



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

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Item 4 (f) of the provisional agenda

Status and implementation of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP): interpretation of ATP**Interpretation questions****Transmitted by the Government of Finland**

1. Does the ATP Agreement apply to the transport of foodstuffs equivalent to private use, for example the transport of frozen and chilled foodstuffs for Rescue Services' or the Defense Forces' own use abroad in international exercises or in peacekeeping and crisis management operations?
2. The introductory clauses of the ATP Agreement state that "DESIROUS of improving the conditions of preservation of the quality of perishable foodstuffs during their carriage, particularly in international trade" and "CONSIDERING that the improvement of those conditions is likely to promote the expansion of trade in perishable foodstuffs."
3. However, Article 3 states that "The provisions of article 4 of this Agreement shall apply to all carriage, whether for hire or reward or for own account ... of foodstuffs." This leaves unclear, whether there is a level of commerce where equipment must be approved in accordance with the ATP Agreement.
4. The purpose of the treaty is described in the introductory clauses of the treaty and the clauses indicate the treaty to be meant for commercial transport. Foodstuffs transported by Rescue Services or the Defence Forces are meant to be consumed by their own personnel and not be made subject to trade or in other ways available for the public. Finland interprets that the agreement does not apply in these cases and transport of foodstuffs by Rescue Services or the Defence Forces are excluded from the treaty.
5. As the interpretation still seems unclear, the scope of application in Articles 3 and 4 of the Treaty should be made subject to clarification

