

Question for written answer E-003949/2026
to the Commission
Rule 144
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Subject: Loophole in liability for safety of toys sold via online platforms

Some 180 European toy manufacturers have written to the President of the Commission about the persistent loophole in liability when it comes to the safety of toys sold via online platforms. According to a 2025 ‘mystery shopping’ study carried out by Toy Industries of Europe, 96% of items checked were non-compliant and 86% were found to be unsafe.

The problem relates in particular to situations where the seller cannot be identified or is established outside the EU, which makes it difficult to effectively enforce the rules against the responsible entity. The signatories are calling for every toy offered to consumers in the EU to have a clearly identifiable economic operator established in the EU, failing which the responsibility for the product’s compliance should fall to the online platform facilitating its sale.

1. Does the Commission share the assessment that the current legal framework leaves a liability loophole in this regard?
2. Does the Commission intend to introduce a provision in the European Product Act whereby the platform would be liable for a product’s compliance if there is no identifiable operator?
3. What additional measures does the Commission envisage to ensure effective enforcement of safety requirements and a level playing field for companies complying with EU law?

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