

**Qualimat Transport Official Positions  
August 2020**

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## **1. PURPOSE AND SCOPE**

The purpose of this document is to clarify or interpret certain points in Qualimat Transport reference documents:

- Qualimat Transport Specifications
- Qualimat Transport Regulations for Third-party Recognition
- Collaboration agreement between OC and Qualimat

The document is for the use of all stakeholders identified in the Qualimat Transport Regulations for Third-party Recognition.

Each official position is shown with its effective date.

## **2. OFFICIAL POSITIONS**

Official positions are set out in below.

**OFFICIAL POSITION No.1-001**  
**Provisions relating to mutual recognition**

<b>THEME 1</b>	<b>Scope and limit of Qualimat Transport listings</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications</u></b>

**Problem identified:**

*When a transport operator is being audited, how do they know if the provisions relating to mutual recognition between different standards (Qualimat Transport, OVOCOM, POS, QS etc.) have been checked?*

**Official position adopted:**

Each holder of standards has a specific protocol for displaying mutual recognition. For transport operators certified by Qualimat, the information must appear on the first page of the audit report in the “comments” box, using the words “for this audit, all requirements relating to mutual recognition with the xxx standards have been audited, with particular reference to compliance with the most stringent level of cleaning”. In order to check or demonstrate that mutual recognition has been observed, the transport operator should send the audit report to the claimant. (There are no plans to draw up a list of this information.)

Date created: 12/10/2010  
Effective date: 12/10/2010

**OFFICIAL POSITION No. 1-002**

**Provisions relating to the transfer of a certificate by a Certification Body**

<b>THEME 1</b>	<b>Issuance of certificates</b>
<b>Reference document</b>	<b>Regulations for recognition third-party §9.</b>
<b><i>Problem identified:</i></b>	
<p><i>The § 9.1. of the regulations for recognition third party indicates « A certificate may not be assigned to any third-party transport operator during the period of its validity, or transferred as a result of legal changes affecting the holder, such as merger, asset transfer, total transmission of assets, etc. without prior written consent from Qualimat, which reserves the right to accept or refuse transfer of the certificate dependent on an analysis of the file».</i></p>	
<p>What documents are necessary for the study of the file in the case of a request for transfer of certificate?</p>	

**Official position adopted:**

***Evidence of developments on the company***

The transport operator must provide evidence of the modification to describe the developments in his business.

- A Kbis extract less than 3 months old and,
- The extract from the Official Bulletin of Civil and Commercial Announcements (BODACC) corresponding to the modification made.

Special case of foreign transport operators:

- For Spanish transport operators: Access to the commercial register is not free. It is therefore up to the transport operator to provide proof of the modification by any other means in its possession.
- For Luxembourg transport operators: the Trade and Companies Register (RCS) can be consulted on the website [www.lbr.lu](http://www.lbr.lu).
- For Belgian transport operators: the Belgian business directory, the Carrefour des Entreprises Bank (BCE) can be consulted on the website <https://kbopub.economie.fgov.be>.
- For any other nationality: the links to the commercial registers accessible to the public from different countries can be consulted through the European Business Register (EBR).

***Qualimat Transport file update***

In addition to the above documents, the Qualimat Transport operator must transmit to its Certification Body:

- Qualimat Transport confirmation of engagement,
- The transport license,
- Proof of modification of registration with the DGCCRF.

These documents must be consistent with the new elements of company's identity.

The Certifying Body studies the documents transmitted and then transmits the entire file to Qualimat accompanied by its recommendation concerning the transfer of the certificate.

Date created : 17/10/2019  
Effective date : 15/01/2020

**OFFICIAL POSITION No. 1-003**  
**Provisions relating to companies with several operating sites**

<b>THEME 1</b>	<b>Scope and limit of the Qualimat Transport referencing</b>
<b>Reference document</b>	<b>Regulations for recognition third-party §4.1.</b>

**Problem identified:**

*The § 4.1. of the regulations for recognition third party indicates « Audits must be organized in such a way that the auditor has at his/her disposal all the information he/she requires during the audit to establish conformity with the Qualimat Transport Specifications. This includes, in particular, the facility to inspect containers at random ».*

What are the different business organizations that may be encountered by the Certification Bodies and how should they be audited?

