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INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Perishable Foodstuffs

**REPORT OF THE WORKING PARTY ON ITS SIXTY-SECOND SESSION
(6-9 November 2006)**

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Addendum 1: Draft amendments to ATP adopted at the sixtieth and sixty-first sessions

Addendum 2: Draft amendments to ATP adopted at the sixty-second session

ATTENDANCE

1. The following States members of the United Nations Economic Commission for Europe were represented: Belgium; Czech Republic; Denmark; Finland; France; Germany; Hungary; Ireland; Latvia; Netherlands; Norway; Poland; Portugal; Russian Federation; Slovakia; Spain; Sweden; United Kingdom of Great Britain and Northern Ireland; and United States of America. The intergovernmental organization International Institute of Refrigeration (IIR) and the following non-governmental organizations also took part in the meeting: Liaison Committee of the Body and Trailer Building Industry (CLCCR); International Organization for Standardization (ISO); and Transfrigoroute International.

ADOPTION OF THE AGENDA

2. The provisional agenda (TRANS/WP.11/213 and Add.1) was adopted.

ACTIVITIES OF ECE BODIES OF INTEREST TO THE WORKING PARTY

(a) Inland Transport Committee

Document: ECE/TRANS/166

3. The Working Party was informed that the Inland Transport Committee had approved the report of the Working Party on its sixty-first session (ECE/TRANS/166, paras. 116 and 120).

4. It was also informed that the Committee **had invited** countries that had not yet done so to become Contracting Parties to the legal instruments drawn up under its auspices (ECE/TRANS/166, para. 28).

(b) Working Party on Agricultural Quality Standards (WP.7)

5. The Working Party was informed of the revision of certain standards relating to meats (bovine, ovine, porcine and chicken meat) and of the preparation of a standard for llama meat (see the report of the Working Party on Agricultural Quality Standards (ECE/TRADE/WP.7/GE.11/2006/9) http://www.unece.org/trade/agr/meetings/ge.11/document/2006_09.pdf).

6. The standards that this Working Party has drawn up for meats are available at <http://www.unece.org/trade/agr/standard/meat/meat.htm>, and those relating to fresh fruit and vegetables at http://www.unece.org/trade/agr/standard/fresh/fresh_e.htm.

ACTIVITIES OF THE OTHER INTERNATIONAL ORGANIZATIONS DEALING WITH PROBLEMS OF INTEREST TO THE WORKING PARTY

(a) International Institute of Refrigeration (IIR)

Document: INF.9 (IIR)

7. The representative of IIR informed the Working Party about the discussions at the meeting of Sub-Commission D2 on testing stations, which had taken place in Paris in June 2006.

8. The IIR document included three recommendations to WP.11, concerning multi-compartment vehicles, the safety factor and identification plates. Reference would be made thereto under the relevant agenda items.

(b) Transfrigoroute International

9. The representative of Transfrigoroute International informed the Working Party about that organizations's activities, in particular the priority given to energy labelling.

(c) ISO/TC 104/SC 2 Committee

Informal document: INF.14

10. The ISO representative informed the Working Party about the progress made by the ISO/TC 104/SC 2 Committee in the revision of ISO standard 1496-2 on thermal containers.

IMPLEMENTATION OF THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)

(a) Information on the status of application of the Agreement

11. To date the following States had become Parties to the Agreement: Albania; Austria; Azerbaijan; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Georgia; Germany; Greece; Hungary; Ireland; Italy; Kazakhstan; Latvia; Lithuania; Luxembourg; Monaco; Morocco; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; The former Yugoslav Republic of Macedonia; United Kingdom; United States and Uzbekistan.

12. Switzerland had signed the Agreement but had not yet ratified it.

(b) Testing stations officially designated by the competent authorities of countries Parties to ATP and whose test reports might be used for the issue of ATP certificates

13. The Working Party invited the delegations of the Contracting Parties to check the information on the competent authorities issuing certificates of compliance, officially recognized testing stations and contact details of bodies to be informed in the event of a problem (e-mail addresses and, where applicable, web pages).

(c) Exchange of information among Parties under article 6 of ATP

Documents: ECE/TRANS/WP.11/2006/2 and Add.1, INF.12

14. The Working Party considered the results of the questionnaire on the exchange of information between Contracting Parties under article 6 of ATP.

