Who can submit an application?

The applicant may be a legal or a natural person. An application for approval may be submitted by the following persons:

a) Domestic and foreign importers who trade in foodstuffs which comply with Article 16a paragraph 1 numerals a-b of the Law on Technical Barriers to Trade (LETC).

b) Foreign manufacturers of foodstuffs to which Article 16a paragraph 1 numerals a-b LETC applies.

c) Foodstuff-manufacturers in Switzerland who produce foodstuffs destined for export to the European Union (EU) or the European Economic Area (EEA) in accordance with Article 16a paragraph 1 numerals a-b LETC and wish to market the product in Switzerland.

Products of applicants defined in points a-c above may be brought onto the market if they comply with the technical regulations of the EU or, if the regulations have not been harmonised in the EU or have only been partly harmonised, the technical regulations of a member state of the EU or the EEA and are being lawfully marketed there.

d) Foodstuff-manufacturers in Switzerland who produce foodstuffs in accordance with the technical regulations of the EU or of a member state of the EU or EEA which are destined exclusively for the Swiss market. In this case an according product must be on the market in the relevant EU/EEA member state.

Under the terms of Article 16c LETC, only the placement on the market of foodstuffs requires in accordance with the Cassis de Dijon principle an approval from the FSVO.

a) Utility articles and cosmetics may be brought onto the market in Switzerland without an approval according to Article 16c LETC provided that they comply with the provisions of the LETC.

b) The Swiss regulation distinguishing between foodstuffs and medicinal products (Article 3 of the Foodstuffs Act, FSA) applies to applications according to Article 16c LETC. Foodstuffs must still not be advertised as medicinal products in Switzerland.