**Official position adopted :**

Within the scope of Qualimat Transport are distinguished:

- **Cooperative companies of transport companies:** They designate companies with Scop or Scic status which are subject to specific legislation at the level of the transport code. They are characterized by the pooling of material resources (excluding containers), technical, financial and accounting management resources. They can conclude contracts directly and take majority stakes in associated companies. Each transport company that makes up a cooperative company is a separate legal entity \* and must be audited and have its own Qualimat Transport certificate.
- **Branches:** These are permanent establishments which do not benefit from legal personality, but which have autonomy of management and direction in relation to the main companies to which they are financially (they have no inheritance of their own) and commercially attached. They have a separate legal entity \* but remain legally dependent on the parent company. The activities of a branch being independent of the activities of the parent company, each branch must be audited and have its own Qualimat Transport certificate.
- **Secondary establishments:** These are permanent establishments, distinct from the head office or the main establishment, which benefit from their own registration \*\*. They have the same SIREN number as the parent company. Each secondary establishment must be audited and have its own Qualimat Transport certificate.
- **Subsidiaries:** These are companies in which more than half of the share capital is controlled by a parent company. The subsidiary has a separate legal personality \*. It must be audited and have its own Qualimat Transport certificate.
- **Agencies:** The term “agency” is used with a marketing or commercial scope. Agencies have neither their own legal personality nor financial autonomy and correspond to the definition of branch as described above. As such, they must be audited and have their own Qualimat certificate.

\* A separate legal entity corresponds to a SIRET number

\*\* A registration corresponds to a SIRET number

• **Note:** A parent company carrying the Qualimat Transport certificate and having a centralized and coordinated organization may also have parking bases where drivers and containers are located. These are part of the parent company's audit scope, including the ability to randomly inspect containers.

Date created : 17/10/2019  
Effective date : 15/01/2020

**OFFICIAL POSITION No.2-001  
Elements of level D cleaning**

<b>THEME 2:</b>	<b>Cleaning of containers</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications, section 7</u></b>

**Problem identified:**

Section 7.2 of the Qualimat Transport Specifications indicates for level D that: "Where necessary, level D cleaning must take place between each new loading of "products" regardless of the number of intermediate transportations". How does this differ from the other cleaning levels?

**Official position adopted:**

The level of cleaning depends on the nature of the hazard (physical, chemical or biological) and the risk assessment that these goods may represent for "products" subsequently transported in the same container.

- for biological hazards (*microorganisms that can multiply and contaminate a product transported subsequently*), level D cleaning (*B or C level washing followed by disinfection*) is essential to eliminate the risk, regardless of the number of intermediate transportations (*because microorganisms can persist in the container*).
- for chemical or physical hazards (*undesirable substances or foreign bodies*) requiring level A, B or C cleaning, the hazard does not proliferate over time and subsequent transportations of goods will exert a mechanical action on the container. For this reason, a decay-time rule is applied for cleaning levels C, B and A where the goods do not constitute "products". Thus, there is a sequence [level C goods (no cleaning) → level B goods → level B goods → "product"] in accordance with the Qualimat Transport Specifications.

**Note:** the results of the cleaning must comply with the objectives in section 7.2 of the Qualimat Transport Specifications in all circumstances. In addition, the decay rule does not apply to prohibited goods under any circumstances.

