Information release

The European Commission preliminarily finds that Temu may be breaching EU legislation by failing to adequately prevent the sale of illegal products

The European Commission has preliminarily concluded that the measures implemented by Temu to detect, remove and penalise the marketing of illegal and unsafe products are insufficient to ensure consumer protection in the European Union.

Madrid, 20 de November 2026. The European Consumer Centre in Spain (ECC-Spain) reports that the European Commission has reached the preliminary conclusion that the e-commerce platform Temu may have infringed the obligations laid down in the Digital Services Act by failing to adopt reasonable, proportionate and effective measures to reduce the risk of products that do not comply with the applicable legislation being marketed through its platform.

According to the preliminary findings of the investigation, the European Commission considers that Temu's mitigation mechanisms present shortcomings in three main areas: controls to verify product compliance, content moderation and the penalties regime applied to sellers.

With regard to product safety, the investigation indicates that the platform's controls appear to be insufficient to verify whether the products marketed comply with the safety requirements laid down by European legislation. Among other aspects, the European Commission highlights that the reports the platform requires from sellers apply only to a very limited proportion of products and that, even when such reports are requested, they are not always verified by the platform. Furthermore, categories considered to be higher risk, such as toys, electronic products and cosmetics, do not appear to be prioritised for physical inspection.

The preliminary assessment also concludes that Temu's content moderation system does not adequately prevent the dissemination of products that do not comply with the applicable rules or that may be unsafe. According to the European Commission, the control mechanisms appear to focus on product listings and compliance with the platform's terms and conditions of use, rather than sufficiently assessing the actual safety of the products offered. Likewise, the investigation also points to the fact that the sanctions system applied by the platform does not appear to constitute an effective deterrent.

The European Commission has communicated these preliminary findings to Temu, enabling the company to exercise its rights of defence and submit observations before a final decision is adopted.

Should these conclusions be confirmed, the European Commission could adopt a formal non-compliance decision and require the platform to implement corrective measures. In addition, the legislation provides for financial penalties of up to 6% of the provider's worldwide annual turnover and may order the adoption of measures to remedy the infringement.

The Executive Vice-President of the European Commission for Tech Sovereignty, Security and Democracy, Henna Virkkunen, recalled that "shopping online should not mean risking the purchase of illegal and unsafe products" and stressed that digital platforms have a responsibility to protect users from the risks associated with illegal goods and content.

ECC-Spain reminds consumers of the importance of verifying the identity of the seller, reviewing product safety information and keeping all documentation relating to their online purchases, particularly when these are made through large e-commerce platforms.

Source: European Commission.

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Innovation Council and Small and Medium-sized Enterprises Executive Agency (EISMEA). Neither the European Union nor the granting authority can be held responsible for them.