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Working Party on the Transport of Perishable Foodstuffs

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Item 5(b) of the provisional agenda

Proposals of amendments to the ATP: New proposals

Proposal for the correction of annex 1, appendix 1, paragraph 3

Transmitted by the Government of the Netherlands

Summary

Executive summary: The certificate of compliance or certification plate of compliance shall be carried during transport of perishable foodstuffs. Because of the sequence in the wording of annex 1, appendix 1, paragraph 3 this intention is not expressed correctly.

Action to be taken: Correct the sequence of the wording.

Related documents: Informal document INF. 5, 59th session (2003); TRANS/WP.11/208, paragraph 72; TRANS/WP.11/2004/5; Informal document INF. 4, 60th session (2004); TRANS/WP.11/210, paragraph 33 to 36 and annex 2.

I. Introduction

1. The representative of the Netherlands informed the Working Party at its sixty-seventh session that he would prepare a document proposing a correction to annex 1, appendix 1, paragraph 3. Already in 2004 this correction had been introduced and accepted by WP.11 at its sixtieth session but due to the cancellation of the batch of amendments in which this correction was included, the correction has not yet been included in the annex.

2. The proposed text is identical to the accepted text reproduced in annex 2 of the report of the sixtieth session (TRANS/WP.11/210) with the following modifications:

- The numbering of the paragraph is changed from "4" to "3" due to the recent acceptance of the revision of annex 1;
- In the first sentence of the second paragraph ", or a certified true photographic copy thereof," is deleted due to the recent introduction of provisions for duplicates of ATP certificates in annex 1 appendix 3, part A.
- In the second sentence of the second paragraph "of compliance" is added for consistency (see text in *italics*).
- The text of subparagraph (c) is supplemented to reflect the current text of ATP.

II. Proposal

3. Replace the text of annex 1, appendix 1, paragraph 3 by the following text:

"3. A certificate of compliance with the standards shall be issued by the competent authority of the country in which the equipment is to be registered or recorded. This certificate shall conform to the model reproduced in appendix 3 to this annex.

The certificate of compliance shall be carried on the equipment during carriage and be produced whenever so required by the control authorities. However, if a certification plate *of compliance*, as reproduced in appendix 3 to this annex, is fixed to the equipment, the certification plate of compliance shall be recognized as equivalent to a certificate of compliance. Certification plates of compliance shall be removed as soon as the equipment ceases to conform to the standards laid down in this annex.

In the case of equipment transferred to another country, which is a Contracting Party to ATP, it shall be accompanied by the following documents so that the competent authority of the country in which the equipment is to be registered or recorded can issue a certificate of compliance:

(a) in all cases, the test report - of the equipment itself or, in the case of serially produced equipment, of the reference equipment;

(b) in all cases, the certificate of compliance issued by the competent authority of the country of manufacture or, for equipment in service, the competent authority of the country of registration. This certificate will be treated as a provisional certificate valid, if necessary, for three months;

(c) in the case of serially produced equipment, the technical specification of the equipment to be certified as issued by the manufacturer of the equipment or his duly accredited representative (this specification shall cover the same items as the descriptive pages concerning the equipment which appear in the test report and shall be drawn up in at least one of the official languages).

In the case of equipment transferred after it has been in use, the equipment may be subject to a visual inspection to confirm its identity before the competent authority of the country, in which it is to be registered or recorded, issues a certificate of compliance."

III. Justification

4. Re-introduction of a correction which has already been approved by WP.11 but which for other reasons has not yet been included in ATP.

Cost: No additional costs are expected.

Feasibility: No problems are expected. No transitional period is required.

Enforceability: Enforceability will be improved.