Date created: 18/12/2012  
 Effective date: 02/05/2014

**OFFICIAL POSITION No.2-002**  
**Choice of detergent/disinfectant**

<b>THEME 2:</b>	<b>Cleaning of containers</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications, section 7</u></b>

**Problem identified:**

- (a) *In section 7.2 of the Qualimat Transport Specifications, what is meant by a detergent or disinfectant "approved" for food contact?*
- (b) *On the "e-phy" website for disinfectants, what kind of activity should be considered acceptable?*

**Official position adopted:**

(a) A detergent and/or disinfectant is referred to as "approved" for food contact in the Qualimat Transport Specifications if it is authorized for this purpose by the competent authority.

As such, it must appear on the list annexed to the 8 September 1999 decree relating to "cleaning products used", amended by the decree of 19/12/2013 (the product label or technical data sheet for it states "conforms to the decree of 08/09/1999 amended on 19/12/2013" or "conforms to the decree of 19/12/2013").

Disinfectants listed under product type TP04, "Disinfectants for surfaces in contact with food and feed" (on the Simmbad website), conform to the decree of 19/12/2013.

For disinfectants not listed as type TP04, their conformity with food contact is as stated on the product label or technical data sheet.

(b) The e-phy website no longer hosts detergent and disinfectant products authorized for food contact since it was updated in March 2016. This site is now only used for phytopharmaceutical products.

Date created:	18/12/2012
Last updated:	16/05/2018
Effective date:	01/07/2018

**OFFICIAL POSITION No.2-003**  
**Recording times of purges**

<b>THEME 2:</b>	<b>Cleaning of containers</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications, section 7.2.2</u></b>

**Problem identified:**

*Is it only necessary to record purges required under section 7.2.2 of the Specifications (Cleaning records), i.e. Are purges required between two different ordering parties? or also for additional purges carried out in compliance with special instructions from the ordering party?*

**Official position adopted:**

Version 6 of the Qualimat Transport Specifications requires a purge to be carried out in the event of successive loadings of foodstuffs from different ordering parties (note 3 in section 7.2.1).

The requirement to record this type of purge is described in section 7.2.2, Cleaning records. The recording requirement only applies to purges carried out in compliance with the Specifications.

For other types of purge imposed by the ordering party: if the ordering party gives specific instructions to record the purge, transport operators must comply, as it will be checked by auditors.

Date created: 16/05/2018  
Effective date: 01/07/2018



**OFFICIAL POSITION No.3-001**  
**Checking the history of containers for initial or preliminary audit**

<b>THEME 3:</b>	<b>Audits</b>
<b>Reference document</b>	<b><u>Qualimat Transport Regulations for Third-party Recognition</u></b> <b><u>Section 4 Conduct of audits</u></b>

**Problem identified:**

*Before an operator is registered, the auditor must check the history of their containers at an initial or preliminary audit.*

*What period do these checks cover and what is the process for them?*

**Official position adopted**

At an initial or preliminary audit, the auditor must check the history of the containers going back to before the operator was registered, to verify compliance with the operator's obligations (see the provisions under "operator's confirmation of registration")

The checks may cover a maximum of the last 12 months before the operator's registration. The main purpose (in addition to any specific checks related to the preliminary audit) is to verify the nature of the goods transported and/or any release procedure that have been carried out.

Date created: 01/08/2012  
Effective date: 01/08/2012

**OFFICIAL POSITION No.3-002**

**Subcontracting: evidence of compliance with the Qualimat Transport Specifications**

<b>THEME 3:</b>	<b>Audits</b>
<b>Reference document</b>	<b>Qualimat Transport Specifications, section 5</b>

**Problem identified:**

*ISO 9001-certified transport operators have a document in their quality system describing the specific characteristics of each ordering party. This document, which is not verified by the client, includes a “subcontracting accepted” section. Does this document release the operator from the duty of notifying the client about subcontracting?*

**Official position adopted:**

The operator is not released from the obligation as the document is not validated by the client.

