



Notification Number: 2007/710/F

Order implementing Decree No 2007-1791 on the technical conditions for the transport of foodstuffs at controlled temperatures, which was notified to the Commission on 12 January 2007 (ref Commission Communication – SG(2007) D/50152 and SG(2007) D/50153), and which amends the Rural Code by introducing therein Articles 231-59-1 to 231-59-7 and Article 237-7.

Date received : 31/12/2007

End of Standstill : 01/04/2008

Message

Message 002

Communication from the Commission - SG(2008) D/50012

Directive 98/34/EC

Translation of the message 001

Notification: 2007/0710/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200800012.EN)

1. Structured Information Line

MSG 002 IND 2007 0710 F EN 01-04-2008 31-12-2007 F NOTIF 01-04-2008

2. Member State

F

3. Department Responsible

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Direction générale de l'alimentation
Bureau des établissements de restauration et de distribution
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4. Notification Number

2007/0710/F - C50A

5. Title

Order implementing Decree No 2007-1791 on the technical conditions for the transport of foodstuffs at controlled temperatures, which was notified to the Commission on 12 January 2007 (ref Commission Communication – SG(2007) D/50152 and SG(2007) D/50153), and which amends the Rural Code by introducing therein Articles 231-59-1 to 231-59-7 and Article 237-7.

6. Products Concerned

The text specifies the cases laid down in Articles 231-59-2, 231-59-3 and 231-59-4 of the Rural Code introduced by the aforesaid Decree.

7. Notification Under Another Act

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8. Main Content

The draft Order specifies the conditions for implementing the obligation for all equipment for transporting perishable foodstuffs in France to comply with the technical regulations laid down in the ATP Agreement. (Agreement on the international carriage of perishable foodstuffs and on the special equipment to be used for such carriage).

It also specifies the cases in which the transporting equipment used exclusively in France may be exempted from the aforesaid technical regulations.

From a regulatory architecture point of view, this draft Order repeals the Order of 20 July 1998, which had become largely obsolete since the adoption of the 'hygiene package' for the health section and the above-mentioned decree for the technical section. In view of this fact, it reproduces certain technical provisions that appeared in the Order of 20 July 1998, which are now based on the regulatory basis for technical inspection established by the new Decree.

9. Brief Statement of Grounds

1. The draft Order lays down the conditions for implementing the technical regulations laid down in the ATP Agreement by specifying, for various categories of foodstuffs, the temperatures, categories and classes of equipment to be used, in the form of a table annexed to the Order. This annex reproduces provisions applied in



France by the Order of 20 July 1998 prior to the adoption of the Hygiene package, and indicates, for the products concerned, the reference to the temperature limits defined in Regulation 853/2004 laying down specific hygiene rules for food of animal origin.

2. The draft Order refers to cases in which the use of special equipment is not required.

3. Lastly, the draft Order lays down categories of equipment that offer guarantees equivalent to those provided by equipment compliant with the technical regulations laid down in the ATP Agreement for maintaining the storage temperatures of foodstuffs.

10. Reference Documents - Basic Texts

a) Agreement on the international carriage of perishable foodstuffs and on special equipment to be used for such carriage (Geneva, 1970).

b) Decree No 2007-1791 of 19 December 2007 on the technical conditions for the transport of foodstuffs at controlled temperatures, which was notified to the Commission on 12 January 2007 (ref Commission Communication – SG(2007) D/50152 and SG(2007) D/50153) and validated by the Council of State.

11. Invocation of the Emergency Procedure

-

12. Grounds for the Emergency

-

13. Confidentiality

-

14. Fiscal measures

-

15. Impact assessment

The impact assessment is enclosed.

16. TBT and SPS aspects

TBT aspect (Agreement on Technical Barriers to Trade)

a) NO

b)

ii) The draft conforms to an international standard.

SPS aspect (Agreement on Sanitary and Phytosanitary Measures)

a) NO

b)



i) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.
ANNEX

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