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Scope of ATP

Draft road map for accession to and implementation of the ATP

Transmitted by the Euro-Mediterranean Partnership (Euromed)

1. The following draft road map for accession to and implementation of the ATP has been prepared by the EU-funded EuroMed Regional Transport Project “Road, Rail and Urban Transport” (EuroMed RRU) with inputs from the UNECE secretariat.
2. WP.11 is invited to discuss the document and suggest revisions and the addition of any important elements that may be considered missing.
3. The final version will feature photographs to illustrate the text as shown in Informal document INF.4.

I. Introduction

United Nations Economic Commission for Europe (UNECE)

4. The United Nations Economic Commission for Europe (UNECE) is one of the five United Nations regional commissions, administered by the Economic and Social Council (ECOSOC). It was established in 1947 with the mandate to help rebuild post-war Europe, develop economic activity and strengthen economic relations among European countries, and between Europe and the rest of the world. During the Cold War, UNECE served as a unique forum for economic dialogue and cooperation between East and West. Despite the complexity of this period, significant achievements were made, with consensus reached on numerous harmonization and standardization agreements.
5. In the post-Cold War era, UNECE acquired not only many new member States, but also new functions. Since the early 1990s the organization has focused on analyses of the

transition process, using its harmonization experience to facilitate the integration of Central and Eastern European countries into the global markets.

6. UNECE is the forum where the countries of western, central and eastern Europe, central Asia and North America – 56 countries in all – come together to forge the tools of their economic cooperation. That cooperation concerns economics, statistics, environment, transport, trade, sustainable energy, timber and habitat. The Commission offers a regional framework for the elaboration and harmonization of conventions, norms and standards. The Commission's experts provide technical assistance to the countries of South-East Europe and the Commonwealth of Independent States. This assistance takes the form of advisory services, training seminars and workshops where countries can share their experiences and best practices.

Transport in UNECE

7. The UNECE Transport Division is the secretariat of the Inland Transport Committee (ITC) and the ECOSOC Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals. The ITC and its 17 working parties, as well as the ECOSOC Committee and its sub-committees are intergovernmental decision-making bodies that work to improve the daily lives of people and businesses around the world in measurable ways and with concrete actions that enhance traffic safety, environmental performance, energy efficiency and the competitiveness of the transport sector.

8. The ECOSOC Committee was set up in 1953 by the Secretary-General at the request of the Economic and Social Council to elaborate recommendations on the transport of dangerous goods. Its mandate was extended to the global (multisectoral) harmonization of systems of classification and labelling of chemicals in 1999. It is composed of experts from countries which possess the relevant expertise and experience in the international trade and transport of dangerous goods and chemicals. Its membership is restricted in order to reflect a proper geographical balance between all regions of the world and to ensure adequate participation of developing countries. Although the Committee is a subsidiary body of ECOSOC, the Secretary-General decided in 1963 that the secretariat services would be provided by the UNECE Transport Division.

9. The Inland Transport Committee is a unique intergovernmental forum that was set up in 1947 to support the reconstruction of transport connections in post-war Europe. Over the years it has specialized in facilitating the harmonized and sustainable development of inland modes of transport. The main results of this persevering and ongoing work are reflected among other things (i) in 58 United Nations conventions and many more technical regulations which are updated on a regular basis and provide an international legal framework for the sustainable development of national and international road, rail, inland water and intermodal transport, as well as the transport of dangerous goods and the construction and inspection of road motor vehicles; (ii) in the Trans-European Motorways, Trans-European Railways and the Euro-Asia Transport Links projects that facilitate multi-country coordination of transport infrastructure investment programmes; (iii) in the TIR system which is a global customs transit facilitation solution; (iv) in the tool called For Future Inland Transport Systems (ForFITS) which can assist national and local governments to monitor CO₂ emissions coming from inland transport modes and to select and design climate change mitigation policies based on their impact and adapted to local conditions; (v) in transport statistics – methods and data – that are internationally agreed on; and (vi) in studies and reports that help transport policy development by addressing timely issues based on cutting-edge research and analysis.

