

Partners / Subcontractor

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TRANSPORT CODE AGREEMENT

Requirements for Transport Code agreements

This requirement covers Full Loads, Part Load on behalf of DS Transport Solutions for Storage and distributions centers, mixed loads using road transportation.

This code of agreement is set down to confirm clear responsibilities and the basic requirements needed to ensure the end to end chill chain is maintained. It details the requirements to ensure that all parties involved are aware of their responsibility. It is important to ensure that products are received from the loading place CORRECTLY, the goods are transported CORRECTLY, and goods are delivered to their final destination CORRECTLY.

It is essential that the Transport Code Agreement (TCA) takes legal responsibility of the goods once they are loaded IN to the trailer until the final destination and until the driver receives a CLEAN CMR from the unloading place. It is the aim of DS Transport Solution to have open communications and a trusted relationship with all their selected Transport Service Provider (TSP)

Reinsurance Requirements

All Transport Service Provider (TSP) are expected to have up to date insurance and to provide a copy of their CMR insurance policy or a copy of their insurance certificate as issued by the appropriate insurance company. DS reserves the right to contact carrier insurance to confirm the validity of insurance contract.

Collection and Loading Requirements

The trailer must arrive fit for purpose, pre-chilled, at the correct temperature setting, clean, of acceptable structural standard and free of smell. A vehicle check-sheet must be completed by each driver at the beginning of each shift, so that the driver can establish and confirm that the trailer is fit for use. The check-sheet should also include the refrigeration set point and the actual temperature. The driver is expected to take control of the products when loading the trailer if his presents - **If his presence is prohibited**, you must notify us **immediately**, driver must check the number of pallets into the trailer and that products loaded correspond with the booking – if there are any **discrepancies** the appropriate **DS Dispatcher** should be informed immediately and a note should also be added to the delivery documents including the CMR **IF** we instructed so.

It is a minimum requirement that the proof of historical transportation thermograph readings can be recalled from the trailer at any time, and within 24hours. If this standard cannot be achieved it must be discussed with DS before the arrival at the unloading place.

If the trailer has been used for products, which may taint the next cargo/load it is an essential requirement that it will be returned to the original hygiene standards before the arrival at the loading place.

If a Vehicles contracted for DS have the following on board at any time:

- Raw meat
- Cooked meat
- Product packaged in glass packaging
- Any goods that may be considered allergenic, other than allergens within the product being transported.

WE NEED TO BE NOTIFIED IMMEDIATELY

The temperature regimes for chilled vehicles are +1° until +4° degrees with a standard temperature setting of +2° degrees.

The temperature regimes for Frozen vehicles are -18° until -22° degrees with a standard temperature setting of -20° degrees.

As a rule, loading out of a chilled environment it should take approximately 15 minutes to load chilled goods and 30 minutes for frozen. Trailer doors should not be opened until the site is ready to load the trailer.

TSP should only accept the loading of goods, which are physically suitable for transportation.

Transport Requirements

TSP must confirm with copies of appropriate documentation that they are licensed to operate within the EU and operate in compliance with appropriate legislation

Regulation EC 1071/2009

Regulation EC 1072/2009

Regulation EC 484/2002

Temperature requirements during transport remain the same as during loading:

The temperature regimes for chilled vehicles are +2° Degrees

The temperature regimes for frozen vehicles are -22° Degrees

Each transport temperature should be also according the CMR or Transport Order instruction.

It is a fundamental requirement that the aggregate unit to remain on during travel time and must not be switched off, under any circumstances.

It is a basic requirement that the trailer must be fitted with at least 1 accurate and working temperature recoding probe, per temperature profile e.g. split frozen and chilled transportation.

It is essential that security precautions are in place, which will secure the contents of the trailer at all times during the transport until the final unloading of the consignment. If at any time during the journey there is an issue and the integrity of the load is under threat DS Transport Solution MUST be informed IMMEDIATELY.

It is the legal responsibility of the TSP to maintain the original integrity of the goods loaded on their trailer.

When the goods are loaded on the trailer the TSP takes charge of the goods, it is the TSP responsibility to ensure the goods are secured for transportation. The driver then must sign the paperwork to confirm they have custody of the goods.

DS requires that all transport vehicles used for the delivery of our client's products be done so in accordance with *Code of Practice of the Home Office Boarder & Immigration Agency for Prevention of Clandestine Entrants*. This includes conducting vehicle checks after each stop, according to **APPENDIX 1**

Failure to operate in accordance with this legislation could lead to a maximum penalty of £2.000 per clandestine entrant, payable by you, if these persons are carried to the UK.

Delivery Requirements

Trailer chiller units must remain on during delivery, unless the trailer is securely linked to a chilled unloading bay.

Chilled unloading bays should be used whenever available. Local operation procedures may dictate how the lorry is unloaded

Company Policy, Training and Standards

The TSP is subject to DS approval audit before supply or renewal of current contract. It is expected that the TSP have policies and procedures in place that can be audited against DS Standards

Operations Licenses are Held.

Relevant and insurance is held

Enough insurance cover should be enough that the 3rd party can deal with any level of incident

Hold Public Liability insurance – conditions of carriage 10x the value

Lorry transport insurance.

Hold CMR's these should not be a sole cover as a CMR will often only be up to 8,33SZR per Kilo

Regular Servicing contracts with documentation.