Date created: 12/02/2008  
Effective date: 12/02/2008

**OFFICIAL POSITION No.3-003  
Classification of inconsistencies**

<b>THEME 3:</b>	<b>Audits</b>
<b>Reference document</b>	<b><u>Qualimat Transport Regulations for Third-party Recognition</u> <u>Section 8 Classification of inconsistencies</u></b>

**Problem identified:**

*Would it be possible to notify transport operators of the classification of any inconsistencies that may be identified during an audit?*

**Official position adopted:**

The non-exhaustive list of inconsistencies that an auditor may identify during a Qualimat Transport audit is the subject of this official position - see the table below.

Date created: 15/12/2015  
Effective date: 01/01/2016

**OFFICIAL POSITION No.03-003: Classification table for inconsistencies (non-exhaustive list)**

<b>Section in Specifications</b>	<b>Points covered</b>	<b>Sample inconsistency (non-exhaustive)</b>	<b>Classification</b>
Background and general information	Company details, address Transportation license or certificate	Transport license date expired	Minor
	General business activity Size Human resources Equipment Type of goods transported: comprehensive evaluation of goods levels 1 and 2, comprehensive evaluation of cleaning levels C and D	Containers declared not-involved but used to transport products; cleaning levels observed	Minor
		Containers declared not-involved but used to transport products; cleaning levels not observed	MAJOR
	Availability of Specifications and annexes Knowledge of Specifications	Specifications and annexes out of date Poor knowledge or understanding of Specifications	Minor Minor to MAJOR :
Section 2 Quality system	Quality system including document management procedure	No document management procedure	MAJOR
		Document management procedure incomplete	Minor
2.1. Management of docs and records	Documentation system Existence of written guidelines	Written guidelines differ from Specifications	Minor
2.2.	HACCP	HACCP incomplete or out of date	Minor to MAJOR
2.3.	Traceability	No traceability for 1 container	MAJOR
		No traceability for 1 or more operations	Minor or MAJOR depending on cleaning level
	Procedure for storing traceability records	Cleaning records kept for less than 18 months	Minor to MAJOR

2.4. Management of NCs and claims	Non-conformities, client complaints and corrective/preventative actions	No records of NCs, complaints or C/P actions	MAJOR
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**OFFICIAL POSITION No.03-003: Classification table for inconsistencies (non-exhaustive list)**

Section in Specifications	Points covered	Sample inconsistency (non-exhaustive)	Classification
2.5. Improvements		No records of NCs, complaints or C/P actions	Minor
		No correction action following non-conformities or client complaints	Minor to MAJOR (Depending on gravity)
		No checks on efficacy of corrective/preventive action	Minor
4. Contract review			
	4.1. Verification of contract feasibility Identification and type of goods for transport Deployment of containers Scheduling of cleaning	Prohibited goods transported in containers used for transporting products (no redeployment if redeployment authorized)	MAJOR
	4.1. Verification of contract feasibility Requirement under Note 1: "Transport operators must establish and update a list of the main types of goods they transport..."  No list of main types of goods transported (with indications as in 4.1.) or List of goods does not include goods classed as prohibited or requiring level D cleaning		Minor
	Compliance with deadlines	No procedure identified for notifying client in the event of late delivery	Minor

5. Subcontracting:	Confirming subcontractors are compliant with Specifications	Unauthorized subcontracting	MAJOR
		Subcontracting authorized retrospectively	Minor
	Notifying ordering party	Ordering party not notified or no proof of notification	Minor

**OFFICIAL POSITION No.03-003: Classification table for inconsistencies (non-exhaustive list)**

<b>Section in Specifications</b>	<b>Points covered</b>	<b>Sample inconsistency (non-exhaustive)</b>	<b>Classification</b>
6. 1. Human resources	Training in line with Specifications Knowledge of Specifications Procedure for loading products Cases requiring the client to be notified Sampling procedure		
	Driver training on loading requirements, observation, preservation, obligations when unloading		
	Training in cleaning/washing/disinfection techniques		
6. 2. Equipment	Identification of maintenance and servicing procedures for vehicles		
	Sealing on tanks, doors, hatches		
	Maintenance operations records up to date	No records	MAJOR
	Inspection of containers on site	Container not water-tight	Minor
7. Cleanliness of containers	Inspection of containers	Not clean after cleaning operation (A, B, C)	Minor
		Not clean after cleaning operation level D or redeployment	MAJOR
	Cleaning and disinfecting products (approval for food contact, technical data sheets, usage according to data sheet)	Product not approved for food contact	MAJOR
		No identification of products used	Minor
		Product used past its use-by date	Minor



