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**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Perishable Foodstuffs**

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Item 5 (b) of the provisional agenda

**Proposals of amendments to ATP:**

**New proposals**

**Possibility of voluntarily extending the scope of the bilateral and multilateral agreements resulting from the ATP Agreement to foodstuffs likely to become unfit for human consumption**

**Transmitted by the Government of France**

*Summary*

<b>Executive summary:</b>	ATP sets strict limits on foodstuffs to which its provisions may be applied. The present proposal would allow the parties to extend the list in the context of voluntary bilateral or multilateral agreements to cover other foodstuffs likely to become dangerous.
<b>Action to be taken:</b>	Amend annex 3 to ATP
<b>Related documents:</b>	None

**Introduction**

1. Article 3 of the Agreement defines the foodstuffs to which the requirements set out in the annex to the Agreement apply: these are all frozen or quick (deep)-frozen foodstuffs and the foodstuffs listed in annex 3 to the Agreement.
2. Article 7 of the Agreement allows the parties to agree by bilateral or multilateral agreement that the provisions applicable to both the equipment and the temperatures for transport may be more stringent than those provided for in the Agreement. However, it does not allow the parties to extend the provisions of the Agreement to foodstuffs other than those defined in annex 3.
3. As part of policies to combat food wastage, parties may wish to strengthen the rules applicable to foodstuffs not listed in annex 3 to improve their preservation during international carriage.



4. This amendment proposes a modification to the wording of annex 3 in order to allow parties to extend voluntarily, by bilateral or multilateral agreements, the scope of the Agreement to include other foodstuffs likely to become unfit for human consumption if the conditions under which they are transported are not adequately controlled.

## **I. Proposal**

5. In annex 3, between paragraph 4 and the table at the end of the annex, insert the following paragraph:

“5. Foodstuffs for which the Agreement is fully applicable to all Parties:

“The following foodstuffs are likely to become injurious to health if the conditions under which they are transported are not controlled; the application of this Agreement is therefore mandatory for them:”

6. After the table which concludes the annex in its current version, insert the following paragraphs:

“6. Foods for which voluntary bilateral or multilateral agreements may extend the scope of the Agreement:

“All foodstuffs likely to become unfit for human consumption if the conditions under which they are transported are not sufficiently controlled, according to their intended use, for reasons of contamination, whether by extraneous matter or otherwise, or through putrefaction, deterioration or decay.

“Where appropriate, these bilateral or multilateral agreements define the maximum temperatures for carriage for each category of foodstuffs concerned.”

## **II. Justification**

7. This proposal is in line with promoting the fight against food wastage for foodstuffs not currently listed in the Agreement.

8. The proposed solution is consistent with the rules on food safety adopted within the European Union (Regulation EC/178/2002, Article 14).

## **III. Costs**

9. There are no particular costs associated with the proposed amendment as such.

10. Only future bilateral or multilateral agreements could generate additional costs, which would vary according to the foodstuffs, for the parties concerned.

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