ITC also devotes special attention to Intelligent Transport Services, sustainable urban mobility and city logistics, as well as to increasing the resilience of transport networks and services in response to climate change adaptation and security challenges.

The EU-funded EuroMed Road, Rail and Urban Transport Project

10. The EU-funded EuroMed Regional Transport Project “Road, Rail and Urban Transport” (EuroMed RRU) aims at supporting the implementation of the Trans-Mediterranean Transport Network (TMT-N) by developing appropriate regulatory framework and operational conditions in order to facilitate cross-border transport, enhance land transport safety and promote sustainable and efficient urban transport. Within the implementation of the Regional Transport Action Plan (RTAP), the pursued objectives of the project are the following: enhanced implementation of the RTAP actions in the partner countries in the field of road, rail and urban transport; increased regional dialogue; enhanced interoperability on the future TMT-N by supporting similar operational conditions and regulatory framework; improved safety, efficiency and professionalization of the land transport sector; and better sustainability and efficiency of transport in urban areas. The 2014-2020 RTAP is currently being finalized.

11. The project activities cover the following fields of expertise:

- Road freight transport: UN agreements, harmonization of international road haulage, road safety, reform of the road transport industry, professionalism;
- Rail transport: rail interoperability and safety as well as structural reform;
- Urban transport: sustainable urban mobility plans, regulatory and institutional framework, fleet management, promotion of CIVITAS network.

12. Throughout the life of the project, workshops/conferences/trainings/study tours are organized, studies are conducted, good practices are shared and technical assistance activities are carried out.

13. The project is implemented in the framework of the European Neighborhood and Partnership Instrument ENPI-South and covers: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Occupied Palestinian Territory, Syria and Tunisia.

II. The ATP Agreement

Food security and transport

14. Although globalization has reduced the relative distance between the different continents and regions of the world, at the same time, the actual distances between these regions are still a critical reality. As the distance between two places increases, so increase the dangers of the cargo transported being damaged. And while some cargo types can be damaged by shocks, others may be damaged by inappropriate temperature conditions. A range of goods, labeled as perishables (human foodstuffs, vegetables and fruits, fresh/frozen meat and fish, flowers and plants, pharmaceutical products etc.), have their quality degraded with time, because they naturally sustain specific chemical reactions. The rate of these reactions can be reduced by their transportation in temperature-controlled environments. In order to ensure that the transported goods are not damaged or degraded during transportation, businesses in the pharmaceutical, medical and food industries are increasingly relying on the cold chain.

15. As evident from the above, the cold chain refers to the transportation of temperature-sensitive goods along a supply chain, by using thermal and refrigerated packaging methods, along with the necessary logistical planning to protect the integrity of these shipments.

16. Since 1797, when British fishermen used natural ice to preserve their fish while at sea and 1942, when Frederick Jones developed the first portable refrigeration units to transport fresh foods and temperature-sensitive drugs and blood plasma for troops stationed overseas during World War II, cold chain operations have improved vastly – especially during the last decades, with many technological achievements. Nowadays, the industry is able to meet the transportation requirements for a wide range of products.

17. In order to ensure that a cargo will not degrade in terms of quality, it should be preserved in a specific temperature range, and as a result the type of container as well as the refrigeration method used are crucial factors. The transportation period, the size of the shipment and weather conditions are important when deciding what type of packaging is required. These types of packaging most often include an insulated box (varying from small-dimension packs to reefer containers and large reefer trucks), and use specific technologies to sustain a temperature-controlled environment. These technologies include dry ice, gel packs, eutectic plates, liquid nitrogen, quilts and refrigerating units.

18. The most common of the above technologies in international transport are the refrigerating units, mounted on vans, small, medium and larger trucks, trailers, semi-trailers or even containers. However, in order to ensure that the equipment used in the transportation process can reliably sustain the temperature conditions for which it was designed, an international agreement has been developed: The Agreement on the international carriage of perishable foodstuffs and on the special equipment to be used for such carriage (ATP).

