



Notification Number: 2000/469/F

## Draft decree on the safety of foodstuffs in domestic refrigerators

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Issue of detailed opinion by : Germany,Italy,Netherlands,United Kingdom

### Message

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Message 002



Communication from the Commission - SG(2000) D/51758  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2000/469/F

(MSG: 200001758.EN)

**1. Structured Information Line**

MSG 001 IND 2000 0469 F FR 03-11-2000 02-08-2000 F NOTIF 03-11-2000

**2. Member State**

France.

**3. Department Responsible**

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**4. Notification Number**

2000/469/F

**5. Title**

Draft decree on the safety of foodstuffs in domestic refrigerators

**6. Products Concerned**

The draft (article 2 of the decree) concerns domestic electric or gas refrigerators and fridge-freezers, regardless of their climate class pursuant to European standards (in particular EN 27 371, 28 187 and EN 561)

**7. Notification Under Another Act**

Notification pursuant to another Community act: no, the conservation of foodstuffs in consumers' homes falls outside the scope of Directive 93/43.

**8. Main Content**

This draft is a consumer protection text and therefore only concerns making products available to consumers. It



does not, therefore, prohibit the manufacture or import for export purposes of appliances that do not comply with this national legislation.

The aim of the draft decree is to regulate performance in terms of food conservation temperature, household refrigerators and fridge-freezers, by making obligatory the minimum storage temperatures, as laid down by international or European standards, obligatory. It was drawn up in close collaboration with professionals, manufacturers and importers of household appliances.

Furthermore, this draft regulation stipulates that these appliances must be marketed with either a temperature indicator (thermometer), removable or integrated into the appliance, or with a binary control device (of the liquid crystal variety) indicating when the temperature of + 4° C has been exceeded by means of a change in colour. These devices will enable consumers to regulate the refrigerator in accordance with the manufacturer's recommendations and conserve foodstuffs at the temperatures indicated on the packaging (Directive 79 112, amended).

### **9. Brief Statement of Grounds**

In 1998, the French Academy of Medicine noted that the cold chain was often broken by consumers, who are unfamiliar with the characteristics of their refrigeration appliances and the optimum food storage conditions. This lack of knowledge leads to an increase in bacteria in the appliances.

An in situ study carried out at the request of the French authorities has confirmed this observation: in a sample of 120 refrigerators monitored in consumers' homes, 33 % had an average temperature greater than 7.5 °C (for a norm of + 5 °C), with 7 % greater than + 10 °C. Moreover, the same study showed the poor use of the appliances, which were generally badly-set (due to the lack of a clear setting device), incorrectly loaded, mainly due to a lack of awareness of the coldest area, and sometimes not cleaned frequently enough.

### **10. Reference Documents - Basic Texts**

This decree implements the Consumer Code (article L 221-3) and, by regulating the performance of refrigeration appliances, aims to improve the continuity of the cold chain and therefore food safety.

### **11. Invocation of the Emergency Procedure**

No

### **12. Grounds for the Emergency**

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### **13. Confidentiality**

No

### **14. Fiscal measures**

No

David O'Sullivan  
General Secretary  
European Commission