

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Perishable Foodstuffs

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Item 5 (a) of the provisional agenda

PROPOSED AMENDMENTS TO ARTICLES 1, 2, 3, 5 AND ANNEX 1 OF ATP

“Sea crossings and inland waterways” – proposed amendments as presented in ECE/TRANS/WP.11/2009/2 but without underlining and deletions

Informal document transmitted by the Government of Finland

Introduction

For the sake of readability, the proposed new text of Articles 1, 2, 3, 5 and Annex 1 is presented below without the underlining and deletions which appear in the formal proposal (ECE/TRANS/WP.11/2009/2). Articles 4 and 6-20 remain unchanged.

Proposal

Chapter I

SPECIAL TRANSPORT EQUIPMENT

Article 1

For the international carriage of perishable foodstuffs, equipment shall not be designated as "insulated", "refrigerated", "mechanically refrigerated", "heated" or "classified thermal container" equipment unless it complies with the definitions and standards set forth in annex 1 to this Agreement.

Article 2

The Contracting Parties shall take the measures necessary to ensure that the rail or road equipment referred to in article 1 of this Agreement is inspected and tested for compliance with the said standards in conformity with the provisions of annex 1, appendices 1, 2, 3 and 4, to this Agreement. Each Contracting Party shall recognize the validity of certificates of compliance issued in conformity with annex 1, appendix 1, paragraph 4 to this Agreement by the competent authority of another Contracting Party. Each Contracting Party may recognize the validity of certificates of compliance issued in conformity with the requirements of annex 1, appendices 1 and 2, to this Agreement by the competent authority of a State not a Contracting Party.

Classified thermal containers shall be manufactured, type tested and marked by the manufacturer according to the standard mentioned in Annex 1 paragraph 5 to this Agreement. Each Contracting Party shall recognize the validity of type plates issued in conformity with the standard mentioned in Annex 1, paragraph 5 to this Agreement.

Chapter II

USE OF SPECIAL TRANSPORT EQUIPMENT FOR THE INTERNATIONAL CARRIAGE OF CERTAIN PERISHABLE FOODSTUFFS

Article 3

1. The provisions of article 4 of this Agreement shall apply to all carriage, whether for hire or reward or for own account, carried out exclusively - subject to the provisions of paragraph 2 of this article - by rail, by road or by a combination of the two, of

- quick (deep)-frozen and frozen foodstuffs, and of
- foodstuffs referred to in annex 3 to this Agreement even if they are neither quick (deep)-frozen nor frozen,

if the point at which the goods are, or the equipment containing them is, loaded on to a rail or road vehicle and the point at which the goods are, or the equipment containing them is, unloaded from that vehicle are in two different States and the point at which the goods are unloaded is situated in the territory of a Contracting Party.

2. The provisions of paragraph 1 of this article shall likewise apply to sea crossings of less than 1500 km and carriage by inland waterways of less than 3500 km on condition that the goods are shipped in equipment used for the land journey or journeys without transloading of the goods and that such carriage by sea or inland waterways precedes or follows one or more land journeys as referred to in paragraph 1 of this article or takes place between two such land journeys.

3. Notwithstanding the provisions of paragraphs 1 and 2 of this article, the Contracting Parties need not apply the provisions of article 4 of this Agreement to the carriage of foodstuffs not intended for human consumption.

Article 4

Unchanged

Article 5

The provisions of this Agreement shall also apply to carriage by sea or inland waterways of perishable foodstuffs in classified thermal containers if the sea crossing is less than 1500 km or the carriage by inland waterways is less than 3500 km.

The provisions of this article shall apply to carriage in classified thermal container by land where such carriage is preceded or followed by carriage by sea or by inland waterways.

Article 6 - 20

Unchanged

Annex 1

DEFINITIONS OF AND STANDARDS FOR SPECIAL EQUIPMENT FOR THE CARRIAGE OF PERISHABLE FOODSTUFFS

- 1-4 Unchanged
- 5. New paragraph
- 6. Amended paragraph (old para. 5)

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- 5. **Classified thermal container.** A thermal container manufactured, type tested and classified according to the standard ISO 1496-2 or GOST R 50697-94 and additionally fitted with a permanent manufacturer's type plate. The type plate shall be in English, French or Russian and shall contain at least the following particulars:

- Country of manufacture
- Name and address of the manufacturer
- Type code
- Heat leakage rate in W/K
- Serial number
- Month / year of manufacture
- Standard used

- 6. **Transitional provisions.** The provisions concerning classified thermal containers in articles 1, 2, 5 and annex 1, paragraph 5 shall enter into force after a period of three years following the date of acceptance of this proposed amendment by Contracting Parties, in accordance with article 18 of this Agreement.

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