

CALL FOR PROPOSALS

TERMS OF REFERENCE FOR A REPORT ON UNSAFE AND NONCOMPLIANT PRODUCTS ON ONLINE MARKETPLACES

BACKGROUND

The Transatlantic Consumer Dialogue (TACD), a long-established forum of 75+ EU, U.S, and UK consumer organisations, is initiating this call for tenders for a report to provide solid evidence in support of its efforts to protect consumers from unsafe or noncompliant products sold through online marketplaces hosting third-country traders/third-party sellers.

Online marketplaces have grown into a primary retail option for consumers in the EU, U.S., and UK. However, previous research has demonstrated that the products often fail to meet applicable safety standards, labelling requirements, or other regulatory compliance obligations. This creates risks for consumers and undermines the efforts of legitimate businesses and regulators alike. TACD seeks rigorous, evidence-based research to inform its advocacy for stronger platform accountability and more effective enforcement mechanisms.

AIMS OF THE REPORT

This report will serve as a follow up and an update to TACD's previous [report](#), published in July 2025. The report will:

- Assess the scale of unsafe or noncompliant products available through third country traders/third-party sellers on major online marketplaces in the EU, U.S., and UK, including the categories of products most affected and the harms they pose to consumers.
- Evaluate the current regulatory frameworks governing marketplace responsibility and liability of non-compliant and unsafe products and seller compliance in the EU, U.S., and UK. Identify gaps and enforcement challenges that allow noncompliant products to persist on these platforms.
- Provide an overview of the enforcement activities related to product safety and conducted in the US (federal and state level), the UK and the EU (EU and member states level).

- Describe the existing market surveillance and enforcement cooperation between the different jurisdictions.

Target audience: consumer advocates, EU and US policymakers, and regulators. Hence, the report should be written in plain, accessible English. It should be no more than 30 pages of A4 (or 32 pages US legal) in length, excluding any annexes or bibliography.

REPORT STRUCTURE

The following sections are envisaged:

Section 1: Scale and Nature of the Problem: The growth of online marketplaces (e.g. Amazon, Shein and Temu) has improved product accessibility but with that has also open the door for products to slip through national regulatory systems, as unlike physical stores, there is ambiguous liability for online platforms that enable noncompliant goods to reach consumers. According to the Consumer Federation of America, the U.S. online shopping totaled \$1.34 trillion in 2024, with projections that online spending will exceed \$2.5 trillion in 2030. An estimated 288 million Americans—or approximately 84.3%—shop online, and online shopping currently represents 18.4% of retail revenue in the U.S (CFA, 2025). Meanwhile, in the EU, 13 million small parcels related to consumers' e-commerce orders are entering the EU every single day, and close to 180 direct such shipments are imported into the EU every second (DG TAXUD, 2026).

That is why the report should provide an assessment of the prevalence of unsafe or non-compliant products offered by third-country traders/third-party sellers on major online marketplaces operating in the EU, U.S, and UK. This section should examine the product categories most frequently implicated (such as electronics, children's toys, personal care products, and electrical goods), the types of non-compliance involved (including safety failures, false labelling, missing certifications, and counterfeit goods), and the documented or potential harms to consumers. Additionally, demonstrate the (low) level of quality of the checks system used by online marketplaces, and pull together evidence showing that product safety isn't being prioritised in the way that it should. This section should only focus on reports, testing, and other work from TACD members.

Section 2: Regulatory and Legal Landscape: An assessment of existing and upcoming legal frameworks on both sides of the Atlantic that govern marketplace accountability for online marketplaces including the EU's General Product Safety Regulation, the Digital Services Act, the EU Customs Reform, U.S. Consumer Product Safety Commission rules, UK Product Regulation and Metrology Act, and relevant case law and voluntary platform policies. This

section should identify where current rules fall short. Then, also map relevant laws coming up in the legislation pipeline that will potentially have an impact on online marketplaces.

Section 3: Enforcement of product safety rules: an explanation of the activities conducted by the U.S. Consumer Product Safety Commission, US States, the Office for Product Safety and Standards in the UK, the EU Testing Facilities, the EU Administrative Cooperation Groups (AdCos), and the EU Product Compliance Network and joint activities. This section should identify obstacles to enforcement.

Section 4: International cooperation: an overview of the cooperation between market surveillance authorities in the three different jurisdictions. This section should identify where current cooperation falls short.

TACD will build on this report to formulate policy recommendations with concrete, actionable advice for policymakers, regulators, and marketplace operators. These recommendations will be based on TACD members' input gathered by the TACD secretariat.

TASKS

Task 1: Overview of the rise of unsafe products sold online

The contractor should provide an overview so that the reader can grasp the magnitude of the problem of unsafe and non-compliant product sold online to EU, UK and US consumers (e.g. number of e-commerce sales, number of reported unsafe products by authorities and consumer organisations, etc.). A brief explanation of how the EU, UK and US are attempting to address the issue through rule making should be provided in this introductory section.