15. Several participants underscored that it had not been easy to respond to the questionnaire circulated, as information on ATP infractions was difficult to obtain and was often managed by various services, including those responsible for the traffic police.

16. The Working Party considered that the questionnaire was useful, but that its distribution should be suspended pending reformulation so as to facilitate the collection of information. It assigned this task to an informal group to be chaired by Spain, with a mandate to draft a questionnaire for presentation to the next session of the Working Party.

17. The informal group was instructed to draw up a new questionnaire for the collection of data on the application of ATP by road and rail vehicles, and to propose an appropriate procedure to obtain the relevant information.

(d) Securing of documents

Documents: ECE/TRANS/WP.11/2006/1, INF.5

18. The Working Party did not consider it necessary to require that a fluorescent printed mark should appear on one of the corners of the ATP certificate, or to stipulate that additional marks should be applied by means of watermarking. It did, however, call by a simple majority for the certificate to be plastic-coated and for it to be stamped by the competent authority (relief impress) and for the issuance, in the event of loss, not of a photocopy of the ATP certificate, but of a duplicate of it. The final text was adopted unanimously, but it was decided for the time being not to transmit it to the depositary (see annex 1).

19. Regarding the technical requirements applicable to test stations, the Working Party decided that test stations designated or approved by the competent authority to perform the tests specified in ATP must meet the requirements of ISO standard 17025; a transitional period of one year would be granted after the entry into force of the proposed amendment (see annex 1).

20. The decision was taken by a simple majority (5 votes in favour, none against and 11 abstentions), and the secretariat was requested to transmit it to the depositary.

AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP) WHICH HAVE ENTERED INTO FORCE

21. The draft amendments to annex 1 to ATP adopted by the Working Party at its previous session (TRANS/WP.11/212, annex 2) were circulated by the depositary (see C.N.261.2006.TREATIES-1 and C.N.261.2006.TREATIES-1 Reissued).

22. Germany made an objection to the amendments, and proposed a “modification procedure consisting of two logical steps:

1. First of all annexes 1 and 2 to ATP would be modified to only take account of the actual technical innovations adopted by the Working Party during the sixtieth and sixty-first sessions.

2. Subsequently, the text of annexes 1 and 2 to ATP would be completely rectified with the objective of producing a consolidated version of annexes 1 and 2.”
(see C.N.673.2006.TREATIES-2).
23. Portugal objected to the entry into force of the draft amendment on kit bodies, and Spain made the same objection, considering that such an amendment was contingent on the proposed amendment of article 2.
24. The Working Party decided to confine itself to the draft amendments adopted unanimously by all delegations.
25. It adopted the list of such amendments and requested the secretariat to transmit them to the depositary (see ECE/TRANS/214/Add.1).
26. Following a vote on the question of whether the draft amendments adopted unanimously or those adopted by a majority vote should be transmitted to the depositary, the Working Party decided to transmit only those adopted unanimously.

PROPOSED AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)

(a) Annex 1, Appendix 1 to ATP

Annex 1, Appendix 1, paragraph 6

Document: ECE/TRANS/WP.11/2006/4

27. The representative of Belgium proposed specifying the position of the identification plates on the body and the thermal equipment, in a readily accessible location not requiring the dismantling of equipment.
28. Several participants supported the proposal in principle, noting the need to specify the scope and transitional period.
29. The Working Party adopted the Belgian proposal as amended, and requested the secretariat to transmit it to the depositary (see annex 1).

(b) Annex 1, Appendix 2 to ATP

Model No. 10 test report

Document: ECE/TRANS/WP.11/2006/8

30. The representative of the United Kingdom pointed out that it was necessary to determine the duration of validity of a mechanical refrigeration unit test report. It was thus proposed to amend the model No. 10 test report so as to include an expiry date.

31. The representative of the United Kingdom would subsequently present a new proposal, taking into account the observations made.

Informal document: INF.7

32. The representative of Sweden pointed out that paragraph 49 (b) of ATP did not stipulate how to measure the temperature in refrigeration units (measuring points, location of thermo-elements) when verifying the effectiveness of the thermal appliances of equipment in service.

