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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Perishable Foodstuffs

##### Seventy-second session

Geneva, 4-7 October 2016

Item 5 (a) of the provisional agenda

##### Proposal of amendments to ATP:

##### Pending proposals

### Amendments and additions to the definitions proposed in document ECE/TRANS/WP.11/2015/17 for inclusion in annex I to the Agreement

#### Submitted by the Russian Federation

##### *Summary*

**Executive summary:** ATP annex 1 currently contains only the terms “insulated equipment”, “refrigerated equipment”, “mechanically refrigerated equipment” and “heated equipment”. The term “mechanically refrigerated or heated equipment” and its definition are in the process of approval.

Annex 1 also contains other terms that require definition in order to avoid different interpretations of the terms and to improve understanding of ATP. In part B of document ECE/TRANS/WP.15/17, the Netherlands has proposed the inclusion in annex 1 to the Agreement definitions of the following terms: “special equipment”, “equipment”, “container”, “small container”, “thermal appliance”, “removable thermal appliance”, “non-independent thermal appliance”, “multi-temperature multi-compartment equipment”, “partition” and “compartment”, providing a detailed justification in informal document INF.13;

**Action to be taken:** The Russian Federation proposes additions to the definitions of a number of the terms proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17;



**Background:**

ECE/TRANS/WP.11/2015/17;

ECE/TRANS/WP.11/2007/18;

ISO 830-1999 “Freight containers. Vocabulary”;

ISO 1496-2-88 “Series 1 freight containers. Specification and testing. Part 2. Thermal containers”;

GOST EN 1070-2003 “Safety of machinery. Terms and definitions” (identical to European Standard EN 1070-98 and authentic in relation to European Standard EN 292-191);

International Convention for Safe Containers of 2 December 1972, as amended;

Customs Convention on Containers, 1972, as amended in 2008;

European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), in force from 1 January 2011, Inland Transport Committee, annex A, part 1, chapter 1.2, paragraph 1.2.1;

Agreement on International Railway Freight Transportation (SMGS), amended on 1 July 2015, annex 2, part 1, chapter 1.2, 1.2.1;

Technical Regulations of the Customs Union concerning “The safety of wheeled vehicles” TP TC 018/2011;

Federal Act No. 259-FZ of the Russian Federation of 8 November 2007 on the regulations for road transport and urban electrical transport, as amended on 13 July 2015, in force from 19 October 2015;

Russian Federation Rules on the carriage of goods by rail in universal containers, approved under Order No. 30 of the Ministry of Transport of the Russian Federation dated 18 June 2003 (registered with the Ministry of Justice of the Russian Federation on 19 June 2003, No. 4765);

Rules of the Russian Maritime Register of Shipping, 2015 ND No. 2-090201-009.

## Introduction

1. At the seventy-first session of the Working Party, the Netherlands (documents ECE/TRANS/WP.11/2015/17 and INF.13) proposed the inclusion in ATP annex 1 of the definitions of a number of terms in order to improve understanding of them and avoid different interpretations.

2. The Russian Federation has carefully considered the proposals by the Netherlands and agrees with most of them. On the other hand, it sees the need and the opportunity for improvement. It therefore proposes in this document that additions to the definition of a number of terms proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 should be considered.

3. In our view, the correct course of action would be to consider the proposals of the Russian Federation after the Working Group has considered the Netherlands document at its seventy-second session. Alternatively, the usual practice may be followed.

4. The additions proposed by the Russian Federation to the definitions of terms proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 appear in **bold**, deleted wording is ~~deleted~~ and the original text appears in *italics*.

5. To enable a separate vote to be held on each proposed definition, the number of the proposal is shown in accordance with the Netherlands document ECE/TRANS/WP.11/2015/17.

6. In this document, as in document ECE/TRANS/WP.11/2015/17, the terms proposed are in line with ATP, although a number of other international standards and documents use different definitions of these terms.