Task 2: Compilation of TACD members tests

The contractor will conduct interviews with relevant TACD members and review their websites to compile relevant product tests and other relevant investigations conducted after June 2025. The compilation should reflect a balance overview of TACD members tests across the different regions.

Task 3: Overview of the different legal systems in the EU, UK and US

The contractor should provide an overview of the existing and foreseen legal frameworks on both sides of the Atlantic that govern marketplace accountability for online marketplaces including the EU's General Product Safety Regulation, the Digital Services Act, EU Customs Reform , U.S. Consumer Product Safety Commission rules, UK Product Regulation and Metrology Act, and relevant case law and voluntary platform policies. The contractor should identify where current rules succeed and where they fall short. Then, also map relevant laws

coming up in the legislation pipeline that will potentially have an impact on online marketplaces. This section should be built on the TACD 2025 report.

Task 4: Assessment of the enforcement activities

The contractor should provide an assessment of the enforcement activities conducted by the U.S. Consumer Product Safety Commission, US States, the Office for Product Safety and Standards in the UK, the EU Testing Facilities, the EU Administrative Cooperation Groups (AdCos), and the EU Product Compliance Network and joint activities. The contractor should identify obstacles to enforcement.

Task 5: Overview of international cooperation

The contractor should provide an overview of the cooperation between market surveillance authorities in the three different jurisdictions and identify where current cooperation falls short.

PROCESS AND TIMELINE

A preparatory meeting will be held with the TACD project team and the author of the report mid-May. The first draft of the report should be delivered by end of June, with the 2nd draft of the report completed by mid-September. The final report should be available by the end of September. It should be accompanied by an executive summary of 2 to 3 pages.

BUDGETARY INDICATION

The author will be paid a fee of Euro 15,000 excl. VAT for this work, which is the maximum budget available.

CONTRACTORS

It is important for the credibility of the research that the contractor has a prominent role as (a) researcher(s) with a high reputation in the field of e-commerce and product safety. The background and experience of the researcher(s) should be indicated.

DATA

A brief assessment of data availability for this report is attached to save time, which also contains a few references. The contractors will need to take their own independent view on these matters, however, and this may be very different.

SUBMISSION OF PROPOSALS

Proposal deadline: **15 April 2026, 12pm CET**. The proposal will include a detailed budget and a research plan with a proposed timeline. The proposal will be submitted in electronic version only to the following email address: secretariat@tacd.org

FURTHER INFORMATION

For clarification of any of the above, please send an e-mail to: secretariat@tacd.org

DOCUMENTATION

- BEUC. January 2026. “Under the Microscope: Tests of Temu Products by Consumer Groups”. Link: https://www.beuc.eu/sites/default/files/publications/BEUC-X-2025-007_Tests_of_Temu_Products_by_Consumer_Groups.pdf
- Consumer Federation of America. January 2026. “Follow The Money: Bridging Consumer Protection and Illicit Finance to Stop Scams”. Link: <https://consumerfed.org/reports/follow-the-money/>
- Consumer Federation of America. November 2025. “Holiday Shoppers Beware: Online Marketplaces Present Serious Consumer Protection Crisis”. Link: <https://consumerfed.org/reports/holiday-shoppers-beware-online-marketplaces-present-serious-consumer-protection-crisis/>
- TACD. May 2025. “Unsafe and Online: A Framework for Strengthening Product Safety in the Online Marketplace”. Link: <https://tacd.org/wp-content/uploads/TACD-Report-2025.6.16.pdf>
- US PIRG. January 2026. “Mental health, privacy risks of AI therapy chatbots”. Link: <https://pirg.org/edfund/media-center/report-mental-health-privacy-risks-of-ai-therapy-chatbots/>
- U.S PIRG. November 2025. “Trouble in Toyland 2025: A.I. bots and toxics present hidden dangers”. Link: <https://pirg.org/edfund/resources/trouble-in-toyland-2025-a-i-bots-and-toxics-represent-hidden-dangers/>

REFERENCES

1. Consumer Federation of America (CFA). 21 November 2025. “Holiday Shoppers Beware: Online Marketplaces Present Serious Consumer Protection Crisis” Link: <https://consumerfed.org/reports/holiday-shoppers-beware-online-marketplaces-present-serious-consumer-protection-crisis/>
2. Directorate-General for Taxation and Customs Union (DG TAXUD), European Commission. 7 January 2026. “Large scale EU customs control action shows most third-country e-commerce goods do not follow standards” Link: <https://taxation->

customs.ec.europa.eu/news/large-scale-eu-customs-control-action-shows-most-third-country-e-commerce-goods-do-not-follow-2026-01-07_en