33. Following an exchange of views on the subject, it was decided that the representative of Sweden should present an official proposal at the next session of the Working Party.

34. At the request of some delegations, the representative of Sweden offered to present the proposal at the next session of the IIR Sub-Commission.

Documents: ECE/TRANS/WP.11/2006/5, INF.2 AND INF.6

35. The representative of Germany presented the results of the meeting of the informal group held in Munich on 26 June 2006.

36. She emphasized that the cooling capacity of the transport refrigeration unit of the new insulated bodies was dependent on an ambient temperature of 30° C; the existing text of ATP, Annex 1, Appendix 2, paragraph 49 (b), was inaccurate, as it stated that the ambient temperature during the test should not be lower than 15° C and that the inside temperature for the class in question must be reached within a period of six hours at most.

37. The representatives of France, IIR and Transfrigoroute International supported the related proposal.

38. Certain delegations (those of Spain, the Netherlands, Sweden and the United Kingdom) underscored the need for a cost-benefit analysis and/or a technical data analysis to justify the table's figures, in particular the distinction drawn between stand-alone and non-stand-alone equipment.

39. The representative of Sweden said that a solution could be found if the scope of the proposed amendment was restricted to new vehicles. The representative of Spain supported that opinion.

40. The representative of Transfrigoroute International offered to work to reconcile the points of view, as it would be regrettable to lose the work already done.

41. The representative of Germany said that she would stop working on the issue if the draft amendment was not adopted at the current session. Her proposal had been under discussion for some time, and if its adoption was once again postponed, she would consider that it was no longer necessary to continue discussion of the number and location of the temperature sensors.

42. The Working Party decided to keep the issue on the agenda for its next session.

(c) **Annex 1, Appendix 3 to ATP**

ATP certificate model

Document: ECE/TRANS/WP.11/2006/9

43. The representative of Portugal emphasized that the competent authorities did not always use the same form for the certificate required under ATP, Annex 1, Appendix 1, paragraph 4.

44. He proposed that, given the need to ensure that ATP documents were secure, the Working Party should adopt a single model.

45. Following consideration of the proposal by a drafting group, the Working Party proposed a few amendments to the model. The final version would be presented by Portugal as an official document at the next session.

ATP HANDBOOK

Document: ECE/TRANS/WP.11/2006/6

46. The Working Party invited the secretariat to publish the ATP Handbook on the ECE website, taking into account the current version of ATP.

47. The representative of France presented an English-French ATP glossary, and said that it established a good basis on which to build for possible inclusion in the ATP Handbook.

48. The Working Party kept the item on the agenda for its next session.

**PROCEDURES FOR THE APPROVAL OF MULTI-COMPARTMENT
MULTI-TEMPERATURE VEHICLES**

Document: INF.10

49. The representative of Germany described the progress made in the work on procedures for the approval of multi-compartment multi-temperature vehicles.

50. She pointed out that the draft amendment contained in the document was to be discussed in an informal group, open to any delegation that wished to take part. The outcome of the group's work would be presented to the IIR Sub-Commission before being submitted as an official proposal at the next session of the Working Party.

51. The representatives of IIR and Transfrigoroute International supported the draft, which had also been adopted by the latter.

52. The representative of CLCCR expressed regret that he had not been invited to take part in the work, which also concerned the members of his organization, especially as the draft raised several issues that called for justification.

53. The Working Party kept this item on the agenda for its next session.

FACILITATION OF INTERNATIONAL TRANSPORT OF PERISHABLE FOODSTUFFS

54. The Working Party was informed that annex 8 to the International Convention on the Harmonization of Frontier Controls of Goods had not yet entered into force.

SCOPE OF ATP

Document: INF.8

55. The representative of Portugal said that, according to his research, most dictionaries and encyclopaedias defined fruit and vegetables as perishable foodstuffs, and that reference was also made to the perishable nature of fruit and vegetables in certain regulations of the European Commission.

56. The representative of the Russian Federation reiterated his position concerning the need to include fresh fruit and vegetables in ATP.

57. Certain delegations were of the opinion that the question could be covered by quality standards, and not by a binding prescription. Others considered that it was perhaps necessary to include a limited number of fresh fruit and vegetables, considering in each instance the possible economic consequences.