The ATP

19. The Agreement on the international carriage of perishable foodstuffs and on the special equipment to be used for such carriage (ATP), of 1970, is the response of European Governments for setting uniform standards for the transportation of temperature-sensitive goods. The acronym “ATP” is the abbreviation of the French name of the Agreement (**A**ccord relatif aux **T**ransports internationaux de denrées **P**érissables et aux engins spéciaux à utiliser pour ces transports).

20. The ATP mandates that specific types of equipment should be used to transport perishable food internationally and that such equipment should be regularly tested. The ATP applies to transport by road and by rail and sea crossings of less than 150 km, but it does not necessarily apply to transport within the borders of a single country, unless a country declares its use in domestic transport as well.

21. By regulating the above-mentioned technical specifications, the ATP creates a level playing field in the road haulage industry ensuring the quality and safety of the transported goods.

22. A number of EuroMed partner countries are considering accession to and implementation of the ATP Agreement to benefit from the widely harmonized ATP technical specifications framework.

23. ATP Contracting Parties: 49 States

Albania, Andorra, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Monaco, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Republic of

Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.



Map showing the spread of ATP contracting parties

Main provisions of the ATP Agreement

24. According to the Agreement, "for the international carriage of perishable foodstuffs, equipment shall not be designated as "insulated", "refrigerated", "mechanically refrigerated", or "heated" equipment unless it complies with the definitions and standards set forth in the Agreement" (Article 1).

25. Article 2 mandates the inspections of the above-mentioned equipment, in order to comply with the technical specifications imposed by the Agreement. The same article ensures the validity of certificates of compliance issued by one contracting State in another contracting State.

26. Article 3 defines the applicability of the Agreement in terms of means of transport and territory (application in international transport by rail or road, as well as sea crossings under 150 km).

27. The final provisions of the Agreement, including eligibility for accession, dispute settlement and procedures for amendment are provided for in Articles 9 to 20. Newly acceding countries should know that the Agreement is considered to enter into force one year after the deposit of its instrument of accession.

28. However, some of the most important provisions of the Agreement are included in the Annexes.

29. Annex 1 provides the definitions of and standards for special equipment for the carriage of perishable foodstuffs (insulated, refrigerated, mechanically refrigerated and heated equipment), including technical specifications (notably the K factor) and the refrigeration classes (A to F).

30. One of the most important parts of the Agreement is Appendix 2 to Annex 1, which mandates the methods and procedures for measuring and checking the insulating capacity and the efficiency of the cooling or heating appliances of special equipment for the carriage of perishable foodstuffs. Appendices 3-4 include provisions regarding the certificate of compliance and the markings of the equipment used for carriage of perishable foodstuffs.

31. Finally, Annexes 2 and 3 refer to the temperature conditions to be observed for the carriage of quick (deep)-frozen and frozen foodstuffs (Annex 2) and chilled foodstuffs (Annex 3) as well as the need for monitoring and recording of air temperatures for deep frozen foodstuffs.

Working Party on the Transport of Perishable Foodstuffs (WP.11)

32. The ATP is kept up to date and administered by the Working Party on the Transport of Perishable Foodstuffs, commonly known as WP.11. WP.11 has its annual meetings in Geneva. Member countries are represented by Ministries of transport, food and agriculture, or by representatives of official ATP testing stations nominated by their Governments. Representatives of the International Institute of Refrigeration, Transfrigoroute International, and associations of insulated body builders also participate.

33. WP.11 examines proposals for amendments made by countries. Recent amendments include the introduction of testing requirements for new multi-temperature, multi-compartment equipment.

34. Adopted amendments are annexed to the reports of WP.11. They are then communicated to ATP Contracting Parties by the United Nations Treaty Section in New York for a period of 6 months. If there is no objection, the amendments are considered accepted. Once accepted, the amendments take on legal force after a further period of six months.

35. The other possibility is for a country to object to the proposed amendments. Currently, if one country objects to a proposed amendment, even in the technical annexes, the amendment is not accepted.