Water compliance

Too much/too little product used	Minor
Water non-compliant with 1 point for washing, no action taken	MAJOR

**OFFICIAL POSITION No.03-003: Classification table for inconsistencies (non-exhaustive list)**

Section in Specifications	Points covered	Sample inconsistency (non-exhaustive)	Classification
		corrective action taken	
		No information on washing points, information out of date (>1 yr) or incomplete	Minor to MAJOR
	Cleaning operations	Redeployment protocol not complied with	MAJOR
		Cleaning level D not complied with	MAJOR
		Cleaning level A, B or C not complied with	Minor
		Repeated error with cleaning level	MAJOR
	Purging operations for successive loads of compound foodstuffs from different manufacturers	No purging carried out	MAJOR
	Cleaning records  Specific circumstances for compound feed: records of purging operations	Records incomplete/no records	Minor /MAJ OR
	Knowledge of requirements among washing station employees, where applicable		
8. Observation of loading	Knowledge of Specifications  Driver training on loading requirement, observing, preservation, obligations when unloading  Application of obligations	No evidence or incomplete evidence (of training)	Minor to MAJOR
9. Preservation of products during transport		Obligations not undertaken/not complied with	Minor to MAJOR
10. Operator's obligations at unloading			

10. Operator's obligations at unloading	Special considerations for compound feed: - unloading carried out according to the ordering party's sequencing plan - documents remitted at unloading in accordance with		
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**OFFICIAL POSITION No.03-003: Classification table for inconsistencies (non-exhaustive list)**

<b>Section in Specifications</b>	<b>Points covered</b>	<b>Sample inconsistency (non-exhaustive)</b>	<b>Classification</b>
	regulations and ordering party's requirements		

**OFFICIAL POSITION No. 3-004**  
**Provisions relating to companies using a trucker**

<b>THEME 3</b>	<b><u>Audits</u></b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications §10.1</u></b>

**Problem identified :**

Section 10.1 of the Specifications indicates that « The transport operator must be able to demonstrate to the recipient in all circumstances that the container belongs to (i.e. is owned or rented by) a transport operator listed by Qualimat Transport, especially in the case of a trucker. Documents that stand as proof of this are the registration certificate, the rental agreement, the leasing contract, etc».

How can a transport operator using a trucker demonstrate ownership of the container?

**Official position adopted :**

In order to demonstrate, upon receipt, that the container towed by a trucker belongs to a Qualimat Transport certified transport operator, a written certificate may be issued by the owner of the container and presented to the reception by trucker.

To be able to judge its reliability, the written certificate can be written according to the following model:

Container's owner  
Society  
N°SIRET  
N° Qualimat  
Name  
Function  
Address  
Postal code, city

To the attention of  
Society  
N°SIRET  
Name  
▶ Address  
Postal code, city  
Trucker

**Subject:** Certificate relating to the pulling of a container belonging to a Qualimat Transport certified transport operator

Dear Madam / Sir,

I, the undersigned, Madam / Sir (Name), as (to be completed), certify that transport by registered container (to be completed) is covered by the Qualimat Transport certificate of the company (name of the certified company) valid until (expiry date of the current Qualimat Transport certificate).

Attached: copy of the container registration document

I have read the criminal sanctions incurred by the author of a false certificate \*.

Made to serve and assert what is right.