### 7. Proposal 1

#### *Special equipment*

7.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 1):

*“Special equipment in ATP means a **road freight vehicle** (lorry, **with or without a trailer or semi-trailer**), or a rail wagon ~~or a container with an insulated body or an insulated body with a thermal appliance~~, **which contains an insulated body with or without a thermal appliance**. Special equipment may consist of more than one **insulated body** each provided with a thermal appliance or with a combined thermal appliance. The insulated body of a road vehicle may be demountable and be used on one or more road vehicles.”*

### 8. Proposal 2

#### *Equipment*

8.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 2):

*“Equipment ~~means an insulated body or a combination of an insulated body with one or more thermal appliances~~ **is a technical device for the carriage of persons, freight or fixed equipment**.*

*“ATP also applies to wheeled vehicles (with or without a trailer or semi-trailer) and rail freight vehicles or transportation equipment (containers).”*

## 8.2 Justification

An insulated body is not equipment.

## 9. Proposal 3

### *Container*

9.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 3):

“A **freight container** ~~means is special transport equipment:~~

- *Specially designed to facilitate the carriage of goods, by one or more means of transport, without breakage of load;*
- ~~strong enough for repeated use~~ **having a constant technical characteristic ensuring suitability for repeated use (for the established period of service);**
- *fitted with devices permitting its ready stowage* **using corner fittings and mechanized handling, particularly when being transloaded from one means of transport to another;**
- ~~so designed as to be easy to fill and empty;~~
- ~~having an internal volume of not less than 200 litres;~~
- **having an internal volume of not less than 1 m<sup>3</sup> and having a size such that the area enclosed by the four outer bottom corners is at least 14 m<sup>2</sup> (150 sq. ft.) or at least 7 m<sup>2</sup> (75 sq. ft.) if fitted with top corner fittings.”**

## 9.2 Justification

The definition of the term “freight container” proposed by the Russian Federation brings it into line with ISO 830-1999, CSC, the Customs Convention on Containers, ADR, SMGS, Russian Federal Act No. 259-FZ on Rules on the carriage of goods by rail in universal containers and the Rules of the Russian Maritime Register of Shipping.

## 10. Proposal 4

### *Small container*

10.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 4):

“‘*Small container*’ means a container **which has either any overall outer dimension (length, width or height) less than 1.5 m or an inner volume of not more than 2 3 m<sup>3</sup>**”.

## 10.2 Justification

This is the definition of “small container” in ADR and SMCS.

## 11. Proposal 5

### *Thermal appliance*

11.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 5):

“‘*Thermal appliance*’ means an apparatus to generate energy to increase or decrease the temperature **of the air** inside an insulated body. A thermal appliance ~~can be refrigerated, mechanically refrigerated, heated or [mechanically refrigerated and heated]~~ **may be:**

**Refrigerated equipment, using sources of cold such as natural ice, with or without the addition of salt; eutectic plates; dry ice, with or without sublimation control; liquefied gases, with or without evaporation control, etc.;**

**Mechanically refrigerated equipment: a chilled compartment for one or several vehicles fitted with either a mechanical compressor or an ‘absorption’ device, etc.;**

**Heated equipment or heating unit;**

**Refrigerated equipment either fitted with its own refrigerating appliance or served jointly with other units of transport equipment by such an appliance (fitted with either a mechanical compressor or an ‘absorption’ device, etc.) and heating (fitted with electric heaters, etc.) or refrigerating-heating units.”**

## 11.2 Justification

According to GOST EN 1070-2003, “equipment is a set of connected parts or devices, at least one of which is movable, together with the components of transmission and control and the energy components intended for a specific use, in particular for the processing, transfer or packing of materials. The term ‘equipment’ also applies to all machines that are so constructed and controlled that they function as a single whole to attain the same purpose.”

However, for the purposes of ATP, we consider that the concept behind the definition of “thermal appliance” proposed by the Netherlands in documents ECE/TRANS/WP.11/2015/17 and INF.13 should be adopted.

The above proposal is therefore submitted as a development of the proposal by the Netherlands to make the definition of the term “thermal appliance” more specific for the purposes of ATP.