III. Purpose, scope and objectives of the roadmap

Purpose

36. The improvement of refrigerating methods and equipment has permitted transport over greater distances and significantly increased the size of the global food market, thus enabling many developing countries to seize new opportunities. Furthermore, the technological improvements of the last decades have increased the efficiency and the reliability of the transportation of temperature-sensitive cargoes. This fact allows the food industry to take advantage of global seasonal variations in food production: in winter months, the countries of the southern hemisphere can export perishable goods to the northern hemisphere and vice versa during the summer months (albeit at a much smaller rate). Most important, however, is the fact that transportation of temperature-sensitive products that arrive in their original state of quality (and not degraded) to the final consumer is not only a matter of economics but also a matter of public health safety.

37. Taking note of the vital importance of the above, as well as the benefits of accession to and implementation of the ATP for EuroMed countries, the EuroMed RRU project has conducted focused national demand-driven training events in Algeria, Jordan and Morocco, with more to follow in Tunisia and Egypt. Following these events, EuroMed Partner countries have identified the importance of implementing ATP not only in their international but also for their domestic transport. Thus the issue for EuroMed Partner countries is how to prepare for accession to the ATP and how they can benefit from its provisions in their international and national transportation of perishable food stuffs.

38. The present document, prepared jointly by EuroMed RRU and UNECE, presents the main steps and a number of sub-steps that countries wishing to accede and fully implement the ATP have to follow (the Road Map).

39. The first two steps deal with the preparatory work for accession, including coordination and responsibilities and highlight the strategic issues that need to be considered before accession. Step three exclusively deals with accession to the Agreement, eligibility and related procedures. The road map ends with the important aspects of enforcement and supporting measures addressed in step five.

40. All related legislative and explanatory documents are annexed. However, due to their volume, most of them are made available in electronic form only.

Scope and objectives

41. Drawing upon the extensive experience of the UNECE Transport Division and the UNECE intergovernmental body administering the ATP Agreement as well as the EuroMed project experience gained through technical assistance provided to EuroMed Partner countries, this Road Map is aimed at providing concrete guidance for accession to and effective implementation of the ATP.

VI. Road map for accession to and implementation of the ATP

42. The present Road Map aims at providing guidance to EuroMed countries wishing to accede and implement the ATP Agreement as well as to other countries interested in acceding to the ATP beyond the EuroMed region.

43. The Road Map proposes the implementation of five main steps that if properly and timely pursued would result in the full application of the system in their territories.

STEP 1: Preparing for accession

1.1 Coordination and responsibilities at national level

The regulations that make up the ATP may be under the responsibility or interest of different ministries or administrations depending on the administrative structure in place in every country. The ministries, administrations and bodies concerned need to be identified and their representatives should be invited to take an active role in the pre-accession process.

A non-exhaustive list of the ministries, administrations and bodies usually concerned would include: ministries, authorities and bodies in charge of transport, agriculture, industry, trade and customs.

Representatives of the private sector should be consulted and be involved if possible in the process as representatives of the users of the regulations: transport sector, vehicle and insulated box manufacturers, test stations.

A formal coordination of all the participants in the process of pre-accession should be organized.

However, it should be noted that each country should assess and define their own needs for an administrative structure, based on culture, standard operating procedures, hierarchy schemes, staff and expertise availability. The sub-steps presented below are recommendations only and should not be regarded as obligatory.

1.2 Overall coordination and supervision

Although the regulations regarding the ATP may involve a number of different ministries and/or bodies, the main responsibility should be assigned to one ministry or government agency. In several ATP Contracting Parties this is the Ministry of Transport or Agriculture. In this case, the overall supervision and coordination of all ATP related actions should be under the competent minister.

1.3 Establishment of a competent ATP authority

The ATP is not a highly complex agreement to implement and secure its future seamless operation. However, the coordination and cooperation between all Ministries and other public bodies involved are critical for successful implementation. For this reason, a national competent authority should be established.

The competent authority will work on issues relating to national implementation and the concerned public and private stakeholders, taking into account the availability of expertise and resources. The competent authority should have both responsibility and authority and may represent the country in international meetings including the UNECE Working Party on Transport of Perishable Foodstuffs (WP.11).

