

Economic Commission for Europe**Inland Transport Committee**

25 October 2022

Working Party on the Transport of Perishable Foodstuffs

English

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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?

Finland interprets that the agreement does not apply, at least to the transport of a private individual's own food because 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.

2. 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.?

3. As Article 7 mentions bilateral agreements — could the countries in this case mutually agree on measures to ensure the level of requirements of the ATP agreement even though the equipment is not ATP-classified?

4. As the interpretation seems unclear, should it be considered to clarify the scope of application in Articles 3 and 4 of the Treaty?