## 12. Proposal 8

### *Multi-temperature multi-compartment*

12.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 8):

Make the following amendments and additions to ATP, annex 1, appendix 2, paragraph 7.1 (a), (b), (e), taking into account the proposals by the Netherlands:

#### *“7.1 Definitions*

(a) *Multi-temperature equipment: **special equipment with two or more insulated compartments for maintaining a different temperature in each compartment, which, using internal partitions (fixed or mobile, transversal or longitudinal, sliding or removable by lifting), is divided into two or more compartments that maintain different temperature levels. The K coefficient of the insulated body of the multi-temperature equipment as a whole shall be equal to or less than 0.40 W/m<sup>2</sup>K.***

*Note: Insulated equipment consisting of two separately approved sections with fixed walls (i.e. an upper and lower deck of a trailer) are not regarded as being multi-temperature multi-compartment.*

(b) *Multi-temperature mechanical refrigeration unit: Mechanical refrigeration unit with compressor ~~and common suction inlet~~, condenser and two or more evaporators **able to maintain** different temperatures in the various compartments of multi-compartment equipment.*

(e) *Multi-temperature operation: Operation of a multi-temperature mechanical refrigeration unit with two or more evaporators operating **simultaneously to enable at***

*different temperatures to be maintained in a single multi-temperature multi-compartment.”*

*Note: If different temperature levels are maintained in the two sections, it shall be checked that the temperatures can be maintained regardless of interaction between the compartments.*

## 12.2 Justification

The terms “multi-compartment equipment”, “multi-temperature mechanical refrigeration unit” and “multi-temperature operation” and their definitions should be indicated separately, as in ATP, annex 1, appendix 2, paragraph 7.1.

## 13. Proposal 9

### Partition

13.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 9):

**“Internal dividing partition”**

**“An internal dividing partition means a ~~n-internal~~ wall dividing an insulated body—the equipment into more than one compartment into two or more compartments. The internal dividing partitions may be fixed or mobile, transversal or longitudinal, sliding or removable by lifting.”**

### 13.2 Consequential amendments:

#### 13.2.1 In the English text of ATP:

Replace “bulkheads” by **“internal dividing partitions”** in §7.3 — first sentence, §7.33 —  $S_{\text{chilled-comp}}$ , §7.3.3  $S_{\text{bulk}}$ , §7.3.3  $K_{\text{bulk}}$ , §7.3.4 first sentence, **§7.3.4  $S_{\text{frozen-comp}}$** , §7.3.4  $S_{\text{bulk}}$ , §7.35 — first sentence and §7.36 — first sentence (does not apply to the Russian text).

Replace “internal dividing walls” by **“internal dividing partitions”** in §7.3.1— heading and §7.3.7, first sentence.

Replace “internal dividing” by **“internal dividing partitions”** in §7.3.1 fourth paragraph, heading, and §7.3.7, heading, §7.3.7, first sentence.

Replace “internal dividing” by **“internal dividing partitions”** in §7.3.1, fourth paragraph (first indent).

Replace “dividing walls” by **“internal dividing partitions”** in §7.3.7, third paragraph (below table).

#### 13.2.2 In the Russian text of ATP, annex 1, appendix 2, section 7, replace:

The words “*внутренних разделительных стенок*” by the words “*внутренних разделительных перегородок*” in the third paragraph of 7.3.1;

The words “*внутренние разделительные стенки*” by the words “*внутренние разделительные перегородки*” in the fourth paragraph of 7.3.1 and in the heading and the first paragraph of 7.3.7;

The word “*перегородки*” by the words “*внутренние разделительные перегородки*” in the first paragraph of 7.3.3;

The word “*перегородок*” by the words “*внутренних разделительных перегородок*” for  $S_{\text{chilled-comp}}$ ,  $S_{\text{bulk}}$  and  $K_{\text{bulk}}$  in 7.3.3; in the first paragraph of 7.3.4; for  $S_{\text{frozen-comp}}$ ,  $S_{\text{bulk}}$  and  $K_{\text{bulk}}$  in 7.3.4; in the first paragraphs of 7.3.5 and 7.3.6; and the last paragraph of 7.3.6;

The words “разделительных стенок” by the words “внутренних разделительных перегородок” in the second paragraph of 7.3.7;

The word “перегородки” by the words “внутренней разделительной перегородки” in the third and last paragraph of 7.3.7, below the table.

