple must find a way to disable in-app browsers. Multiple articles have been written about the many ways that kids can easily circumvent Apple's current parental controls.



5 IMPROVE "DOWNTIME"

Provide more flexible options for parents to block selected apps during multiple times throughout the day. Apple ScreenTime is underdeveloped and offers incredibly limited options for screen time management. Imagine Downtime options labeled "School Mode" or "Bedtime" with access to emergency contacts, music, and the calculator. Parents also need a "shut off the internet now" button that does not depend on pre-programmed settings.



6 ENFORCE APP RULES

Enforce Apple's published developer rules and immediately remove apps, including Twitter and Reddit, that are currently breaking critical rules regarding violent and pornographic content. These platforms are not clearly labeled as explicit apps, and their user agreements allow children ages 13+ to join.



7 CLEAN UP APPLE MUSIC

Block sexualized album covers and explicit song clips when Apple Music is set to "clean." Apple Music should have options that reflect its 4+ App Store rating.



8 YOUTUBE RESTRICTED

Provide a toggle that enforces YouTube Restricted Mode across the entire device.



9 EXPAND USE OF A.I.

Expand on the recently announced use of on-device artificial intelligence by giving parents the option to receive notifications if their children under age 16 (rather than 13) send/receive explicit images. Also, consider allowing parents to use the same advanced technology in other scenarios, like web browsing, to block explicit content before young children are exposed.



10 REVIEW SOCIAL APPS

Periodically review the top social media apps to ensure that they are adhering to best business practices for privacy, content moderation, and parental controls. Given their impact on children, social media apps that don't adequately police harmful content should be given a more mature app rating or removed from the App Store.



DEFAULT2SAFETY.COM



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Why the Screen Time API Isn't the Solution At-Risk Children Need

#Default2Safety

At the 2021 Worldwide Developer's Conference (WWDC21), Apple announced the Screen Time API. This marked the first major update in three years to its parental controls. This upcoming iOS 15 update gives third-party safety apps improved access to Screen Time parental controls.⁸

Although we celebrate Apple's innovative improvements requested by the "screentimeapi.com" movement,⁹ the downsides of relying on subscription-based apps to protect children are apparent:

1. **Many marginalized and at-risk children won't benefit.**

Relying on third-party apps to fill holes left by Screen Time **favors families with time, money, and tech skills.**

2. **Even educated and involved parents struggle with extra safety apps.**

Setting up third-party software can be **incredibly complicated**. Automatic safety defaults (based on the age used in the Apple ID) immediately provide basic protections to all children. **Google recently implemented safety defaults** on every school issued Chromebook for this reason.

3. **It doesn't fix other Screen Time deficiencies.**

The Screen Time API **does not address the flaws** inherent in Apple's parental controls, including deceptive App Ratings, an abundance of backdoors and loopholes, and a lack of control over iMessages.

Apple, we applaud your continued innovation and ask that you now consider our ten critical Screen Time improvements. Although the Screen Time API is a move in the right direction, we continue to agree with Apple shareholders who stated that third-party solutions are "clearly no substitute for Apple putting these choices front and center for parents."¹⁰

We must strive to protect all children, especially those whose families cannot afford additional apps or who may not have the time or knowledge to install them properly.

⁸ Meet the Screen Time API. Retrieved August 5, 2021, from: <https://developer.apple.com/videos/play/wwdc2021/10123/>.

⁹ <https://screentimeapi.com/>.

¹⁰ Sheehan, Anne (January 18, 2019). Letter from Jana Partners & CalSTRS to Apple, Inc. [Letter]. Retrieved June 23, 2021, from: <https://corpgov.law.harvard.edu/>

C. February 23, 2023, Letter to Tim Cook Regarding 4 Critical iOS Child Safety Fixes



February 22, 2023

Mr. Tim Cook
Chief Executive Officer
Apple, Inc.
One Apple Park Way
Cupertino CA, 95014

RE: 4 Critical iOS Child Safety Fixes

Dear Mr. Cook:

We at Protect Young Eyes and the National Center on Sexual Exploitation wanted to thank you for the updates to iOS 16 that simplified parental controls on Apple devices. The streamlining of safety tools protects children and reduces the burden on their caretakers. Unfortunately, there are still several flaws in iOS that threaten children's safety and well-being, especially those who don't have the privilege of informed and involved parents. Please consider these four problems and some suggested solutions:

1. **Problem: The age-default "safety slider" is only accessible under the Family Checklist in Family Sharing.** The new age-default slider is the simplest and most comprehensive way to engage Screen Time protections, but it is not easily discoverable. Additionally, the slider defaults Apple media (e.g., music, books, and podcasts) to "Explicit" for young teens, allowing them access to mature content automatically. Children who are thirteen should not be exposed to explicit content *by default*.