Necessary resources, human and financial, should be made available.

As from an early stage, the designated national competent authority should appoint an ATP National Focal Point (ATP-NFP), dealing permanently with ATP issues. His/her work is of utmost importance for the success of the implementation and smooth operation of the ATP in the country. The work of the ATP-NFP should be supported by a team of experts as well as by external expertise as necessary and appropriate.

STEP 2: Addressing strategic issues prior to accession

2.1 Studying the ATP and related national legislation

The ATP National Focal Point and the competent authority study the ATP Agreement and related national legislation. They also are responsible for ensuring that the translation of the ATP Agreement (as appropriate) is made available.

2.2 Deciding on the scope and applicability of the ATP

The ATP applies to international transport by road and rail and sea crossings under 150 km. However, several Contracting Parties also apply the Agreement's regulations in their domestic transport systems. This is the case in France, Italy, Russian Federation and Slovakia for example. As a result, newly acceding countries have to answer several critical questions, during the pre-accession phase. These include the scope and applicability e.g. international only or both international and domestic transport; a transition period may need to be applied in the case of domestic transport, and applicability with regard to already registered vehicles.

International transport only

If a country decides to apply the provisions of the ATP only for international transport, then the only step to be taken is to transpose the Agreement into national legislation, according to each country's established law-making procedures. It should be noted, however, that it

might be easier for acceding countries just to refer to the ATP in their national laws, because attempts to rewrite the Agreement's content in their own legislation may lead to discrepancies and later conflicts. The ATP is also amended frequently which could lead to problems if national legislation also has to be amended each time.

Both international and domestic transport

If a country opts for applying the ATP to both international and the domestic market, then some issues need to be clarified, including identification of the necessary transitional period and to which vehicles it will apply. However, it is strongly recommended that in that case, countries apply exactly the same requirements avoiding differences for both international and domestic markets, which could become a source of conflict and confusion for users and enforcers.

The decision of a country to apply the ATP Agreement in its domestic transport is its own.

STEP 3: Accession to the ATP

Article 9 of the ATP stipulates the eligibility for accession to it. Currently, States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity may become Contracting Parties to the ATP by acceding. In effect, this means that the ATP is open to all countries of the world.

Countries that wish to accede to the ATP should submit to the Secretary-General of the United Nations an official request also known as an "Instrument of Accession".

This instrument should be signed by one of three specified authorities, namely the Head of State, Head of Government or Minister for Foreign Affairs. There is no specific form of the instrument, but it must include the following:

- Title, date and place of conclusion of the legal instrument concerned;
- Full name and title of the person signing the instrument, i.e., the Head of State, Head of Government or Minister for Foreign Affairs or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities;
- An unambiguous expression of the intent of the Government, on behalf of the State, to consider itself bound by the legal instrument and to undertake faithfully to observe and implement its provisions;
- Date and place where the instrument was issued;
- Signature of the Head of State, Head of Government or Minister for Foreign Affairs (the official seal only is not sufficient) or any other person acting in such a position for the time being or with full powers for that purpose issued by one of the above authorities.

A model Instrument of Accession is presented below.

ACCESSION

WHEREAS the Agreement on the International Carriage of Perishable Foodstuffs and the Special Equipment to be Used for such Carriage was done at Geneva on 1 September 1970,

NOW THEREFORE I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs] declare that the Government of [name of State], having considered the above-mentioned agreement, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of accession at [place] on [date].

[Signature]

An instrument of accession becomes effective only when it is deposited with the Secretary-General of the United Nations at United Nations Headquarters in New York City. The date of deposit is normally recorded as that on which the instrument is received at Headquarters. Countries are advised to deliver such instruments to the Treaty Section, Office of Legal Affairs of the United Nations directly to ensure the action is promptly processed.

Furthermore, it should be noted that the ATP enters into force one year after the deposit of its instrument of accession. By that time, each country should be in a position to comply with the provisions of the Agreement.

