Our Ref: «WORKID»

Date: «CURRENTDATE»

Enquiries to: «OFFICERDESC»

Tel: 01473 264563

Email: imports@suffolk.gov.uk

«ADDR1»

«ADDR2»

«ADDR3»

«ADDR4»

«ADDR5»

«ADDR6»

«ADDR7»

«ADDR8»



Dear Sir/Madam

**Consumer Protection Act 1987**

**[Product specific legislation &/or standards as appropriate]**

**REGULATION 765/2008 ON ACCREDITATION AND MARKET SURVEILLANCE (AS AMENDED AND RETAINED TO APPLY IN GB)**

**CONSIGNMENT:**

|  |  |
| --- | --- |
| **HMRC Import Entry Number:** | **«REFERENCE5»** |
| **Unique Consignment Number:** | **«REFERENCE1»** |
| **Container Number:** | **«REFERENCE6»** |
| **Delivery Address:** |  |
| **Date of Sampling:** |  |
| **Total Number of Samples Taken:** |  |

**SAMPLE:**

|  |  |
| --- | --- |
| **Sample Reference:** |  |
| **Sample Description:** |  |
| **Sample Brand/Model/Serial No:** |  |
| **Carton Number(s):** |  |
| **Total number of Cartons:** |  |
| **Total number of Pieces:** |  |
| **RESULT** |  |

I refer to my earlier notice regarding the above product sampled from your consignment, which was imported through the Port of Felixstowe and subsequently detained.

The sample has been assessed and found to be [unsafe/ non-compliant]. [A copy of the test report is enclosed **OR** The matters identified are as follows:]

* [If visual exam, insert reasons for assessment as unsafe/non-compliant and include the paragraph below]

Please note that this is not an exhaustive list and there may be other potential failures with the product. It is also important to note that the assessment was limited to the legislation listed.

As the importer, you are responsible for ensuring that all the products you import, comply with product safety legislation. We strongly advise that you quarantine any stock you currently hold of these products. **It is a criminal offence to supply an unsafe or non-compliant product.**

Non-Compliant Sample:

It may be that you wish to consider the economic feasibility of bringing the **non-compliant** product into compliance with all relevant product safety legislation. Alternatively, we may allow you to return these goods to the point of origin.

We highly recommend that you seek advice on achieving compliance with product safety legislation from your local Trading Standards Service which can be found at: <https://www.tradingstandards.uk/consumers/support-advice>.

The following website also provides useful advice for businesses on product safety laws: <https://www.businesscompanion.info/en/quick-guides/product-safety>.

The option to destroy the non-compliant goods can be considered by you at any point. It may be worthwhile comparing the estimated storage costs (applied by the Port/Warehouse for where the goods are being stored) of goods being detained and the costs to return against the cost of destruction. Your agent should be able to assist you in determining storage fees and our department can provide you with information on the destruction process.

**OR**

Unsafe Sample:

The product has been assessed as posing a serious risk to the end user and is therefore considered to be an **unsafe** product. As such, this product cannot be released for free circulation.

Regulation 765/2008 provides that the unsafe goods can be destroyed or otherwise rendered inoperable:

* The goods can be sent for destruction, to ensure that goods assessed as posing a serious risk cannot be re-entered into the supply chain.
* To render goods inoperable would mean to break apart, take out crucial elements or destroy certain components so that the product cannot be placed on the market. This is to ensure that goods assessed as posing a serious risk cannot be re-entered into the supply chain.

If the goods are to be destroyed, or otherwise rendered inoperable, you will need to make the necessary arrangements for this which must be carried out locally to Suffolk and in agreement with this department. This includes covering any related costs.

**Please reply within 10 working days giving your choice of action.**

I would suggest that you discuss the matter with your freight agent. Meanwhile, the goods will remain detained at [Port of Felixstowe/Warehouse].

Yours faithfully

«OFFICERDESC»

Import Surveillance Officer

Suffolk Trading Standards Imports Team

Enc