Solution: Consider adding the age-default slider to the top of the Family Sharing display and/or the Screen Time settings for each child. This slider should be the most obvious and accessible setting on every Apple product on which minors are being monitored. When Screen Time safety controls are *not* engaged, periodic push reminder notifications should be sent to parents and a red notification bubble kept visible next to Settings until setup is complete, similar to the reminders given for new Apple Pay users. Also, Apple media should default to "Clean" for young teens, restricting their access to explicit content automatically.

2. **Problem: App age ratings and descriptions are deceptive, buried deep in the app listing, and don't adequately describe the content, advertising, dangers, and features that minors may experience in the app.** Apple isn't enforcing its own Developer Guidelines, which state that ads must be appropriate for the app's age rating. Children are being exposed to mature in-app advertisements that reference gambling, drugs, and sexual role-play for apps rated 17+, even when the app is rated 9+ or 12+. Further, there is no system in place to report apps that fail to adequately explain the types of content a user might experience.

We have campaigned for improvements to Apple's app rating system since 2019 when our FixAppRatings.com movement was created, and a series of Congressional hearings were held. At these hearings, witnesses testified about the rampant child sexual exploitation and blatant rating incongruencies found on apps targeting teens. In 2022, the Canadian Centre for Child Protection created a 44-page booklet highlighting the child protection weaknesses found in the Apple App

Store. Despite these efforts, still nothing has changed regarding the Apple App Store rating system. We believe this app ratings deception represents a critical violation of child safety protocols and solutions must be found and implemented.

Recently, [15 attorneys general wrote a letter](#) asking Apple to change the TikTok rating to 17+ because they believed the current 12+ rating facilitated “the deception of consumers on a massive scale” due to the ease of finding harmful and explicit content unsuitable for children under 17 on the app. We were disappointed to see that instead of improving App Store accuracy by correcting TikTok’s deceptive rating, Apple instead chose to quietly adjust YouTube’s rating down to 12+ after being appropriately rated at 17+ for many years. Because no public explanation was given, we cannot understand why this counterintuitive and deceptive ratings change was made.

Additionally, many experts have strongly voiced their concern that 13 is too young for children to be on social media, [including the United States Surgeon General](#). This is due to extensively documented dangers such as [risky features](#), exposure to adult strangers ([including predators](#)), [harmful content](#), [illegal drug activity](#), [concerns about healthy child development](#), [easy access to explicit content](#), and most recently, an [explosion of financial sextortion](#). None of these risks are clearly outlined in the current app descriptions.

Finally, apps that contain large amounts of explicit content (e.g.: Twitter, Reddit) are not clearly labeled as adult apps, and their user agreements allow children 13 and older to join. A [new study](#) found that Twitter is the platform on which the highest percentage of young people reported having seen sexual content (41%). The current App Store description for Twitter deceptively claims “Infrequent/mild sexual content and nudity.” This is blatantly untrue.

Solution: Create an accurate, accountable, obvious, and age-based app rating system with better and more detailed individualized descriptions. The Entertainment Software Ratings Board (ESRB) created a ratings system that could be reasonably applied to apps. This system is more universally understood and aligns with the current Children’s Online Privacy Protection Act (COPPA) minimum age requirement of 13 years old. Apple’s ratings framework should be replaced by a system like the ESRB with *detailed* feature descriptions. Apple must also start enforcing its Developer Guidelines related to the age appropriateness of in-app advertising.