58. The Working Party decided to keep this issue on the agenda for its next session.

COMPATIBILITY BETWEEN ATP AND COMMUNITY LEGISLATION

59. The Working Party decided to keep this issue on the agenda for its next session.

STUDY OF THE PROCEDURES FOR ENERGY LABELLING, REFRIGERANTS AND BLOWING AGENTS

Document: INF.15

60. The Working Party had received a request from the German Federal Environmental Agency (UBA) to consider the introduction of energy labelling in ATP.

61. The Agency was already working on an energy labelling project for refrigeration vehicles in Germany.

62. Certain delegations wondered whether testing stations had the right to make public the information contained in the test report.

63. The representative of Transfrigoroute International said that his organization had debated the question, that the majority of its members accepted the principle and that most of the information was not confidential.

64. He pointed out that there was Community legislation that made it mandatory to publish environmental information in certain circumstances (see Directive 2003/4/EC of 28 January 2003).

65. The Working Party invited its members to consider the question of energy labelling and to present proposals at the next session.

OTHER BUSINESS

Document: ECE/TRANS/WP.11/2006/3

66. The Working Party was requested to consider whether in the case of refrigerating equipment with a compressor driven by the vehicle motor, the competent authorities could issue official ATP certificates when the equipment was tested only at a high speed of rotation of the compressor.

67. In reply, it was noted that ATP stipulated that the test should be carried out at the minimum and nominal speeds of rotation of the compressor. The French version of Annex 1, Appendix 2, paragraph 56 (b), subparagraph 7, should be aligned with the English version (see annex 1). The secretariat was requested to transmit the amendment to the depositary.

Document: INF.3

68. The representative of Portugal presented a simulation programme created in his laboratory to calculate the effects of the K value, of energy consumption and of age.

PROGRAMME OF WORK FOR 2006-2010

69. The representative of France announced the establishment of an informal group on the revision of paragraphs 29 and 49 of ATP.

70. All delegations interested in taking part were invited to contact the representative of France.

71. The representative of the Netherlands said that the documents proposed to WP.11 should be well structured, with an introduction, the text of the proposal itself and a justification. A summary could be provided with the basic elements (aim of the proposal, action to be taken and other related documents).

72. The Working Party made some changes to its programme of work (see annex 2).

DATE OF THE NEXT SESSION

73. The Working Party was informed that the sixty-third session had provisionally been scheduled for 12-15 November 2007.

ELECTION OF OFFICERS FOR THE NEXT SESSION

74. The Working Party elected Mr. T. Nobre (Portugal) as Chairman and Mr. J.-M. Bonnal (France) as Vice-Chairman for the year 2007.

ADOPTION OF THE REPORT

75. The Working Party adopted the report on its sixty-second session with its annexes.

* * * * *

Annex 1

TEXTS ADOPTED IN ATP

Annex 1, Appendix 1 to ATP

[Replace the current paragraph 4:

“The certificate or a certified true photographic copy thereof shall be carried on the equipment during carriage and be produced whenever so required by the control authorities.”

with:

“The certificate or a certified duplicate thereof shall be carried on the equipment during carriage and be produced whenever so required by the control authorities.”

Add a new paragraph 5 to Annex 1, Appendix 1, as follows:

“With regard to certificates issued one year after the entry into force of this paragraph:

(a) The stamp of the competent authority or authorized body, indicated in point 9 of the certificate, shall be relief impress;

(b) In case of loss the competent authority shall provide a duplicate certificate stamped ‘CERTIFIED DUPLICATE’ (in red ink) and indicating the name of the certifying officer, his signature, and the stamp in relief impress of the competent authority or authorized body. This stamp must include the name of the Contracting Party to ATP;

(c) In all cases, the certificate or duplicate must be plastic-coated.”

Renumber paragraphs 5 and 6 as paragraphs 6 and 7.]*

Insert at the end of current paragraph 6:

“For insulated bodies, the identification marks shall be on the outside of the body. The identification marks of the thermal appliance shall be clearly legible and fixed in a readily accessible location not requiring the equipment to be dismantled by means of tools. This requirement shall apply to new vehicles only. A transitional period of one year shall be granted from the date this requirement enters into force.”

