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trading standards law explained

Imported feed and food controls

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Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

To fully understand this guidance, it is important to note the difference between the United Kingdom and Great Britain:

- UK: England, Scotland, Wales and Northern Ireland
- GB: England, Scotland and Wales

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

For the purposes of imported feed and food controls, feed and food is classed as either a product of animal origin (POAO) or feed / food of non-animal origin (FNAO). There are different legislative controls for feed

and food entering GB, depending on the product and associated risk. Personal imports are subject to separate controls.

All importers must be identified, registered or approved as feed / food business operators (FeBOs / FBOs) and included as such in official controls.

Products of animal origin (POAO)

POAO include, for example, fresh meat, meat products, meat preparations, dairy products, fishery products, shellfish, egg products, honey, snails, insects and fishmeal used in animal feed.

Imported POAO, subject to veterinary checks, are likely to be illegal if they are not presented to a border control post (BCP) for official controls to be carried out and/or if they do not comply with public or animal health requirements - for example, by being contaminated with veterinary residues.

Importers need to use IPAFFS (import of products, animals, food and feed system) for imports of POAO, subject to veterinary checks.

Importers should check whether the CN code for their product is listed in assimilated Regulation (EU) 2019/2007 *laying down rules for the application of Regulation (EU) 2017/625 as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts* (see link in 'Key legislation' below) to find out if the POAO or animal by-products must be checked at a BCP and, if necessary, check which BCP must be used.

Imports of some POAO (honey, for example) must come from an establishment that has been approved by the exporting country to trade with GB.

All imports of POAO and HRFNAO need to come with one or more of the following documents:

- health certificate
- import licence
- commercial document

IPAFFS must be used to pre-notify a BCP of the arrival of POAO under safeguard measures (where a commodity code is available). POAO that are under safeguard measures must be accompanied by a health certificate. When the import notification is submitted on IPAFFS, a unique notification number (UNN) will be issued and must be provided to the EU exporter or Official Veterinarian (OV). The format of this number will be IMP.GB.2021.1XXXXXX.

Feed / food of non-animal origin (FNAO)

FNAO includes all other products or materials not fitting into the category of POAO. Imports of certain 'higher-risk' FNAO (HRFNAO) can only enter GB through specific ports and airports that are approved as BCPs for 'higher risk products', where official controls will be carried out.

A 'higher-risk' product is feed or food that is either a known, or an emerging, risk to animal or public health.

Details of such high-risk products can be found on the GOV.UK website.

Importers must pre-notify authorities in Great Britain before high-risk products arrive.

Importers of HRFNAO must:

- submit import pre-notifications at least one working day in advance of the goods' arrival
- enter them through a BCP so they can have documentary checks and, if necessary, identity and physical checks

Importers and import agents must use the online IPAFFS to do this. Importers of high risk products will need to check which BCP must be used.

Summary of import controls

Whilst the majority of feed and food that is imported into this country is perfectly legal, wholesome and safe, it is important to have effective official controls in place to ensure that consumers and businesses are protected from contaminated products, unfair trading practices and fraud.

Feed or food produced legally by one EU Member State may be freely exported to other Member States without any specific checks being carried out at the ports (this no longer includes GB).

Similarly, feed or food imported legally from a third country* into one Member State can then be freely distributed throughout the EU without further checks. This is the principle of the EU as a customs union, allowing intra-EU trade to be free from checks at the point of entry.

[*'Third country' is the term used by the EU to refer to a country that is not one of its Member States.]

In the EU, TRACES is the online sanitary and phytosanitary certification platform supporting the importation of animals, animal products, food and feed of non-animal origin, and plants into the EU, as well as the intra-EU trade and EU exports of animals and certain animal products. Once the appropriate checks have been completed, following a TRACES notification, a common health entry document (CHED) is completed, which must accompany the feed or food to the first inland destination.

The Department for Environment, Food and Rural Affairs (Defra) has published information on which countries Great Britain will accept verifiable PDF GB health certificates from, through TRACES or other systems.

Throughout 2024, new controls on imports into Great Britain were progressively introduced. The Government set out this approach in the Border Target Operating Model.

Third country (non-EU) representatives

Assimilated Regulation (EC) No 183/2005 *laying down requirements for feed hygiene* requires that feed business establishments are registered or approved within their own territories. In addition, feed businesses registered or approved in GB and exporting feed to EU Member States, or moving feed from GB to NI, are required to have a representative based in an EU Member State or NI. For example, this may be an importer of feed, based in the EU, who has secured sole selling rights for a particular feed sourced from the UK.

Exporting or moving animal feed from GB to the EU or NI

GB businesses can no longer act as EU representatives for non-EU businesses. Non-EU businesses must have a representative that is based in a Member State or European Economic Area (EEA) country. Only one representative in the EU is required for each third-country feed establishment.

