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Working Party on the Transport of Perishable Foodstuffs

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Item 5 (a) of the provisional agenda

Proposals of amendments to ATP: New Proposals

Period of validity of certificates issued for manufactured equipment to be transferred to another country

Transmitted by the Government of France

Context and challenges

1. Annex 1, appendix 1, to ATP specifies the conditions of transfer of equipment from one country to another without setting a period of validity for the certificate issued by the country of manufacture.
2. The owner of the equipment has three months to change the ATP certificate of the country of manufacture into a certificate of the new country of use. Owners are not always informed by the seller or do not always follow guidelines. As a result, equipment owners do not always replace the certificates, in particular when they have a certificate issued by the country of manufacture which is valid for up to six years, as is the case for new equipment.
3. This has led to problems in implementing the Agreement that have been reported by a number of competent authorities on several occasions and distortion of competition among manufacturers and operators alike.
4. In order to address the issue, some countries issue certificates that are valid for no longer than three months and may be renewed only once. This step helps to make the change of certificates — and compliance with the Agreement, which is the objective of all signatory parties and their competent authorities — virtually systematic.
5. For France, close to 20% of the certificates issued for new equipment are issued with a time limit.

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Objectives

6. The objective is to put in place a simple and inexpensive mechanism to ensure that the Agreement is implemented in the countries that are parties to it in the fairest and most uniform way possible.

Proposed solution

7. It is proposed to include a provision in the Agreement that imposes a time limit on certificates for equipment intended for export.

8. It appears that a period of three months would allow the authority of the country of destination of the equipment to put the provisions for converting the certificate into practice. This certificate could be renewed once if necessary.

Proposal of amendment to ATP

9. Amend paragraph 3 of annex 1, appendix 1, to read as follows:

“3. 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 and recorded on a form conforming to the model reproduced in appendix 3 to this annex. **When the certificate is issued for equipment to be transferred to another country which is a signatory to the Agreement and has a competent authority, the competent authority concerned shall issue a certificate that is valid for a period of three months and may be renewed once.**”