We believe four components are necessary for an effective rating system:

- **Accurate age ratings**
- **Accurate and detailed content descriptors**
- **Highly visible ratings**
- **A uniform and accountable system**

More details on these four components can be found in the attachment. This new rating system will provide critical transparency and accuracy for parents as they decide whether an app is safe for their children.

Finally, because Apple has the exact birthdate of the user, which was provided for their Apple ID, children should not be able to download apps with ratings that exceed their actual age without explicit consent from their caretakers. This consent could be given through Apple Family sharing.

The Canadian Centre for Child Protection takes it a step further and recommends that [mature apps shouldn't be suggested](#) to children in the Apple App Store.

3. **Problem: Apple's "Downtime" is underdeveloped and offers incredibly limited options for customized screen time management.** The "Downtime" tool lacks the ability to create multiple time slots to turn off distracting apps during critical times like school, meals, and bedtime. [Multiple studies](#) have shown the negative consequences of unrestricted screen time during these critical developmental times.

Many schools have [banned cell phones](#) because they have been linked to [poor academic performance](#) and [rampant misuse](#). A recent survey by Common Sense Media also found that [30% of children](#) have been exposed to explicit content during school. Additionally, 1 in 3 children in the United States have [used cellphones to cheat on exams](#).

At bedtime, smartphone use has been linked to [less sleep](#), [poor sleep quality](#), [decreased sleep efficiency](#), and [depression](#). According to surveys, [20% of teens reported](#) waking up multiple times at night to check their social media accounts, causing them to feel "constantly tired" at school. Finally, children can be exploited and sexually groomed at night when parents are unable to supervise them.

Solution: Apple should provide more flexible parental control options for caretakers to block selected apps during multiple time slots throughout the day. Third-party paid subscription apps like "Our Pact" provide incredible precision for parents to control which apps can be accessed, downloaded, and the specific times children can use selected apps. Apple's parental controls should more closely mimic the precision of such third-party apps.

"Downtime" setup must be streamlined and intuitive, and parents should be provided with notifications to engage these settings for children in their Family Sharing profile. "Downtime" time slots should be pre-labeled with names such as school, meals, and bedtime to reduce confusion, promote healthy screen breaks, and encourage proper setup by parents. Sufficient education and resources must be provided to help parents who may struggle with digital literacy or language barriers to help them properly engage these critical features.

4. **Problem: iMessage lacks basic protections.** Although we applaud the recent decision to use AI to detect potentially explicit content in iMessages, the iOS 16 update took a step backwards by allowing iMessages to be "unsent" for up to two minutes. With young brains, disappearing messages have historically been havens for [bullying](#), [sexting](#), [sextortion](#), and other behavior that is harmful to minors. Young children may also delete messages that parents should be aware of.

Furthermore, even though texting is a common "training ground" for young iPhone users, iMessage inexplicably lacks basic parental monitoring capabilities. Parents cannot prevent the deletion of messages or control message attachments. Although parents can turn on "Communication Safety" features using Screen Time tools, it is set to "off" by default. Additionally, warnings about potentially explicit incoming messages and self-created child sex abuse material are sent only to the children using the device. Parents are not alerted in either case.

Solution: As part of Screen Time, give parents the ability to block disappearing iMessages and remove the ability for iMessages to be deleted. Allow parents to receive notifications if their child sends or receives an explicit photo (for children 12 and under). This is imperative while young children are learning to use technology responsibly. Communication Safety should also be turned on by default for all minors based on the age given for the Apple ID, not through Screen Time controls alone.

We have appreciated working with several members of Apple's Trust & Safety team to identify solutions to these potentially harmful problems. Thank you for your time and we look forward to continuing to advise Apple about how to make your products as safe as possible for *all* your young users and to further empower parents to better prepare and protect their children online.