Some EU Member States have specific rules on the requirements to have a representative for importing feed into the EU. Businesses should consult with the relevant authority in the EU country they want to export to for further advice on gaining recognition as their representative, and to ensure they are compliant with any national rules.

The FSA advises that UK businesses exporting to the EU assume that third-country representation is needed for all feed, and check the requirements with the destination country. Representatives must make their application to the Member State authority where they are based.

Further details of competent authorities and approved / registered feed businesses in Member States can be found via the European Commission website.

Importing or moving animal feed into GB from the EU and non-EU countries

Feed businesses from outside the UK that export feed products to GB must have a representative established in GB. The requirement to have a representative only relates to certain higher risk feeds, including:

- manufacturers of certain feed additives
- manufacturers of certain novel protein source products
- manufacturers of premixtures containing certain feed additives
- compound feed manufacturers that incorporate the products mentioned above

The GB representative must:

- be a feed business operator located in GB and be registered with, or approved by, their local authority
- keep a register of all relevant products, for which they act as representative, that the establishment has put into circulation within GB
- declare that the exporting establishment complies with requirements equivalent to those laid down in assimilated law

No representative will be required to move feed from NI to GB.

No representative will be required for either imports or exports of animal feed between NI and the EU.

More information relating to third-country animal-feed establishment representatives can be found on the GOV.UK website.

Legislative framework

The legislative framework that covers the importation of feed and food is complex but should be understood by importers and exporters. It may best be considered in terms of the nature and origin of the product or material in question.

Feed and food imported from the EU

Feed and food originating from an EU Member State is subject to similar legislative controls and safeguards as feed or food produced in the UK. Such feed or food should be safe, as defined in assimilated Regulation (EC) No 178/2002 *laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety*. It must be labelled in accordance with assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers* or assimilated Regulation (EC) No 767/2009 *on the placing on the market and use of feed* and must have been handled in accordance with the hygiene regulations on feed and food (see 'Key legislation' below).

Feed and food imported from outside the EU: POAO

POAO must only be imported in accordance with assimilated Regulation (EU) 2017/625 *on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products* and the local authority or food authority is designated as the competent authority in relation to enforcement and execution under relevant legislation.

Feed and food imported from outside the EU: FNAO

The import conditions relating to FNAO from outside the EU are provided by assimilated Regulation (EC) 2017/625 and assimilated Regulation (EU) 2019/1793 *on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries.* These two regulations require that the competent authority undertakes official controls on FNAO at the point of entry of the feed or food into the UK, or at any stage during distribution. These official controls should include documentary, identity and, where appropriate, physical checks of the feed or food. Any suspect feed or food that is detained by the competent authority, and any feed or food that fails to meet specified feed law requirements, should be destroyed, re-dispatched, used for a non-food purpose or subjected to special treatment to render it lawful.

Particular care must be taken by food importers, in relation to their legal obligations, in terms of food that is imported but fails to meet the requirements of assimilated EU law and is subsequently diverted for use as animal feed. Food imported under such circumstances would then be "intended for use in oral animal-feeding" and therefore designated as a 'feed'; the requirements of assimilated Regulation (EC) No 767/2009 then apply, in particular the labelling requirements relating to placing a feed on the market.

Further information

Further information, including advice and guidance on import and export, can be found on the Food Standards Scotland website.

The GOV.UK website has information on importing live animals or animal products into the UK.

Further details on personal imports may be found on the GOV.UK website.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

The guide has been simplified to take account of the implementation of risk-based controls under the Border Target Operating Model.

Last reviewed / updated: November 2025

Key legislation

- assimilated Regulation (EC) No 178/2002 *laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety*
- assimilated Regulation (EC) No 852/2004 *on the hygiene of foodstuffs*
- assimilated Regulation (EC) No 183/2005 *laying down requirements for feed hygiene*
- assimilated Regulation (EC) No 767/2009 *on the placing on the market and use of feed*
- assimilated Regulation (EC) No 1069/2009 *laying down health rules as regards animal by-products and derived products not intended for human consumption (Animal by-products Regulation)*
- Animal Feed (Scotland) Regulations 2010
- assimilated Regulation (EU) No 142/2011 *implementing Regulation (EC) No 1069/2009 and Directive 97/78/EC*
- assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Trade in Animals and Related Products (Scotland) Regulations 2012
- assimilated Regulation (EU) 2017/625 *on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products*
- assimilated Regulation (EU) 2019/1014 *laying down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points*
- assimilated Regulation (EU) 2019/1793 *on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries*
- assimilated Regulation (EU) 2019/2007 *laying down rules for the application of Regulation (EU) 2017/625 as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts*

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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