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English 

License of a restaurant and drinks

Verified 05 novembre 2020 - Directorate of Legal and Administrative Information (Prime Minister), Ministry of the Interior

A flow of drinks is an establishment that sells alcoholic beverages. If it's a cafe or a pub or a bar, that's its main business. If it's a restaurant or a disco, it's a side event. Drinks can be eaten on site or taken away. In all cases, the establishment must be licensed. Temporary drinks (fairs, public holidays, etc.) are not subject to license, they must make a declaration.

Who should have a license?

Every person intending to open an establishment that sells alcoholic beverages, whether principal or incidental, must be licensed.

It can be a sales establishment:

- on site (café, bar, pub, disco, restaurant, hotel-restaurant, bar-restaurant, guest room)
- or take away (supermarket, grocery store, wine merchant, distance or internet sale).

For a bar, the sale of alcohol is a main activity, whereas for a hotel-restaurant it is a side activity.

Temporary drinks (for example, during a fair) are not required to have a license. An authorization from the town hall is enough.

⚠ Warning : distribution of alcoholic beverages by a vending machine is prohibited. Distribution of non-alcoholic beverages by an automatic device is authorized and is considered to be an on-site sale.

License Categories

Types of licenses depending on the nature of the beverages

There are 3 different types of drinks corresponding to 3 authorizations:

- Non-alcoholic beverages: over-the-counter, no license
- Drinks below 18° alcohol (wine, beer, blackcurrant cream, etc.): License III (License 3)
- Drinks over 18° alcohol (distilled alcohols such as liquor, rum, whisky, etc.): License IV (License 4)

The different types of licenses depending on the nature of the drinks

Type of drinks	Drink Rate to consume on site	Drink Rate take away	Restaurant
Group 1: alcoholic beverages	Free Sale	Free Sale	Free Sale
Group 3: fermented non-distilled beverages (wine, beer, cider, perry, hydromel) and natural sweet wines, blackcurrant cream, fruit or vegetable juices containing up to 3° of alcohol, liqueur wine, wine-based aperitif, strawberry liqueurs, raspberries, blackcurrant or cherries containing less than 18° of alcohol	License III <i>restricted license</i>	Small takeaway license	Small restaurant license
Groups 4 and 5: rum, tafias, distilled alcohols and all other alcoholic beverages	License IV, <i>large license</i> or <i>full license</i>	License to take away	Restaurant License

 **FYI :** the sale of non-alcoholic beverages is free in all drinks.

Group 2 and Group 3 licenses have merged. Valid II licenses become III licenses.

Street merchants can sell only drinks below 18 ° alcohol (wine, beer and soft drinks).

The sale on credit of alcoholic beverages at retail is prohibited.

Restaurant licenses

On site

When alcoholic beverages accompany meals, the restaurateur must hold a *restaurant license* (for all alcohols) or *small restaurant license* (only for wines, ciders and beers).

If the sale of alcohol also takes place outside meals (bar-restaurant), he must hold a license III or IV. The *restaurant license* or *small restaurant license* are then not necessary.

Take away

The hotel has a *restaurant license* or a license III or IV, may sell to take away the drinks authorized by its license.

If the establishment sells only take-away drinks (grocery store, online sale), it must be the owner:

- or *small takeaway license* for cider, wine and beer,
- or *take-away license*, for alcohol exceeding 18 °.

Street food vendors like food trucks have no right to sell liquor exceeding 18 °.

▲ Warning : for a take-away sale of alcohol between 10:00 p.m. and 8:00 a.m., you must have an operating license.

Terms

Nationality

There is no nationality requirement to obtain a Drink Flow License (restaurant or bar).

However, the foreign entrepreneur in France must respect certain rules (<https://www.service-public.fr/professionnels-entreprises/vosdroits/F22494?lang=en>).

Age and judicial record

To obtain a Beverage License, you must meet the following 3 conditions:

- Be major or emancipated minor (<https://www.service-public.fr/particuliers/vosdroits/F1194?lang=en>)
- Not be guardianship (<https://www.service-public.fr/particuliers/vosdroits/F2120?lang=en>)
- Not having been sentenced to certain penalties: common law crimes and crimes of pimping definitely prohibit having a license. On the other hand, for offenses such as theft, fraud, breach of trust, the license ban is abolished after 5 years after the sentence (without reoffending).

▲ Warning : a municipality issues only a limited number of licenses. A license III may not be issued in a municipality where the total number of establishments holding a license IV exceeds **a throughput per 450 inhabitants**, i.e. 2 establishments with an IV license for 900 inhabitants.

How do I get a license?

To obtain a drink or restaurant license, you must both hold an operating license, issued after specific training, and make a prior declaration.

Operating License

The operating license is a certificate that proves that the future operator has followed a **specific training required**..

It shall be issued by the recognized organization carrying out the training.

This training is essential in order to open up the right to use a flow of alcoholic beverages (license III and IV).

