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Working Party on the Transport of Perishable Foodstuffs

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Item 5 (d) of the provisional agenda

Status and implementation of the ATP:

exchange of information among Parties under Article 6 of ATP

Responses to the questionnaire on the implementation of the ATP*

Note by the secretariat

Introduction

1. At WP.11's seventy-fifth session in 2019, WP.11 thanked the 22 countries that had provided data in response to the questionnaire on the implementation of ATP in 2018 and stressed that it was mandatory to have information from all ATP contracting parties and that it was a means of harmonizing implementation of the agreement.
2. The secretariat requested all countries represented in WP.11 to reply to the questionnaire with their 2019 data. The data received are presented in the tables below.
3. Information on the number of checks made and breaches detected in 2019 has been provided by twelve countries: Belgium, Bosnia and Herzegovina, Czech Republic, Denmark, Finland, France, Greece, Hungary, Italy, Latvia, Poland and Spain (see Table 1 below).

* Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage.

Table 1
Number of checks made and breaches detected in 2019

Country	BE	BiH	CZ	DK	FIN	FRA	GR	HUN	IT	LV	POL	SP
Number of ATP road checks	2897	143	1214	**	133	824	203	70	*	304	5236	1245
Number of ATP rail checks	0	0	0	**	0	0	0	0		0	0	11
Breaches documents domestic/foreign	194/4	0/0	0/10	0/0	3/11	19/0	2/1	5/5	245/20	4/2	9/26	916/23
Breaches thermal appliances domestic/foreign	0/0	0/0	2/15	0/0	0/0	0/0	0/0	0/0	129/3	3/1	0/0	0/0
Breaches body domestic/foreign	0/0	0/0	3/9	5/0	1/0	25/0	0/0	0/0	933/52	2/2	0/0	0/0
Other breaches domestic/foreign	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	47/4	0/0	0/1	34/2
Total breaches domestic/foreign	194/4	0	5/34	5/0	4/11	44/0	2/1	5/5	1354/79	9/5	9/27	950/25
% of defective equipment	0	0	3	***	11.3	4.98	*	14	*	4.06	*	3.69

Notes:

* Information not available

** In Denmark, checks are made as part of the regular food control as well as during specific road check campaigns, so the number cannot be extracted electronically.

*** In Denmark percentages are not available as the number of checks is not readily available due to the fact that they are registered as an integrated part of the general food control.

4. Additional information on the number of certificates issued in 2019 has been provided by twenty-one countries: Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Finland, France, Greece, Hungary, Italy, Latvia, Norway, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Turkey and United Kingdom (see table 2 below).

Table 2
Additional information on compliance with ATP: number of certificates issued in 2019

Country	BE	BiH	CRO	CZ	DK	FIN	FRA	GR	HUN	IT	LV
1 st cert new equipment	545	39	136	488	1056	723	18607	56	35	1385	0
2 nd cert inspection	189	0	214	1214	173	307	7372	76	0	6485	270
2 nd cert K value	0	64	91	3	0	1	124	83	27	1531	0
3 rd cert inspection	186	0	0	**	3	145	3908	45	0	8713	30
3 rd cert K value	0	40	0	**	0	1	363	54	5	2006	0
4 th cert inspection	61	0	0	**	0	53	29	7	0	8367	4
4 th cert K value	0	0	0	**	0	0	50	29	0	1361	0
5 th cert inspection	11	0	0	**	0	26	0	3	0	0	0
5 th cert K value	0	0	0	**	0	0	6	4	0	1683	0
Total	992	143	441	1705	1232	1254	32871	357	67	31531	304
Duplicates	3	0	0	3	63		310	0	0	693	0

* Certificates marked as "duplicate" are not issued in Finland. Instead, new certificates are issued to replace lost or erroneous ones. The number of such certificates in 2019 was 49 and they are included in the figures in the table.

** Information not available

Table 2 (cont'd)

Country	NW	POL	POR	RF	SK	SLV	SP	SW	TUR	UK
1 st cert new equipment	49	2669	981	**	473	36	10972	725	360	1597
2 nd cert inspection	0	2488	504	**	115	93	6057	48	360	85
2 nd cert K value	5	2	3	**	0	0	597	0	0	0
3 rd cert inspection	0	1402	0	**	36	99	4853	4	0	41
3 rd cert K value	1	1	467	**	0	0	680	0	0	0
4 th cert inspection	0	916	0	**	14	60	8720	31	0	16
4 th cert K value	0	1	0	**	0	0	1007	0	0	0
5 th cert inspection	0	418	0	**	0	143	8745	0	0	0
5 th cert K value	0	11	0	**	0	0	2095	0	0	0
Total	55	7908	2283	**	638	531	43934	808	720	1843
Duplicates	1	42	32	3701	0	103	523	1		***

** Information not available

*** Certificates marked as "duplicate" are not issued in UK. Instead, new certificates are issued to replace lost or erroneous ones. The number of such certificates in 2019 was 41 and they are included in the figures in the table.

5. Countries were requested to provide answers to the following question: How parcels and small containers used for the transport of perishable foodstuffs are regulated in your country? Answers can be found in the annex I to this document.

6. The secretariat also requested countries to provide information on additional measures taken to guarantee the transport of perishable goods across borders in response to the COVID-19 pandemic. Answers can be found in the annex II to this document.

Annex I

Answers to the question: How parcels and small containers used for the transport of perishable foodstuffs are regulated in your country? (see ECE/TRANS/WP.11/241, paragraph 39).

