

## Selling food for delivery

This page contains information for businesses who sell food for delivery, either without face-to-face contact with the consumer, or from a takeaway premises. Please read all the pages in this guide to ensure you have the information you need to run your food business.

### Selling food without face to face contact with the consumer

When you sell food without face to face contact with the consumer, the food you sell is subject to UK law. The main law on this type of selling is the [Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#).

This law applies to all goods sold without face to face contact with the consumer, not just food.

Methods of selling include:

- online via your own website or an external site like Deliveroo
- text messaging
- phone calls
- interactive TV
- mail order
- via social media, for example Facebook Marketplace

As with any food business, you need to [register your food business](#) 28 days before opening. The environmental health department can also provide advice on compliance with food safety and food hygiene laws.

### Selling food online

The below guidance provides information for businesses selling food online, which outlines legal requirements and safety considerations.

We have also produced a guide for local authorities when dealing with businesses selling food over the internet.

#### England, Northern Ireland and Wales

PDF

[View Advice to businesses selling food online as PDF\(Open in a new window\)](#) (52.59 KB)

#### England, Northern Ireland and Wales

PDF

[View Selling and buying food online Q and A as PDF\(Open in a new window\)](#) (62.73 KB)

The law covers:

- information the seller needs to provide customers before making the sale
- rights to cancel the contract
- recovery of sums paid on cancellation
- restoration of goods by the consumer after cancellation
- delivery of food and drink to a consumer's residence or workplace

If you are selling via the internet the [UK Electronic Commerce Regulations 2002](#) will also apply to your business.

More information about online and selling without face-to-face consumer contact can be found on the [GOV.UK website](#).

## References to EU legislation in FSA guidance

Directly applicable EU legislation no longer applies in GB. EU legislation retained when the UK exited the EU became assimilated law on 1 January 2024, published on [legislation.gov.uk](#). References to any legislation in FSA guidance with 'EU' or 'EC' in the title (e.g. Regulation (EC) 178/2002) should now be regarded as assimilated law where applicable to GB. References to 'Retained EU Law' or 'REUL' should now be regarded as references to assimilated law.

For businesses moving goods from Great Britain to Northern Ireland, information on [the Windsor Framework](#) is available on GOV.UK.

The Windsor Framework was adopted by the UK and EU on 24 March 2023. The Framework provides a unique set of arrangements to support the flow of agrifood retail products from Great Britain (GB) to Northern Ireland (NI), allowing GB standards for public health in relation to food, marketing and organics to apply for pre-packed retail goods moved via the NI Retail Movement Scheme (NIRMS).

## Allergen information for food deliveries

Food businesses need to tell customers if food they provide contains any of the specified allergens as an ingredient. These [14 allergens](#) have been chosen because they are the most common and dangerous.

Consumers may be allergic or intolerant to other ingredients, but you are only legally required to provide information for these 14 allergens.

The 14 allergens are: **celery**, **cereals containing gluten** (such as barley and oats), **crustaceans** (such as prawns, crabs and lobsters), **eggs**, **fish**, **lupin**, **milk**, **molluscs** (such as mussels and oysters), **mustard**, **peanuts**, **sesame**, **soybeans**, **sulphur dioxide and sulphites** (if they are at a concentration of more than ten parts per million) and **tree nuts** (such as almonds, hazelnuts, walnuts, brazil nuts, cashews, pecans, pistachios and macadamia nuts).

If food is sold online or by phone through distance selling, allergen information must be provided at two stages in the order process.

You must provide allergen information:

- before the purchase of the food is completed - this can be in writing (on a website, catalogue or menu) or orally (by phone)
- when the food is delivered - this can be in writing (allergen stickers on food or an enclosed copy of a menu) or orally (by delivery driver)

It is important for food businesses to take steps to avoid cross-contamination in food preparation. This protects customers with a food allergy.

There are a number of actions you can take to prevent [cross-contamination with allergens](#) in your food business. These include:

- cleaning utensils before each usage
- regularly washing hands thoroughly
- storing ingredients and prepared foods separately
- keeping ingredients that contain allergens separate from other ingredients
- takeaway meals should be labelled clearly so customers know which dishes are suitable for those with an allergy

## Food delivery protocol

If you are delivering food orders, all food must be delivered to consumers in a way that ensures that it does not become unsafe or unfit to eat.

If you use a domestic vehicle (or a non-food industry business vehicle) to transport your food orders, there are particular [hygiene requirements and vehicle specifications](#) that should be met.

## Food-grade packaging

If you deliver food orders, it is important to select appropriate food-grade packaging.

For example, packaging materials may be required to be liquid or fat repellent to prevent leaks, or to stop paper becoming soaked through.

Without this type of packaging, chemical contaminants or germs could transfer onto the food. Well-fitting lids or closures will also minimise any hygiene or spillage risks.

## Temperature

Foods that need refrigerating must be kept cool while they are being transported. The food may need to be packed in an insulated box with a coolant gel or in a cool bag.

Food sent by post needs to be sent to consumers in packaging that is strong enough to remain intact. Once sent, the food should be delivered as quickly as possible, ideally overnight.

When the order is made, the consumer must be told when they can expect delivery.

FSA Explains

## Selling food for delivery checklist

### Register your food business

You need to [register your food business](#) 28 days before opening.

### Check you're complying with the law

The main law on distance selling is the [Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#). If you are selling via the internet the [UK Electronic](#)

[Commerce Regulations 2002 will also apply to your business.](#)

## **Provide customers with allergen information**

Tell customers if food you provide contains any of the [specified allergens](#) as an ingredient. You must provide allergen information before the purchase of the food is completed and when the food is delivered.

## **Prevent cross-contamination**

Take steps to [avoid cross-contamination with allergens](#).

## **Meet vehicle hygiene requirements**

Check your transportation vehicle for food meets [hygiene requirements and vehicle specifications](#).

## **Use appropriate packaging**

Select appropriate food-grade packaging for deliveries. Foods that need refrigerating must be kept cool while they are being transported, for example in a cool bag.

Food sent by post needs to be sent to consumers in packaging that is strong enough to remain intact.

## **Keep customers informed**

The consumer must be told when they can expect delivery of their order. Food should be delivered as quickly as possible, ideally overnight.

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