The training covers the prevention and combating of alcoholism, the protection of minors, the suppression of public drunkenness and the fight against noise. It also trains the future operator in drug law and the principles of civil and criminal liability.

The list of recognized organizations differs depending on whether the sale is made on site (<https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-de-formation-debits-de-boissons-a-consommer-sur-place>) or take away at night (<https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-agrees-pour-le-permis-d-exploitation-a-l-attention-des-debitants-de-boissons-a-emporter-vendant-des-boissons-alcoolisees-entre-22-heures-et-8-heures-la-formation-prevue-au-deuxieme-alinea-de-l-article-L.3332-1-1-du-code-d>) ..

This training takes approximately 20 hours (2.5 days).

It has to be done face to face.


This permit is valid for 10 years. It is renewable by carrying out a new training of 6 hours.

The permit shall be completed by the training organization and issued to the prospective operator of a drink flow, if the operator completes the training.

Permit to operate a beverage flow or a restaurant

Cerfa n° 14407*03 - Ministry of the Interior

Go to
form(pdf - 369.3 KB) [↗](https://www.formulaires.service-public.fr/gf/cerfa_14407.do)
(https://www.formulaires.service-public.fr/gf/cerfa_14407.do)

 **Please note** : a lighter 7-hour training course is offered to renters of guest houses for whom the sale of alcohol is an incidental activity.

Preliminary declaration by the town hall

The administrative declaration must be made for restaurants and establishments selling alcohol (on the spot or to take away), at least 15 days before the event:


- Opening of a new establishment
- Transfer (change of owner or manager),
- Translation (moving the license from one place to another in the same commune).

In the case of a transfer following a death, the reporting period is 1 month.

Declaration of a restaurant or a drink flow to consume on site or to take away

Cerfa n° 11542*05 - Ministry of Solidarity and Health

Go to
form(pdf - 240.9 KB) [↗](https://www.formulaires.service-public.fr/gf/cerfa_11542.do)
(https://www.formulaires.service-public.fr/gf/cerfa_11542.do)

 Consult the online manual

- [➤ Notice - Declaration of a drink flow or a restaurant](https://www.formulaires.service-public.fr/gf/getNotice.do?cerfaNotice=51703&cerfaFormulaire=11542) [↗](https://www.formulaires.service-public.fr/gf/getNotice.do?cerfaNotice=51703&cerfaFormulaire=11542)

General case

Who shall I contact

Specify your city or postcode The choice of a municipality in the suggestion list will automatically trigger an update of the content

- [City](https://lannuaire.service-public.fr/) [\(https://lannuaire.service-public.fr/\)](https://lannuaire.service-public.fr/)

In Paris

Who shall I contact

- [Prefecture de Police de Paris - Bureau des actions de prevention et de protection sanitaire](https://www.prefecturedepolice.interieur.gouv.fr/Demarches/Professionnel/Activites-reglementees-et-police-administrative/Licence-de-debit-de-boissons-de-restaurant-et-de-vente-a-emporter) [↗](https://www.prefecturedepolice.interieur.gouv.fr/Demarches/Professionnel/Activites-reglementees-et-police-administrative/Licence-de-debit-de-boissons-de-restaurant-et-de-vente-a-emporter)
(<https://www.prefecturedepolice.interieur.gouv.fr/Demarches/Professionnel/Activites-reglementees-et-police-administrative/Licence-de-debit-de-boissons-de-restaurant-et-de-vente-a-emporter>)

In Alsace-Moselle

Who shall I contact

Specify your city or postcode The choice of a municipality in the suggestion list will automatically trigger an update of the content

- [Prefecture](http://www.interieur.gouv.fr/Le-ministere/Prefectures) [↗](http://www.interieur.gouv.fr/Le-ministere/Prefectures) (<http://www.interieur.gouv.fr/Le-ministere/Prefectures>)

At the time of the pre-notification, the operator receives a receipt to prove possession of the license. This receipt does not give the right to operate a beverage flow, nor does it prove the validity of the title of owner or manager.

Receipt of declaration of opening, transfer, translation of a restaurant or a flow of drinks to consume on the spot or to take away

Cerfa n° 11543*05 - Ministry of Solidarity and Health

Go to
form(pdf - 243.8 KB) [↗](https://www.formulaires.service-public.fr/gf/cerfa_11543.do)
(https://www.formulaires.service-public.fr/gf/cerfa_11543.do)

Registration with the RCS

To give the establishment a legal existence, the operator must declare its opening at the Center de formalities des entreprises (CFE) and then register at the RCS ().

Who shall I contact

- ▶ [Business Formalities Center \(CFE\)](https://www.insee.fr/fr/information/1972060) [↗ \(https://www.insee.fr/fr/information/1972060\)](https://www.insee.fr/fr/information/1972060)

License transfer

The transfer of the license corresponds to the transfer of the establishment to another premises outside the municipality where it is located. He may move within the same department, in a neighboring department or elsewhere under certain conditions.