Belgium	La législation belge ne contient pas de disposition sur ces petits colis qui ne sont pas réglementés au niveau de l'UNECE.
Croatia	There is no regulation for parcels and small containers used for transport of perishable foodstuffs.
Czech Republic	There is no special regulation for a small container for the transport of perishable foodstuffs.
Denmark	ATP-rules are implemented in a national order comprising all elements of the Treaty. Equipment not covered by the Treaty must comply with EU-legislation as well as supplementary Danish legislation covering hygiene, safety and suitability in the food sector.
Finland	All regulations regarding the transport of foodstuffs come directly from the EU legislation. We don't have specific national regulations for parcels and small containers used for the transport of perishable foodstuffs. There's not a single certificate issued to a parcel or a small container in Finland. Some questions have been asked concerning ATP-testing and certificate.
France	Pour les petits conteneurs, les règles de l'ATP sont étendues aux transports nationaux. Pour les colis, il n'existe pas de réglementation spécifique ; seule une norme volontaire est en projet pour le moment.
Hungary	Parcels and small containers used for the transport of perishable foodstuffs have not been regulated in Hungary.
Italy	In accordance with the ATP Agreement, with circular no. 24035 of 2015 and circular no. 10811 of 2014 of the DIV3 DGMOT of the Ministry of Infrastructure and Transport, a cumulative ATP certificate can be issued for identical containers mass-produced with internal volume of less than 2 m ³ . The renewal of the aforementioned certificates may be made by the experts by issuing a cumulative report following the inspection conducted on the containers in question (or on part of them). In the same way, experts will be able to renew the cumulative certificate of several identical insulated containers mass-produced with an internal volume of less than 2 m ³ . The testing stations will be able to issue the certificates for the containers in question in the same way as for group tests.
Norway	Norwegian legislation on food hygiene and transport of perishable foodstuffs (only when in use for such transport).
Poland	No additional provisions have been issued in Poland (except for applying European rules, for example: Regulation (EC) No 853/2004 of the European parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin).
Portugal	Until the present day, there are not small containers with ATP certificate.
Slovenia	Working group for ATP took an overview on principle of regulation of parcels and small containers used for the transport of perishable foodstuffs and made a recommendation to responsible authorities that it is important to establish regulations based on international agreements (such as ATP) and international standards.
Slovakia	We have no such an information how parcels and small containers used for the transport of perishable foodstuffs are regulated in our country.

Spain	Parcels and small containers used for the transport of perishable foodstuffs are regulated by the Spanish Royal Decrees 237/2000 and 1202/2005, which refer to the regulations established in the ATP Agreement.
United Kingdom	<p>Parcels and small containers for the transport of perishables within the UK have to adhere to UK food standards and legislation. ATP does not apply for UK internal transportation as it has not been adopted as a national standard.</p> <p>Small containers or parcels if used for perishable food transport over an international boundary require ATP certification.</p>
United States	<p>The United States Department of Health and Human Services' Food and Drug Administration maintains requirements under the Food Safety Modernization Act Final Rule on Sanitary Transportation of Human and Animal Food [https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-sanitary-transportation-human-and-animal-food] for shippers, loaders, carriers by motor or rail vehicle, and receivers involved in transporting human and animal food to use sanitary practices to ensure the safety of that food. The requirements apply to shipments originating within the United States as well as those originating in other countries who ship food to the United States directly by motor or rail vehicle (such as Canada or Mexico), or by ship or air and arrange for the transfer of the intact container onto a motor or rail vehicle for transportation within the U.S., if that food will be consumed or distributed in the United States. The requirements cover vehicle and transportation equipment, transportation operations, personnel training, and records maintenance.</p> <p>In addition, the United States Department of Agriculture provides voluntary guidelines to shippers, receivers and transporters handling perishable food products during transportation and storage. These guidelines, Protecting Perishable Foods During Transport by Truck and Rail provide a list of safety and security measures that can be taken to prevent contamination of perishable foodstuffs during loading and unloading, transportation, and in-transit storage. https://www.ams.usda.gov/sites/default/files/media/ProtectingPerishableFoodsDuringTransportbyTruckandRailSummary.pdf</p>

Annex II

Answers to the request from the secretariat on additional measures taken to guarantee the transport of perishable goods across borders in response to the COVID-19 pandemic.

Russian Federation	<p>In order to ensure the continuity of the unified technological process, limited measures must be followed for crew members, as well as for international and domestic Russian inter-regional transport, if the crew does not complete the route and is forced to continue following.</p> <p>At the same time, before the departure point, to continue the further route, during loading and unloading and other technical processes, the crew of the vehicle must carry out all the necessary preventive (anti-epidemic) measures, use of personal protective equipment and compliance with the rules of personal hygiene by drivers.</p> <p>To carry out a continuous schedule of international and Russian interregional cargo transportation, taking into account the peculiarities of restrictive measures in the constituent entity of the Russian Federation, drivers after completing international (interregional) route must comply with the self-isolation regime only until they leave for the next route.</p> <p>From the explanations it follows that in case of a short break between the flights of the vehicle, for the passage of self-isolation, the driver can use the cabin of the vehicle equipped with a berth, provided that there is a stock of personal protective equipment and personal hygiene rules.</p> <p>In case of a longer break between routs, drivers must be provided with conditions for self-isolation, excluding cohabitation with other people, including family members and relatives.</p>
Spain	<p>The Spanish Government has declared the state of alarm last 13th March 2020. During the state of alarm and extensions thereof, the Spanish ministerial Order INT/262/2020 preserves the free circulation of perishable goods, as well as fresh fruits and vegetables, in vehicles that meet the definitions and standards expressed in the ATP Annexes 3 and 1. In any case, perishable goods must account for at least half of the vehicle's payload capacity or occupy half of the vehicle's payload volume.</p>