
EU Exit

-
- ✓ Check
 - ✓ Change
 - ✓ Go

Name and address of EU importer

- All food must bear the name and address of the Food Business Operator (FBO) responsible for the food information
- Normally the FBO who's name the product is being sold under

Name and address of EU importer

Article 8

Responsibilities

1. The food business operator responsible for the food information shall be the operator under whose name or business name the food is marketed or, if that operator is not established in the Union, the importer into the Union market.

EC 1169/2011 on the provision of food information to consumers

- ✓ Check
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Name and address of EU importer

- The name and address details of the Food Business Operator (FBO) who imports your goods into the EU must appear on your product
- The EU importer is legally responsible for ensuring your goods are compliant
- If something goes wrong, legal action will be taken against the EU importer
- A significant responsibility that will require a formal agreement

Start negotiating NOW!

Established in the EU

‘Established in the Union’ - a business that is actively trading from, and has an element of their operation located in, one of the 27 member states of the EU

- Where are the business decisions made?
- Where is infrastructure located?
- Where does central administration take place?

Established in the EU

- **Not** a registered office address
- **Not** a PO Box
- **Not** a mail forwarding address
- **Not** an answering service

Some aspect of the business operating in the EU

Established in the EU

No formal guidance on the meaning of 'Established in the Union' (02/12/20)

Informal opinion of DEFRA to FSA

Not binding but confirms the KCC TS position

Established in the EU

- The FBO must have a physical presence in the Union, 'i.e. a food business unit'

If the given address (registered office, PO Box etc.) is not involved in the operation of a food business by the FBO, from that premise, it would not be sufficient

Established in the EU

The FBO in the union must be able to:

- take responsibility for the goods
- ensure food information on the goods is accurate and compliant

An accountant, solicitor, mail forwarding services etc. would have neither the food standards knowledge, or the capacity, to correct non-compliance issues

Established in the EU

The declared address must be 'genuine and substantive enough' for the following:

- direct and swift contact with the FBO
- enforcement action (serving notices, prosecution etc.) to be taken where necessary

The FBO must be bound by Union laws so enforcement action can be taken, and redress sought, should it be required

Name and address of EU importer

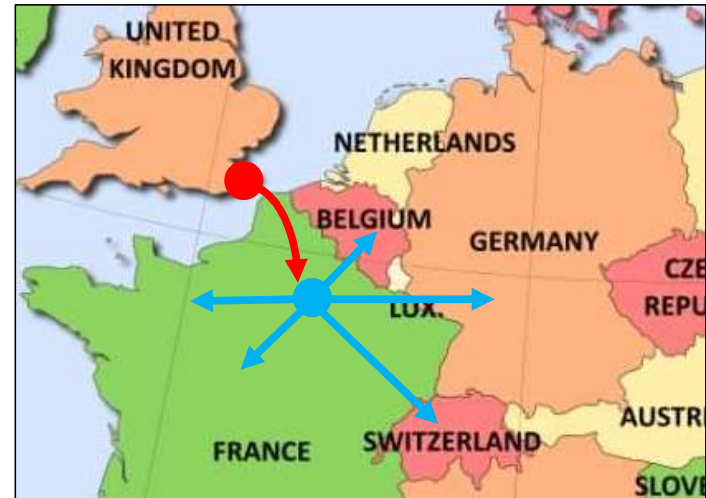
- Each sale is a new import
- Each customer is an importer
- Each importer needs their name and address on the product



- Your responsibility
- Importers responsibility

Name and address of EU importer

- Once the goods are within the EU they can be sold between member states.
- You have no further responsibilities.
- Consider as an option



- Your responsibility
- Importers responsibility

Questions?

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