In the same department

A flow of drinks can move inside the department where it is located.

In the event of a move outside the municipality where it was established, the operator must apply to the prefect of the department where he wishes to settle for authorization to move.

The prefect must consult the mayor of the municipality of origin and the mayor of the municipality where the drinks flow will be installed. The final decision rests with the prefect.

The mayor is the final decision maker in only one case: when transferring a license IV to a municipality where there is only one establishment of this category.

In another department

A flow of beverages may be transferred to a neighboring department, under the same conditions of authorization as a transfer to the same department.

A period of 8 years is imposed between 2 transfers to neighboring departments.

Transfers are exceptionally allowed beyond the department for certain tourist establishments such as listed hotels or campgrounds.

Authorization or refusal of transfer

In the event of a refusal, the decision shall be taken in the form of an order stating the reasons for the refusal, the time limits and the means of appeal.

If no reply is received within 2 months, the transfer is considered accepted.

A flow of beverages which has ceased to exist for more than 5 years shall be considered as deleted. He can no longer be transferred from place.

However, this period shall be suspended in the event of a judicial liquidation or provisional closure by the judicial or administrative authority.

Where a court decision has made a final closure of a beverage outlet, the establishment's license shall be canceled.

Statute and miscellaneous references

- [Public Health Code: Articles L332-1 to L332-17](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171201&cidTexte=LEGITEXT000006072665) [↗ \(https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171201&cidTexte=LEGITEXT000006072665\)](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171201&cidTexte=LEGITEXT000006072665)
Opening, transfer and transfer of a drink flow
- [Public Health Code: Articles L3322-1 to L3322-11](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171198&cidTexte=LEGITEXT000006072665) [↗ \(http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171198&cidTexte=LEGITEXT000006072665\)](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171198&cidTexte=LEGITEXT000006072665)
Manufacture and trade in beverages

- **Public Health Code: Articles L331-1 to L336-4** [↗](http://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000023754983&idSectionTA=LEGISCTA000006171200&cidTexte=LEGITEXT000006072665) (<http://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000023754983&idSectionTA=LEGISCTA000006171200&cidTexte=LEGITEXT000006072665>)
Drink rates
- **Public Health Code: Articles L3352-1 to L3352-10** [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171209&cidTexte=LEGITEXT000006072665) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171209&cidTexte=LEGITEXT000006072665>)
Sanctions
- **Circular No. DGS/DLPAJ/2011/205 of 31 May 2011 on the declaration of drink flows (PDF - 456.3 KB)** [↗](http://www.circulaires.gouv.fr/pdf/2011/06/cir_33228.pdf) (http://www.circulaires.gouv.fr/pdf/2011/06/cir_33228.pdf)

Online services and forms

- **Declaration of a restaurant or a drink flow to consume on site or to take away** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/R15902?lang=en>)
Form
- **Permit to operate a beverage flow or a restaurant** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/R22375?lang=en>)
Form
- **Application for approval of training organizations for beverage outlets and restaurants** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/R22378?lang=en>)
Form
- **Receipt of declaration of opening, transfer, translation of a restaurant or a flow of drinks to consume on the spot or to take away** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/R21288?lang=en>)
Form

For more information, please contact

- **Formalities for opening a drink flow** [↗](https://www.guichet-entreprises.fr/fiches-activites/alimentation/debitant-de-boissons/) (<https://www.guichet-entreprises.fr/fiches-activites/alimentation/debitant-de-boissons/>)
Business Window Service
- **Training Organizations - Night Alcoholic Beverage Takeaway** [↗](https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-agrees-pour-le-permis-d-exploitation-a-l-attention-des-debitants-de-boissons-a-emporter-vendant-des-boissons-alcoolisees-entre-22-heures-et-8-heures-la-formation-prevue-au-deuxieme-alinea-de-l-article-L.3332-1-1-du-code-d) (<https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-agrees-pour-le-permis-d-exploitation-a-l-attention-des-debitants-de-boissons-a-emporter-vendant-des-boissons-alcoolisees-entre-22-heures-et-8-heures-la-formation-prevue-au-deuxieme-alinea-de-l-article-L.3332-1-1-du-code-d>)
Ministry of the Interior
- **Training organizations - Sale of alcoholic beverages for on-site consumption** [↗](https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-de-formation-debits-de-boissons-a-consommer-sur-place) (<https://www.interieur.gouv.fr/A-votre-service/Mes-demarches/Cerfas-PJ/Liste-des-organismes-de-formation-debits-de-boissons-a-consommer-sur-place>)
Ministry of the Interior
- **Get a Drink Flow License** [↗](https://www.economie.gouv.fr/entreprises/obtenir-licence-debit-boissons) (<https://www.economie.gouv.fr/entreprises/obtenir-licence-debit-boissons>)
Ministry of Economy

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- legifrance.gouv.fr
- gouvernement.fr
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