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Working Party on the Transport of Perishable Foodstuffs

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**AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS
AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)**

Interpretation of annex 1, appendix 1, paragraph 4

Transmitted by the Government of Denmark

1. At its last session, the Working Party asked the Chairman to prepare a document on the interpretation of annex 1, appendix 1, paragraph 4 (see TRANS/WP.11/208, para. 72).
2. The purpose of the study is to clarify the origin of the wording, especially in the last part of the said paragraph.
3. Due to the initial wording, "*In the case of equipment transferred after it has been in use ...*", the impression by some is that all the following text in this paragraph only refers to equipment in use (second-hand), being transferred to another country.
4. That could leave the impression, according to the text, that the ATP-certificate, or an eventually mounted certification plate, is only to be used for equipment in service, transferred to another country, at the same time transporting foodstuffs (... *during carriage* ...).
5. To clarify this, the Chairman (Mr M. Eilsoe) proposes a change in the arrangement of the text in this paragraph. It is proposed to change in the first paragraph where the wording, as agreed on many occasions, should be "registered or recorded", not "registered and recorded". This corresponds to the rest of the text in this paragraph, and also to paragraph 1.
6. The paragraph should be read as follows:

Annex 1, Appendix 1, paragraph 4: (paragraph 3 in the revised version)

“4. A certificate of compliance with the standards shall be issued by the competent authority of the country in which the equipment is to be registered *[or]* recorded on a form conforming to the model reproduced in appendix 3 to this annex.

The certificate, or a certified true photographic copy thereof, shall be carried on the equipment during carriage to be produced whenever so required by control authorities. However, if a certification plate, as reproduced in appendix 3 to this annex, is fixed to the equipment, the ATP plate shall be recognized as equivalent to a certificate. ATP certification plates shall be removed as soon as the equipment ceases to conform to the standards laid down in this annex.

In the case of equipment transferred to another country, which is a Contracting Party to ATP, it shall be accompanied by the following documents so that the competent authority of the country in which the equipment is to be registered or recorded can issue an ATP certificate:

- (a) in all cases, the test report - of the equipment itself or, in the case of serially produced equipment, of the reference equipment;
- (b) in all cases, the ATP certificate issued by the competent authority of the country of manufacture or, for equipment in service, the competent authority of the country of registration. This certificate will be treated as a provisional certificate valid, if necessary, for three months;
- (c) in the case of serially produced equipment, the technical specification of the equipment to be certified (this specification must cover the same items as the descriptive pages concerning the equipment which appears in the test report).

In the case of equipment transferred after it has been in use, the equipment may be subject to a visual inspection to confirm its identity before the competent authority of the country, in which it is to be registered or recorded, issues a certificate of compliance.”