### 13.3 Justification

As already noted in document ECE/TRANS/WP.11/2015/17, submitted by the Netherlands, ATP annex 1, appendix 2, paragraph 7 contains a term to mean the division of multi-compartment equipment into two or more internal compartments:

In the English text, the term “bulkhead”;

In the Russian text the terms “перегородка” (partition) and “внутренняя разделительная стенка” (internal dividing wall).

The Netherlands suggests that in both the English and the Russian text of ATP only the word “partition” should be used, which would be correct.

However, ISO 830-1999 and ISO 1496-2-88 contain the following: “Partition providing a plenum chamber and/or air passage for either return or supply air. The partition may be an integral part of the appliance or a separate member.”\*

In order to avoid an ambiguous interpretation of the term “partition”, we suggest using the term “internal dividing partition” for the purposes of ATP, annex 1, appendix 2, paragraph 7, regarding procedures involving multi-compartment equipment, since that is the meaning given in ATP and it was used earlier by Transfrigoroute International (TI) in document ECE/TRANS/WP.11/2007/18. Moreover, in the definition suggested by the Netherlands in document ECE/TRANS/WP.11/2015/17, it is made clear that “partition” is an internal wall in an insulated body dividing the equipment into more than one compartment.

We therefore propose that the term “internal dividing partition” should be used in ATP.

## 14. Proposal 10

### *Compartment*

14.1 Proposal by the Russian Federation on an addition to the definition proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 10):

“‘Compartment’ means a closed-off section inside an insulated body. Compartments may be of a fixed type, variable in size by movable **internal dividing** partitions or two compartments may be combined into one compartment by removable **internal dividing** partitions.”

### 14.2 Justification

The original text is thus brought into line with Proposal 9 of the Russian Federation regarding Proposal 9 of the Netherlands.

## 15. Definition of the term “Removable thermal appliance”

The Russian Federation agrees with the definition of “Removable thermal appliance” proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 for the purposes of ATP, since it is not essentially different from the similar definitions of this term in the following documents:

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\* Translator’s note: ISO 830-1999 and ISO 1496-2-88 are no longer available. The quotation above comes from the definition of “bulkhead” in ISO 1496-2-2008.

ISO 830-1999 “Freight containers. Terms and definitions” and ISO 1496-2-88 “Series 1 freight containers. Specifications and testing. Part 2: Thermal containers”: “‘Removable equipment’ is a ‘refrigerating and/or heating appliance, power-generating unit or other equipment designed to be attached or detached from a freight container’.”\*

Rules of the Russian Maritime Register of Shipping: “Removable equipment is a refrigeration or heating unit, a power-generating unit or other equipment designed to be mountable or demountable on the container”.

16. *Definition of the term “Non-independent thermal appliance”*

The Russian Federation agrees with the definition of the term “non-independent thermal appliance” proposed by the Netherlands in document ECE/TRANS/WP.11/2015/17 (Proposal 7), for the purposes of ATP.

## **Costs**

17. No additional costs are required.

## **Practical feasibility**

18. The proposed additions to ATP do not affect the articles of the Agreement or the rules and requirements concerning the periodic monitoring or examination of special equipment. However, the use of properly justified terms in annex 1 of the Agreement will make it possible to avoid incorrect interpretations of these terms and will thus lead to a better understanding of the Agreement by all the Contracting Parties.

## **Feasibility**

19. No problems are foreseen in implementing the proposals.

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\* Translator’s note: ISO 830-1999 and ISO 1496-2-88 are no longer available. The quotation above comes from the definition of “bulkhead” in ISO 1496-2-2008.