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Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(21.5.2026)

Under Regulation (EC) No 1223/2009¹, the ‘responsible person’² must ensure compliance of cosmetics on the EU market, while enforcement, including import controls, is carried out by Member States based on national, risk-based strategies.

Non-compliant products are detained at customs when breaches of compliance are suspected and referred to market surveillance authorities (MSAs) for confirmation. In 2025, the Commission coordinated Priority Control Area actions carried out by customs and MSAs in all 27 Member States, investigating the level of non-compliance of e-commerce consignments, including cosmetics. Through documentary and laboratory checks, almost 6000 cosmetics were inspected, with an average non-compliance rate of 65%³.

The ongoing revision of the Union Customs Code⁴ aims to strengthen EU customs’ import supervision, including on cosmetics, through a more robust and efficient framework, digital tools and closer cooperation of customs and MSAs. The Commission’s upcoming proposal on the European Product Act (which revises the Market Surveillance Regulation⁵) also aims to improve compliance with product rules.

While there is no centralised EU inspection system, information on enforcement actions⁶ is exchanged through the Information Communication System for Market Surveillance⁷, the Customs Risk Management System⁸ and the Safety Gate rapid alert system^{9,10}. As market surveillance enforcement is organised nationally and risk-based and customs controls are carried out by the national customs authorities, inspections vary across Member States. The Commission therefore does not collect harmonised EU-wide statistics on the number or types of inspections carried out at customs and MSAs on a per product sector basis.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02009R1223-20250901>.

² The concept of ‘responsible person’ is defined by Article 4 of Regulation (EC) No 1223/2009.

³ https://taxation-customs.ec.europa.eu/news/protein-powder-sunglasses-moisturiser-what-do-these-products-have-common-if-you-buy-them-online-they-2026-03-03_en.

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52023PC0258>, introduced as part of the EU Customs Reform, has received provisional agreement from the co-legislators on 26 March 2026 (<https://www.europarl.europa.eu/news/en/press-room/20260323IPR38815/deal-reached-on-union-customs-code-reform>).

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02019R1020-20240523>.

⁶ Enforcement actions may include refusal of entry at the EU border (detention or rejection of consignments), withdrawal from the market, recall of products from consumers, destruction of non-compliant goods, corrective actions required from economic operators (e.g. relabelling or reformulation).

⁷ <https://webgate.ec.europa.eu/single-market-compliance-space/market-surveillance>.

⁸ https://taxation-customs.ec.europa.eu/customs/customs-risk-management/customs-risk-management-framework-crmf_en.

⁹ National measures adopted against cosmetic products presenting serious risk are notified through the Safety Gate Rapid Alert System and can be consulted on the Safety Gate Portal: <https://ec.europa.eu/safety-gate/#/screen/home>.

¹⁰ In 2025, 36% of the alerts were related to cosmetic products and chemical risk is the most frequently (53%) notified one: <https://op.europa.eu/webpub/just/safety-gate-2025-report/en/#section-3>.