STEP 4: Setting up a National ATP Certification Network

The core aspect of the ATP is the issuance of certificates of compliance to inspected vehicles and insulated equipment. The certificates are issued after specific tests with advanced technological measuring equipment and sensors, which take place either at a Laboratory or an Expert workshop.

Each country has first to nominate a competent authority responsible for the issuance of certificates of compliance with the ATP based on test reports issued by ATP laboratories or expert workshops. Countries may also choose to nominate their laboratories as the competent authority for the issuance of ATP certificates of compliance.

4.1 Setting up a Primary ATP Test Laboratory

One of the most inconvenient parts during ATP certification for vehicles from countries that have not acceded to the ATP, is the need to travel abroad in order to obtain a test report. This procedure has major drawbacks. Usually, a road transporter is obliged to travel long distances in order to find an ATP laboratory. During that time, the transporter is not able to perform transport operations, staying out of the market, not yielding any profits and thus sustaining economic losses.

In order to counter the above-described situation, each country is advised to set up a primary ATP Test Laboratory. This Laboratory will issue the first test report for each vehicle that enters the temperature-controlled supply chain.

According to experience in Europe, the required budget to set up such a Laboratory is estimated at between 1.0-1.2 million Euros. Although these numbers may seem high, the following should be taken into consideration:

- The Laboratory will yield income every year, as new vehicles operating in the supply chain for temperature-sensitive products will need an initial ATP certificate or to have their certificates renewed. In this manner, the Laboratory will be able to repay back the initial invested capital and may expect to be profitable after a number of years¹.
- An ATP Laboratory can operate in and claim a percentage of the private sector business, through external job orders for studies and technical advice as well as from agreements and contracts with firms and other organizations (national or international), thus increasing its revenue.

Regarding the needed personnel, European experience (based on the laboratory in Padua in Italy) has shown that for the seamless operation of the Laboratory 1-2 Head Engineers are

¹ The ATP certification process is continuous: all existing vehicles and equipment operating in the temperature-controlled transport chain are obliged to have their certificates renewed every three or six years, while new vehicles and equipment will enter the market for others that will withdraw from it.

required, as well as 3-6 technicians, who will be sharing three 8-hour shifts during a whole 24-hour day. In addition to the above, administrative personnel is needed proportionally to the needs of the Laboratory.

A typical ATP Laboratory possesses a large tunnel (length: 20-30 meters, width of entrance: 4-5 meters, vertical clearance: 4-5 meters) and relevant technical equipment (heating and cooling devices, temperature sensors, power generators, logging and analyzing equipment and computers, etc).

4.2 Setting up ATP Expert workshops

According to paragraph 5 of Annex 1, Appendix 2, experts may be appointed to assess the condition of the insulated equipment used in the temperature-controlled transport chain, in order to define if the equipment can retain its classification or move to another (lower).

The effectiveness of the thermal appliance is also checked by a so-called “pull-down” test, showing that it can cool the body to the required temperature in a fixed time.

If the results of these tests are satisfactory, the equipment may be kept in service for a further three years, and so on.

These ATP Expert workshops are important in the ATP system, as they can handle a large volume of the tests to be conducted for renewal of ATP certificates. They have the following characteristics:

- They can be either State-owned or privately owned.
- Their founding and setting up does not require large amounts of invested capital or extremely sophisticated or expensive technical equipment. This allows for a more lucrative business opportunity, reducing the burden the State has to bear.
- They can be operated by a small number of personnel. This allows for flexibility and low labour costs.

A sufficient number of expert workshops in the territory of the Contracting Party should be approved by the respective competent authority, in order to facilitate in the most effective and efficient manner all the expert tests that need to be made.

The competent authority should not attempt to intervene in the commercial setting up of Expert workshops other than to ensure their sufficient number. However, their adherence to legal requirements should be subject to extensive and thorough audits by the State, as the health of citizens not only in the country but also around the world rely on the test reports issued.

