|  |
| --- |
| (fill in name)  (fill in address) |
|  | |  |  |
|  | |  |  |
| (date) | |  | @hants.gov.uk |

Dear

**Consumer Protection Act 1987**

**Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019**

**Regulation on Accreditation and Market Surveillance (EC/765/2008) (as amended and assimilated to apply in GB)**

**Notice pursuant to Article 29 of EC/765/2008** **(as amended and assimilated to apply in GB)**

**UCN:**

**Entry Number:**

**Consignee:**

**Goods:**

As an importer, it is your duty to be able to demonstrate the goods you import into the UK meet the requirements of all the relevant product legislation.  In this case we are assessing particular compliance with:

General Product Safety Regulations 2005

Electrical Equipment (Safety) Regulations 2016

Supply of Machinery (Safety) Regulations 2008

Toys (Safety) Regulations 2011

Personal Protective Equipment (Enforcement) Regulations 2018

It is our view that having inspected the goods listed above and the documents provided, you have not been able to demonstrate this requirement in relation to the imported goods detailed above for the following reasons:

* Lack of Manufacturers and UK based Importers name and address
* Incorrect/Missing or non-compliant product markings /warnings
* Incompatible/out of date/Incomplete /Counterfeit supporting documentation provided
* Low/Medium/Serious risk identified with product
* *List any other applicable reasons*

Please note that no inference should be made as to the compliance or otherwise of other goods, not listed above, that form part of this consignment.

**Conclusion**

***DELETE APPROPRIATE PARAGRAPH***

**In accordance with Article 29 (2) of the Regulation on Accreditation and Market Surveillance (EC/765/2008) (as amended and assimilated to apply in GB) we are therefore unable to discharge from the free-circulation procedure, as per the aforementioned Article:**

**‘Product not in conformity —discharge from the free-circulation procedure** **not authorised — Regulation (EC) No 765/2008’.**

**OR**

**In accordance with Article 29 (1) of the Regulation on Accreditation and Market Surveillance (EC/765/2008) (as amended and assimilated to apply in GB) we are therefore unable to discharge the product from the free-circulation procedure as per the aforementioned Article:**

**‘Dangerous product — discharge from the free-circulation procedure not authorised — Regulation (EC) 765/2008’.**

In order to assist you with your consignment, there are a number of possible options that you could consider which we have listed below.  If you wish to proceed with one, please confirm with us before actioning.  Alternatively, in consultation with your agent, you may suggest other possible options to satisfactorily resolve this matter.  In order to avoid further expense please contact us as soon as possible, detailing how you intend to resolve this matter.

1. **Re-export the goods to the Port of Origin (Bill of Lading to be provided).**
2. Where we have indicated the product(s) presents a Serious Risk the goods will need to be rendered inoperable prior to export.

**2.Voluntary destruction of the goods at the consignee’s expense.**

**Conditions for destruction:**

1. The destruction company is local to the ETSF.
2. The consignee/agent must confirm the destruction company has the appropriate Environment Agency permit and/or exemption to undertake the necessary destruction.
3. The destruction company is able to collect the goods themselves.
4. The destruction company is able to provide a certificate of destruction.
5. Confirmation of payment will need to be provided prior to the hold being removed.

**3.Obtain a sample from the consignment for testing at an accredited test laboratory in the UK.** Results to be provided to Hampshire Trading Standards.

**4. In agreement with your local Trading Standards Service the goods could be released to their oversight to investigate bringing them into compliance.** (Please note it is your responsibility to arrange this and there may be a charge incurred).

Please respond as soon as possible to reduce potential storage charges.

Yours faithfully

**Trading Standards Officer**