Retail is defined in Regulation (EC) No 178/2002\(^1\) as ‘the handling and/or processing of food and its storage at the point of sale or delivery to the final consumer, and includes distribution terminals, catering operations, factory canteens, institutional catering, restaurants and other similar food service operations, shops, supermarket distribution centres and wholesale outlets’.

Consequently, retail includes any sale or delivery to the final consumer, including online sales and wholesale outlets. Therefore, wholesale activities, i.e. the supply of products to other retail establishments, are covered by Regulation (EC) No 853/2004 in respect of food of animal origin (Article 1(5)(b)), unless, inter alia, this activity is marginal, localised and restricted (Article 1(5)(b)(ii)). If small dairies only sell directly to final consumers, they do not need to apply Regulation (EC) No 853/2004\(^2\) (Article 1(5)(a)); however, Member States may adopt national measures to apply the requirements of that Regulation to such direct sales. On the contrary, if these dairies are wholesalers, they must comply with the requirements laid down in Regulation (EC) No 853/2004, even if they have a small activity of direct supply to the consumers beside their premises.

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