4.3 Procedures to be followed

The ATP mandates in every detail the methods and procedures that should be followed for the certification of vehicles and equipment operating in the transport of perishable goods. These methods and procedures apply not only for the first certification and classification of such vehicles and equipment, but also for renewal purposes. As a result, the State should make sure that these procedures are followed by all ATP Laboratories and expert workshops within its territory.

4.4 Create a reliable database accessible by all parties

All state authorities involved should have sufficient knowledge of the status of implementation and use of the ATP system in the country, while at the same time all parties involved in the ATP system, including companies that operate in the temperature-controlled transport chain, should be fully informed. The above can be achieved by the establishment of a reliable electronic system which collects and stores data, such as certificate expiration dates, infringements, used (installed) equipment etc. This database would provide several

levels of access to the accumulated information, according to who requests it. This database could then be used for statistical, security and reference reasons.

STEP 5: Enforcement

Each vehicle or container operating in the transport of perishable goods has to carry a certificate or plate to demonstrate that it meets the standards for refrigeration and thermal efficiency as mandated in the ATP. Checks on the certificate or plate can be made at border stations or in the country's territory, during road-side checks or at food-processing facilities.

5.1 Introduce or amend laws for enforcement activities

The Contracting Parties implementing the ATP are expected through their competent authority to take into consideration the enforcement aspects at their respective national level and define an enforcement strategy.

According to Article 6 of the ATP, "each Contracting Party shall take all appropriate measures to ensure observance of the provisions of this Agreement. The competent authority of the Contracting Parties shall keep one another informed of the general measures taken for this purpose. If a Contracting Party discovers a breach committed by a person residing in the territory of another Contracting Party, or imposes a penalty upon such a person, the administration of the first Party shall inform the administration of the other Party of the breach discovered and of the penalty imposed."

To meet this requirement, countries are expected to submit information on their enforcement activities and the number of infringements of ATP detected each year to the secretariat of WP.11. A questionnaire is used to this end.

5.2 Train control officers appropriately

Law enforcers should be trained to identify the classification of vehicles and equipment operating in the temperature-controlled transport chain, in order to be able to perform their duties during checks. A non-exhaustive list of the training methods for such purposes would include:

- Seminars
- On-site demonstration at ATP Laboratories and Expert workshops
- Handbooks and manuals

In addition to the above, it is recommended that because of the sensitive cargoes that they carry that special provisions be put in place at national border crossings to:

- (i) minimize waiting times for ATP-approved vehicles transporting perishable foodstuffs;
- (ii) ensure that the required controls are carried out as quickly as possible;
- (iii) allow the operation of the necessary refrigerating units of vehicles carrying perishable foodstuffs during the time of crossing the border;
- (iv) cooperate, in particular through advance information exchange, with their counterparts in other Contracting Parties in order to accelerate border crossing procedures for perishable foodstuffs.

(These recommendations come from Annex 8 of the Convention on the Harmonization of Frontier Controls of Goods).

Annexes

- I. Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP) - Version of the ATP valid from 30 September 2015

http://www.unece.org/fileadmin/DAM/trans/doc/2015/wp11/1509197_ECE_TRANS_249_Anglais.pdf

- II. ATP Handbook 2015

A helpful tool for better understanding the ATP is the ATP Handbook.

The ATP Handbook comprises the Agreement itself and its Annexes with comments added where appropriate for clarification or additional explanation of the text. Comments contained in the ATP Handbook are not legally binding for Contracting Parties of the ATP. They are, however, important for the interpretation, harmonization and application of the Agreement as they reflect the opinion of the Working Party on the Transport of Perishable Foodstuffs of the Inland Transport Committee of the Economic Commission for Europe (UNECE).

Comments are placed with the provisions of the Agreement to which they refer. Comments do not modify the provisions of the Agreement or of its Annexes but merely make their contents, meaning and scope more precise.

Comments provide a means of applying the provisions of the Agreement and of its Annexes so as to take into account the development of technology and economic requirements. They may also describe certain recommended practices.

http://www.unece.org/trans/main/wp11/atp_handbook.html

- III. List of Competent Authorities and Test Stations

<http://www.unece.org/fileadmin/DAM/trans/main/wp11/teststations.pdf>