Competent Transport Manager / Owner, with a certificate of professional competence or over 5 years of experience in their business.

Operator Driver Training, including load security.

Confirmation that all drivers hold DQC (Driver Qualification Card) or CPC Cards for drivers (CPC Card is Driver Certificate of Professional Competence Card).

The driver ID must be checked and logged

There must be traceability of where that trailer was last transported, where they went and where have they been.

Any fines incurred during transport are paid by you.

Drivers will have appropriate personal safety equipment and will comply with collection or delivery side safety and behavioral rules.

The TSP must have an emergency response call-out procedure detailing the below, but it is not an exhaustive list.

- 24 hr / 7 days a week contact with the TSP - telephone numbers to ring, the number must be available to drivers at all times, and the policy should cover the retrieval of the trailer and goods.
- 24 hr / 7 days a week emergency contact number must be available for DS Transport Solutions
 - For DS its Mr. Spyridon Kousis / 0030 6987483483

It should not only be a breakdown policy to cover

- Accidents
- Road closures
- Port delays
- It should detail the driver procedures, for example keeping doors shut, regular updates with site, numbers for the driver to contact Haulage Company, set frequency to check and record temperature of trailer.
- Fuel refill for chiller unit.

It should detail unloading of trailer, if required.

Cleaning chemicals used should be suitable for the intended purpose, with no odor that could affect the product in the trailer / container.

Fixed probes in the trailer must be calibrated at least annually

It is essential that the trailer chiller units are on a planned preventative maintenance (ppm) programme and evidence of servicing is available. It is a requirement that ppm inspection are planned every 6 months, with a list of critical parts and scheduled replacements. Trailer seal checks are particularly important as these have the most damage through everyday use.

Payment rules:

Payment of Transport Provider's services under this Agreement must be made by DS within 45 days from the date of issue of a relevant invoice and receiving all supporting documents by a bank transfer to Transport Provider's indicated bank account.

Order acceptance:

Transport Provider confirms or rejects a properly placed transport order via e-mail not later than 3 hours after receiving it from DS. In case the placed transport order is neither confirmed nor rejected in 3 hours after placing it, the order is considered as rejected by default and releases both Parties from any commitments and liability towards the order not confirmed by Transport Provider.

Subcontracting

DS does understand that at times our selected TSP may need to outsource our contract at busy times of the year. If the TSP sub-contracts out haulage of DS, the TSP must have an approval process and know that if there is any issue, they should also be able to claim off their selected Haulier.

It is the minimum expectation that

- DS are advised if a Fourth Party Contractor will be used.
- The Third Party Contractor has previously been approved, against our absolute requirements.
- The Third Party Contractor uses equipment that is fit for purpose.

DS does not allow our selected TSP to outsource our transportation needs on 'vehicle and freight exchange' platforms, for example, Timocom

The subcontractor must provide the TSP with their Operators Licence and Goods in Transit details.

Security & Legal Responsibility

Responsibilities of the TSP:

Security of load in the trailer, using load restraints and runner bars, these are the responsibility of the Haulier. (Drivers will be fined at the side of the road for transporting unsecure loads.)

Security of the trailer to protect the goods.

Every trip must have a planned route, with planned stops in secure locations that allows chiller units can remain on and should not need to be turned off at any point in time.

There must be a recorded security check at every stop, detailing windows and doors locked.

The trailer must be checked for any forced entry, or any signs of clandestine entrants before recommencement of the journey.

Basic security seals / tamper evident tags with unique numbers that can be traced on

Types of checks should include:

1. The TIR Security Cord should be checked physically for evidence of tampering, in particular for signs that it has been cut and re-joined.
2. Seals and padlocks should be checked physically to ensure they have not been cut or broken and repaired. If a padlock is difficult to open or close this may suggest it has been tampered with.
3. If travelling through Calais, Coquelles or Dunkirk, the final check should be carried out before entering the UK Control Zone. If using another port, the final check should take place immediately before boarding the ferry paperwork.

Declaration

Declaration	
By signing this document, I confirm that I have read, understand, and will abide by the above recommendations and requirements.	
Name:	
Position:	
Company:	
Date:	
Sign:	

For DS Transport Solution Use Only					
Approved:	Y/N	Sign:		Date:	
<i>Further Comments:</i>					

APPENDIX 1

Vehicle security checklist					
Company name:			Vehicle number:		
Loaded at:			Trailer number:		
On (date):					
Check	After loading Date:	1st Stop Date:	2nd Stop Date:	Final Check (3)	Extra check if time between 3rd party- check + embarkation >15 min.
Vehicle/Trailer inside	Yes	Yes	Yes	Yes	Yes
Tilts and roof checked for damage	Yes	Yes	Yes	Yes	Yes
External compartments checked	Yes	Yes	Yes	Yes	Yes
Below vehicle checked	Yes	Yes	Yes	Yes	Yes
TIR cord tight and in place and checked (1)					
Seal in place and checked (2)	Yes	Yes	Yes	Yes	Yes
Padlock in place and checked (2)	Yes	Yes	Yes	Yes	Yes
Seal/Padlock number	1911593				
3rd party check (e.g CO2, PMMW)				Yes	
Cabin-Check				Yes	Yes
Time checked	/ /	/ /	/ /	/ /	/ /
Driver's signature					