Sincerely,



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Attachment: The Four Protective Pillars of an Effective App Rating System

THE FOUR PROTECTIVE PILLARS OF AN EFFECTIVE APP RATING SYSTEM



The app rating systems used by Apple and Google **are inaccurate, lack sufficient details, aren't highly visible, are inconsistent, and there are few penalties for misrepresentations.** For the protection of children using these platforms, we believe an effective app rating system must contain these four elements:

1. ACCURATE AGE RATINGS

The content and features in many apps used by millions of children are inappropriate, harmful, and dangerous. TikTok, Snapchat, YouTube, and Instagram are rated "12+" by Apple and "Teen" by Google, yet these apps contain frequent and intense sexually explicit material, content promoting suicide and eating disorders, alcohol, tobacco, drug use references, and excessive profanity. Hashtag searches surface thousands of results on these topics and algorithms drive children to this potentially harmful content. Predators can also easily communicate with children through direct messaging. The Children's Online Privacy Protection Act (COPPA) requires children to be 13 years old to use social media and Apple's 12+ rating for most social platforms does not comply with this standard. These ratings inadequacies present real consequences to parents who depend on accuracy when making decisions for their children. Both app stores are facilitating the deception of consumers on a massive scale. **More accurate ratings must be assigned to major social media, video, and photo apps,** including the immediate action of correcting the rating for Instagram, Snapchat, TikTok, and YouTube from "12+" to "17+."

2. ACCURATE CONTENT DESCRIPTORS

Currently, app content descriptors are generic and do not describe an app's true risks to children. In the Apple App Store ratings descriptions are broad and use deliberately vague terms like "infrequent," which can confuse parents and create a false sense of security about an app's safety. Google Play descriptors are scant and hidden within support articles. **App descriptions must be expanded to include detailed content descriptors, interactive elements, and feature summaries of the risks unique to the app.** The Entertainment Software Ratings Board (ESRB) provides 30 easily understood content descriptors, under eight categories, to ensure that parents fully understand the potential risks in video games. App content descriptors should be similar to those used by the ESRB and consequences should be created for missing descriptors.

3. HIGHLY VISIBLE RATINGS

Current app descriptions are hidden deep within the App Store listing and in support articles. The Apple ratings descriptions are located at the bottom of the App Store listing, obscured in drop-down menus. Google ratings descriptions aren't included in the App Store listing itself and must be found within its "Help" articles. These practices contrast with the Motion Picture Association of America system, which reveals the anticipated rating and type of content in a movie *before* the movie begins. **App ratings and descriptors must be prominent so that parents and children are fully informed of the risks.**

4. UNIFORM AND ACCOUNTABLE SYSTEM

At present, there is no uniformity in the rating systems or accountability to consumers who are harmed through deceptive ratings and descriptions. Google and Apple use different app rating systems and neither system provides an appropriate warning to parents to inform them of the enormous risks that their children may face in an app. Similar to the ESRB, which is consistent across video game creators, both app stores should use industry-standardized descriptors and ratings. **Apple and Google must work together to protect children,** and provide consumers with the accuracy and transparency they deserve by creating a uniform and accountable rating system with penalties for inaccuracy.

Attachment: 4 Critical iOS Child Safety Fixes
Protect Young Eyes and The National Center on Sexual Exploitation



NATIONAL
CENTER ON
SEXUAL
EXPLOITATION



PROTECT
YOUNG EYES

D. Handout Addressing Apple's Faux "Safety Solution" Announced February 28, 2025

Apple's Faux "Safety Solution"

TOO LITTLE, TOO LATE.
NO REAL ACCOUNTABILITY



On February 28, Apple announced new child safety features, seemingly to counter movement in over a dozen states to pass the App Store Accountability Act (ASAA).

Apple's new update offers half-measures with no real accountability. ASAA solves this issue.

Don't be fooled. Apple's announcement of a new "Age Assurance" API proves what we've known for years. Apple has the technical ability to age-verify App Store users, obtain parental consent, and protect children from unconscionable contracts while also adhering to strict privacy rules.

Under Apple's proposed "Safety Solution" :

- Parental consent is **NOT** required for kids to enter into complex contracts.
- App store supervision is **NOT** required after age 12.
- App age ratings are still self-assigned **WITHOUT** real accountability.
- Developers have **NO WAY** to verify that parental consent has been obtained.

Apple has facilitated the violation of federal privacy laws and state underage contract laws for years. On the eve of landmark legislation, they are trying to dodge accountability.



Lawmakers should vote to pass the App Store Accountability Act to restore parental authority and ensure minors are protected from app store exploitation.



Join over 60 child advocacy groups nationwide supporting the App Store Accountability Act.

AppStoreAccountability.org

