

Advice to businesses selling food online

This factsheet aims to help businesses who sell food online understand their obligations under food law – including the need to register as a food business.

Registering as a food business

If you are selling food online it is a legal requirement to [register your business](#) with your local authority 28 days before you intend to trade. If you are already trading and have not registered you need to do so as soon as possible. Registering your business is free of charge.

The registration form requires basic details of your food business activities and the address(es) where you carry out food operations. This would also include your office, even though you may not physically handle any food products. This should include all multi-site businesses where activities are carried out.

Once you are registered you may be inspected by your local authority. You can find out more about inspections here:

www.food.gov.uk/business-industry/hygieneratings/food-law-inspections

What is your responsibility as a food business operator?

You are responsible for making sure that the food you sell or supply is safe and meets all applicable legal requirements. Under EU law [Regulation \(EC\) No 178/2002](#), you must ensure that:

- the food you sell or supply is safe (it is fit for human consumption and not injurious to health)
- you are able to identify the businesses from whom you have obtained food, ingredients or food-producing animals and the businesses you have supplied with products. You must be able to produce this information on demand. This is known as traceability.
- unsafe food is withdrawn from sale or recalled from consumers if it has already been sold. The Food Standards Agency (FSA) and local authority must be notified.
- labelling, advertising and presentation of food do not mislead consumers.

Under the [Food Information Regulations \(2014\)](#) businesses have a responsibility to ensure food is labelled correctly.

You can find links to FSA Guidance here:

www.food.gov.uk/enforcement/regulation/foodlaw

www.food.gov.uk/business-industry/startingup

What is the best approach to make sure that the food is safe?

You should apply [Hazard Analysis and Critical Control Point \(HACCP\)](#) principles, which requires carrying out a simple risk assessment of what your business does. [Regulation \(EC\) No. 852/2004](#) sets out the basic hygiene requirements for businesses, including the need for a food safety management system based on the principles of HACCP. If you do not handle or transport food you will only need to have very simple procedures and records, which includes what to do in the event of a food incident / recall. Read the FSA's [food incident guidance](#).

What additional rules are there for selling food online?

You must:

Ensure that food is safe when it is delivered to consumers

Make the same level of information available online as on the food labelling to the consumer - **before** the purchase is made.

You must also ensure that the food business's legal name and address are provided on the website. You can provide these on the 'Contact Us' page.

You can find out more about the rules which apply to all products (not just food) when you sell online, including information requirements and cancellation rights here:

www.businesscompanion.info/en/quick-guides/distance-sales/consumer-contracts-distance-sales

Consideration should also be given to the [temperature control](#) during delivery for refrigerated or frozen items. This ensures the food remains safe through the supply chain and the quality does not deteriorate. Perishable goods will require further consideration concerning temperature controls.

What does compliance look like?

Food must be:

- safe to eat
- hygienically made, packaged, transported and stored
- what it says it is

- labelled correctly (see below)
- made with the correct ingredients as listed.

Businesses must have:

- registered with the local authority for all its activities
- a food safety management system based on HACCP principles and traceability
- A 'HACCP aware' person

What labelling information should be provided to consumers with food?

General food labelling requirements are laid down in [Regulation \(EU\) No. 1169/2011](#). For prepacked food this includes:

1. **Name of food** – This is not the brand name but a description that accurately describes the food.
2. **Ingredients** – A list of ingredients in descending order by weight. Genetically modified food must be identified.
3. **Allergens** – Any foodstuff where any of these 14 allergens are present, the allergen must be clearly listed. It is particularly important for people who are allergic to certain foodstuffs, which could cause a serious reaction and potentially lead to death. Pre-packed food must emphasize this in the ingredients list for example by making these ingredients **Bold**. More detailed information and resources about the allergens and labelling can be found here: <http://www.food.gov.uk/business-industry/allergy-guide>
4. **Quantity of Certain Ingredients** – You also have to show the percentage of an ingredient if it is:
 - highlighted by the labelling or a picture on a package, eg 'extra cheese'
 - mentioned in the name of the product, eg 'cheese and onion pasty'
 - normally connected with the name by the consumer, eg fruit in a summer pudding.
5. **Quantity Information** – You must put the net quantity in grams, kilograms, millilitres or litres. Further information can be found at gov.uk/guidance/food-information-to-consumers
6. **Durability Indication** – Either a 'use by' or 'best before' date, whichever is appropriate according to the perishability and nature of the food.

7. **Storage Conditions** – This ensures the food remains safe through the supply chain and the quality does not deteriorate.
8. **Name and Address** of the responsible Food Business Operator (usually the manufacturer, importer or brand owner).
9. **Country of Origin** – You will need to make clear the country of origin for beef, veal, fish and shellfish, wine, most fresh fruit and vegetables, honey, olive oil, and poultry meat imported from outside the EU. Further information can be found on the [Food Standards Agency](#).
10. **Instructions for Use** - Where it would be difficult to make appropriate use of the food in the absence of such instructions.
11. **Alcoholic content** – For beverages containing more than 1.2 % by volume of alcohol, the actual alcoholic strength by volume.
12. **Nutrition declaration** – You must have nutrition labelling if:
 - you make a nutrition or health claim
 - you've added vitamins or minerals to the food
13. **Batch or Lot Numbers** – to aid traceability.

More information is provided here: <https://www.gov.uk/food-labelling-and-packaging>

All mandatory information such as name of food, list of ingredients, date of minimum durability etc, must be given in a language easily understood where the food is sold. Products marketed in the UK must provide mandatory information in English, although other languages such as Welsh can be used in addition to the Member State language. The name of food and allergens should be in **Bold**.

There are specific rules for certain products further information can be found at: <https://www.gov.uk/guidance/food-standards-labelling-durability-and-composition>

Products that contain certain ingredients also need to be labelled with a health warning. Further information on health warning can be found at <https://www.gov.uk/food-labelling-and-packaging/food-and-drink-warnings>

Specific labelling requirements also apply to [meat](#), [fish](#), [irradiated products](#), and [genetically modified](#) foods.

When selling food online, all the label information – apart from the durability date – must also be available, at no extra cost to consumers, before they make an online purchase.

Further information can be found:

www.food.gov.uk/business-industry/guidancenotes/hygguid/generalfoodlaw

Good Practice

When you are buying stock from other countries:

- obtain a copy of the labelling prior to purchase
- check that it has the required information listed above in English
- keep a record of this check
- use only reputable and trusted suppliers
- stay informed, for example by becoming a member of a Trade Association and / or having regular training on food law and HACCP principles
- gain local authority help through the Home Authority or Primary Authority scheme. See here for more information – <https://primaryauthorityregister.info/par/index.php/home>

For more information on legal requirements and good practice advice, please see 'Selling and buying food online – Questions and Answers'.