



## Temperature-controlled carriage of perishable foodstuffs: main law violations

### REGULATORY FRAMEWORK

On the French territory, the obligations related to the perishable foodstuffs are included in the Rural and Sea Fishing Code.

Except in special cases :

- > The vehicle must have a certificate attesting to the technical compliance (National or ATP certificate).
- > The temperature during the carriage must be recorded for frozen stuffs (Regulation 37/2005).
- > Stuffs must be carried in the respect of temperatures and of hygiene conditions.

### BOARD OF THE VIOLATION CLASS

The following board shows classes and amounts for law violation in effect at 09/11/2018.

Class 1	Class 2	Class 3
<b>38 €</b> at the maximum	<b>150 €</b> at the maximum	<b>450 €</b> at the maximum

Class 4	Class 5	
<b>750 €</b> at the maximum	<b>1 500 €</b> at the maximum	<b>3 000 €</b> in case of repeat offence

(1) Penal Offense Code Natinf 27260	(2) Penal Offense Code Natinf 21841	(3) Penal Offense Code Natinf 12025
Up to <b>6 months in prison</b> and <b>15 000 €</b> fine	Up to <b>2 years in prison</b> and <b>30 000 €</b> fine	Up to <b>3 years in prison</b> and <b>45 000 €</b> fine

### WHO IS IN CHARGE OF THE CONTROL?

| Police | Customs | Fraud |

| Veterinary services | Sworn Officers |

| Direction Départementale de la Protection des Populations  
(Departmental Directorate of Protection of Populations) |

### THE MAIN APPLICABLE SANCTIONS

This board lists violations related to the foodstuff carriage.

CODE	CODE TITLE	CLASS	ART
26745 V 2 *	Temperature-controlled transport of animal or animal origin foodstuff without valid certificate of compliance	C4	R237-7
466 V 5 *	Transport of animal or animal origin foodstuff with a vehicle without compliant identification mark	C4	R237-7
29531 V 1 *	Transport of animal or animal origin foodstuff with a vehicle without required equipment for the foodstuff good preservation	C5	R237-2
28933 V 1 **	Transport of non-animal origin cargo or foodstuff with a vehicle without required equipment which can maintain and monitor temperatures	C3	L214-2
26742 V 2 *	Transport of frozen perishable animal or animal origin foodstuff with a non-refrigerated or non-mechanically refrigerated category vehicle	C4	R237-7
3678 V 7 *	Use of a transport vehicle adapt for animal or animal origin foodstuff for a prohibited cargo	C5	R237-2
21326 V 5 *	Transfer of live shellfish without registration document	C5	R237-2
26743 V 2 *	Transport of perishable chilled animal or animal origin foodstuff in a non-insulated category vehicle	C4	R237-7
27260 V 2 *	Transport without authorization of deposited or withdrawn from the market animal origin cargo or foodstuff in boxes	Penal Offense (1)	R237-2
27631 V 1 **	Transport of foodstuff other than animal origin not compliant to national specific measures	C3	L214-1
28916 V 1 **	Having an activity of primary production of non-animal origin cargo and foodstuff without taking measures	C3	L214-22
3676 V 6 *	Transport of animal or animal origin foodstuff in a poorly designed or poorly maintained vehicle which can constitute a risk of contamination, alteration or spoilage	C5	R237-2
20278 V 6 *	Loading or unloading of animal or animal origin foodstuff with an equipment which can create a risk of contamination, alteration or spoilage	C5	R237-2
28929 V 2 **	Transport of non-animal origin cargo or foodstuff in poorly maintained receptacles or boxes	C5	R.451-1 AL.1
28930 V 2 **	Unseparated simultaneous transport of non-animal origin cargo or foodstuff with other cargo	C5	R.451-1 AL.1

28931 V 2 **	Bulk transport in the form of liquid, granular or powdery of non-animal origin cargo or foodstuff in a box used for non-foodstuff products	C5	R.451-1 AL.1
28932 V 2 **	Bulk transport of non-animal cargo or foodstuff in a box which does not have the mark "only for food contact" or equivalent	C5	R.451-1 AL.1
11241 V 4 ***	Road transport of dangerous goods in packages not separate with foodstuff or consumer goods	C5	R1252-9
11489 V 4 ***	Alternate or simultaneous road transport of dangerous goods and foodstuff in the same tank	C5	R1252-9
20834 V 2 ***	Road transport of foodstuff or consumer goods in an approved tank for the transport of dangerous goods	C5	R1252-9
26993 V 1 *	Transport on the national territory of perishable foodstuff in a vehicle which has not the same technical guarantees as a special vehicle	C4	R237-7
21841 V 5 *	Refusal to immobilize or disinfecting the transport of live animals, animal foodstuff or food for animals not compliant for importation, exportation or intra-community trade	Penal Offense (2)	R237-3
20014 V 4 *	Production, processing, distribution of animal or animal origin foodstuff in places where the temperature is inappropriate	C5	R237-2
28933 V 2 **	Transport of non-animal origin stuff or foodstuff in a vehicle without the required equipment which can maintain and check temperatures	C5	R.451-1 AL.1
28939 V 1 **	Conservation of non-animal origin cargo or foodstuff at temperature that may cause a risk for health	C3	R214-22
12025 V 3	Fraudulent use of seals, stamp or mark of a public authority	Penal Offense (3)	444-4

(\*) Law violation to Rural and Sea Fishing Code

(\*\*) Law violation to Consumer Code

(\*\*\*) Law violation to Transport Code

(\*\*\*\*) Law violation to Decree 2009-1121 of 16 September 2009

### MORE INFORMATION?

Consult the "Article L205-1" of the Rural and Sea Fishing Code

[www.legifrance.gouv.fr](http://www.legifrance.gouv.fr)

