

# Distance selling, mail order and delivery

How to manage a food business if you sell products online, for takeaway or for delivery.

Distance selling means any selling that happens without face-to-face contact with the consumer.

Methods of selling include:

- online
- text messaging
- phone calls
- interactive TV
- mail order

## Setting up

You need to register with your local council 28 days before opening. The environmental health department can also provide advice on compliance with food safety and food hygiene laws.

[Trading Standards](#) Departments can offer general advice on legal requirements for buying and selling goods online.

## Temperature

All foods must be delivered to consumers in a way that ensures that they do not become unsafe or unfit to eat. Foods that need refrigerating must be kept cool while they are being transported. This 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.

## Legal requirements for food sold online

This 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.

[View Advice to businesses selling food online as PDF](#) (52.59 KB)

[View Food Sold Online as PDF](#) (440.59 KB)

[View Selling and buying food online Q and A as PDF](#) (62.73 KB)

## IMPORTANT

### EU references in FSA guidance documents

The FSA is updating all EU references, to accurately reflect the law now in force, in all new or amended guidance published since the 'Transition Period' ended at the end of 2020. In some circumstances it may not always be practicable for us to have all EU references updated at the point we publish new or amended guidance.

Other than in Northern Ireland, any references to EU Regulations in this guidance should be read as meaning retained EU law. You can access retained EU law via HM Government's [EU Exit Web Archive](#). This should be read alongside any EU Exit legislation that was made to ensure retained EU law operates correctly in a UK context. EU Exit legislation is on [legislation.gov.uk](#). In Northern Ireland, EU law will continue to apply in respect to the majority of food and feed hygiene and safety law, as listed in the [Northern Ireland Protocol](#), and retained EU law will not apply to Northern Ireland in these circumstances.

When you sell food by mail order or via the internet, the food you sell is subject to the UK food law. The main law on distance selling is the [Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#). This law applies to all goods sold by distance selling, not just food.

Legal topics cover:

- safety
- record keeping
- product withdrawal
- product recall
- good hygiene
- labelling
- specific to the type of food which you are selling

The main concern is the condition of the food when it reaches the purchaser.

The law covers:

- information the seller needs to provide customer 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 distance selling can be found on the [GOV.UK](https://www.gov.uk) website.

## **Food industry guide**

You can find more information on mail order guidance in our [Food Industry Guide to Good Hygiene Practice: Mail Order Food](#) on [The Stationery Office's website](#).