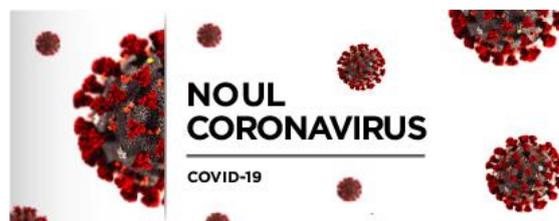


## WHICH CATERING AND PACKAGE SALES ARE PERMITTED IN THE LIGHT OF CES RESOLUTION No. 20/21.04.2020?



According to Section 2 of the Resolution No. 20/21.04.2020 (see [here](#)), the Commission for Exceptional Situations of the Republic of Moldova (**CES**) has ordered that, starting from April 22, 2020, it is permitted to trade packaged products and in catering regime by public food serving (catering) units, pursuant to the CAEM 56.10 code, except for: express buffets, street ice cream vendors, mobile food carts; food preparation at fair stands; activities of restaurants and bars related to transport, window sales units.

Based on our clients' experience, the most frequent addressed questions related to the above CES resolution are the following:

### 1. What does CAEM 56.10 code include?

The 56.10 code of Classification of Economic Activities of Moldova (**CAEM**) includes activities from:

- restaurants,
- express buffets,
- fast-food restaurants,
- pizzerias,
- home catering units,
- street ice cream vendors,
- mobile food carts, and
- food preparation at fair stands.

This class also includes: activities of restaurants and bars related to transport, when performed by distinct units, other than transport units.

This class excludes:

- retail sale of food through vending machines (class 47.99), and
- activity of concession of food serving units (class 56.29).

In the view of the above-mentioned CES resolution, the authority has allowed the trade of packaged products and in catering regime (i.e., pursuant to CAEM, the delivery of food services in the location specified by the client) by the following public food serving (catering) units: restaurants, fast-food restaurants, pizzerias, home catering units, restaurants and bars related to transport, which do not provide window selling.

### 2. How can I check if my unit falls under the CAEM 56.10 code?

The qualification of the unit as being incident to the CAEM 56.10 code depends directly on the data included in the notification regarding the initiation of the commercial activity, submitted by you to the local public administration authority for the unit authorization.

Respectively, check the notification (Section *Carried Out Trade Activity – Activități de comerț desfășurate*) or, if the case, check the operating authorization in order to be assured that you have notified the activity according to the class 56.10 of the CAEM.

If the unit is located in Chișinău, you can as well check this data on the [comert.chisinau.md](http://comert.chisinau.md) website, Section *See Trade Notifications – Vezi Notificările de comerț*, searching for notification data by the name of your company (or of competitors', if you are interested).

**3. Apparently, according to the description I hold a unit that falls under the CAEM 56.10 code, but there is another code indicated in the notification (for example, 56.29). Can I resume the activity according to the CES Resolution No. 20/21.04.2020?**

No, because in legal terms you have notified (authorized) a commercial activity different than the one allowed by CES, and the resumption of the activity in these conditions rises the risk of application of contravention sanctions regarding your company.

By the way, if you believe that the different code is the result of an error (yours, or of the profile subdivision of the local public administration authority) when submitting the notification regarding the initiation of the commercial activity, you can as well initiate the modification of the notification under the conditions of Article 17<sup>6</sup> of Law on Internal Trade No. 231/2010.

Iulian Pașatii, Attorney-at-Law  
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*Note: This brief reflects the situation on the 25 April 2020 (morning).*