(Place), on (date),

Signature

\* Any fraudulent declaration is punished with the penalties provided for in article 441-1 of the penal code which can go up to 3 years of imprisonment and 45,000 euros in fines

Date created : 17/10/2019  
Effective date : 15/01/2020

**OFFICIAL POSITION No. 4-001**  
**Lubricants suitable for food contact**

<b>THEME 4:</b>	<b>Equipment</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications, section 6.2.2</u></b>

**Problem identified:**

Section 6.2.2 of the Specifications indicates that lubricants used during maintenance operations must be suitable for accidental contact by anyone who comes into contact with or is in the vicinity of the “products”.

- (a) Does this requirement apply to food-grade hydraulic oil in the circuits?
- (b) How can you bring the entire vehicle park into compliance (cost of oil change)? Is any time delay allowed for old vehicles?

**Official position adopted:**

(a) The expression “suitable for accidental contact” refers to an official classification of materials and substances in contact with food. Conformity with this must be checked on the technical data sheet for the lubricant.

For lubricants inside circuits, the risk of contact with them in the event of a leak must be taken into account in the transport operator’s HACCP analysis.

(b) It is therefore not a requirement to use fluids suitable for food contact, in particular food-grade hydraulic oil, in all containers or to bring the entire vehicle park into conformity.

Date created: 16/05/2018  
Effective date: 01/07/2018

**OFFICIAL POSITION No.4-002**  
**Traceability of used containers**

<b>THEME 4:</b>	<b>Equipment</b>
<b>Reference document</b>	<b><u>Qualimat Transport Specifications, section 6.2</u></b>

**Problem identified:**

Note 2 under section 6.2 indicates: "If a transport operator introduces a second-hand container (purchased, leased or returned by a lessee) into his/her fleet, the transport operator must obtain a written attestation, based on the transport history, guaranteeing that the container has never been used to transport IDTF-prohibited goods before it enters the fleet. In the event that no attestation can be obtained, the transport operator must carry out a redeployment protocol (see annex 3 of these specifications). For multiple exits and re-entries, these provisions must be repeated on each "re-entry" of the container to the transport operator's fleet."

- (a) *Does a written attestation constitute sufficient proof without the associated history?*
- (b) *How do you assess the reliability of a written attestation?*

**Official position adopted:**

(a) A written attestation does not constitute sufficient proof without the associated history. When a second-hand container (purchased, leased or returned by a lessee) is introduced into a fleet, the transport operator must obtain a written attestation of what the container has transported before it enters the fleet, that it has never been used for prohibited goods as defined by the Qualimat Transport Specifications and the IDTF, and also the container's transportation history. These documents must cover the 12-month period before the vehicle entered the fleet. Auditors will assess the reliability of the documents relating to the container's history. If the documents retracing the container's history are not judged reliable, a redeployment protocol must be carried out on the container.

(b) To assess the reliability of the attestation, it must be drawn up according to the Qualimat template - *see below*.

Date created: 16/05/2018  
Date of 01/09/2018

*Company:*

*SIRET (Business registration):*

*First name and*

*surname*

*Position*

*Address*

*Postal code Town*

For the attention of Company

*Company*

*SIRET (Business registration)*

*First name and surname*

*Address Postal code Town*

*Place, date*

Subject: Sworn attestation

Dear sir or madam,

I the undersigned, Mr/Ms (*first name and surname*), director of the company (*name of company*) attest that my company has used the container with registration number (*registration number*) between (*date of purchase or start of lease*) and (*date of sale or end of lease*).

During this period/During the 12-month period until it was transferred, the contained was never used to transport prohibited goods as defined in the Qualimat Transport Specifications Version 6 and the International Database Transport for Feed (<http://www.icrt-idtf.com>).

Attached: history of the container for the 12 months prior to transfer.

I am aware of the criminal penalties for false attestations\*. For all due intents and purposes.

*(Place), (date)*

Signature

\*Fraudulent declarations are punishable under the penalties prescribed in article 441-1 of the penal code, with up to three years imprisonment and a fine of 45,000 euros.