* For the time being, bracketed text should not be transmitted to the depositary.

Add a new paragraph 7 [8]* as follows:

“7. Technical requirements for the test stations:

The test stations designated or approved by the competent authority to perform the tests specified in Annex 1, Appendix 2, paragraphs 7 to 27, 32 to 47 and 51 to 59 shall comply with the requirements of ISO standard 17025. A transitional period of one year shall be granted from the time this requirement enters into force.”

Annex 1, Appendix 2 to ATP

In paragraph 56 (b) of the French version, replace:

“If the compressor is driven by the vehicle motion, the test shall be carried out at both the minimum speed and at the nominal speed of rotation of the compressor as specified by the manufacturer.”

with:

“If the compressor is driven by the vehicle engine, the test shall be carried out at both the minimum speed and at the nominal speed of rotation of the compressor as specified by the manufacturer.”

* To be renumbered as paragraph 8 after the entry into force of new paragraph 5.

Annex 2

PROGRAMME OF WORK

ACTIVITY 02.11: TRANSPORT OF PERISHABLE FOODSTUFFS

Harmonization of regulations and standards relating to the international transport of perishable foodstuffs and facilitation of its operation Priority: 2

Description: Review of the harmonization and the facilitation of the international transport of perishable foodstuffs under the ATP Agreement and updating of this Agreement in order to keep it in line with technological developments, taking into account safety and quality standards.

Work to be undertaken:

CONTINUING ACTIVITIES

(a) Consideration of amendment proposals to ATP to ensure it is updated as necessary. Priority: 1

Output expected by the end of 2007: Entry into force of the revision of annexes 1 and 2 to ATP.

(b) Exchange of information on the implementation of ATP by virtue of article 6. Priority: 1

Output expected by the end of 2007: Consideration of the information exchanged between Contracting Parties and the consequences on the implementation of ATP.

(c) Follow-up of resolution No. 243 on "Improving the traffic flow of ATP vehicles for the transport of foodstuffs covered by ATP" for better facilitation. Priority: 2

Output expected by the end of 2007: To consider the difficulties encountered at border crossings, for the transport of perishable foodstuffs, on an annual basis.

(d) Review of the definitions and standards (in annex 1) for the carriage of perishable foodstuffs following the Montreal Protocol to take account of new refrigerants and insulating materials, and environmental constraints. Priority: 2

Output expected by the end of 2008: To contribute to the promotion of less polluting vehicles and fuels.

- (e) Consideration of methods developed by the IIR Sub-Commission on testing stations and study of the procedures for energy labelling. Priority: 1

Output expected by the end of 2007: To be aware of the work done by IIR relating to the transport of perishable foodstuffs and to collect information on energy labelling.

- (f) Elaboration of an ATP Handbook. Priority: 1

Output expected by the end of 2007: To have a final version of the Handbook including the revised annexes.

- (g) Compatibility between European legislation and ATP. Priority: 1

Output expected by the end of 2007: To cooperate with the Commission of the European Communities with the aim of harmonizing European regulations with ATP.

ACTIVITIES OF A LIMITED DURATION

- (h) Consideration of proposals on the conditions of transport of fresh fruit and vegetables (2007). Priority: 2

Output expected by the end of 2008: To finish the consideration of the feasibility of introducing rules for the transport of fresh fruit and vegetables into ATP.

- (i) Consideration of amendment proposals relating to test methods and procedures for the approval of multi-compartment and multi-temperature vehicles, to take account of technical development (2007). Priority: 2

Output expected by the end of 2008: The entry into force of a new amendment to ATP on multi-compartment and multi-temperature vehicles.

- (j) Review of the approval of kit bodies (2006). Priority: 2

Output expected by the end of 2008: The entry into force of a new amendment to ATP on the approval of kit bodies.

- (k) Securing of ATP documents (2006). Priority: 2

Output expected by the end of 2007: Recommendations on the best means of securing ATP documents.

- (l) Revision of ATP paragraphs 29 and 49 (2007). Priority: 2

Output expected by the end of 2007: Drafting of a text for the revision of ATP paragraphs 29 and 49.