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**Economic Commission for Europe**

Inland Transport Committee

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

**Seventy-sixth session**

Geneva, 13-16 October 2020

Item 5 (d) of the provisional agenda

**Status and implementation of the ATP:
exchange of information among Parties under Article 6 of ATP**

 Responses to the questionnaire on the implementation
of the ATP[[1]](#footnote-2)\*

 Note by the secretariat

 Introduction

1. At WP.11's seventy-fifth session in 2019, WP.11 thanked the 22 countries that had provided data in response to the questionnaire on the implementation of ATP in 2018 and stressed that it was mandatory to have information from all ATP contracting parties and that it was a means of harmonizing implementation of the agreement.

2. The secretariat requested all countries represented in WP.11 to reply to the questionnaire with their 2019 data. The data received are presented in the tables below.

3. Information on the number of checks made and breaches detected in 2019 has been provided by twelve countries: Belgium, Bosnia and Herzegovina, Czech Republic, Denmark, Finland, France, Greece, Hungary, Italy, Latvia, Poland and Spain (see Table 1 below).

#  Table 1

**Number of checks made and breaches detected in 2019**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Country* | *BE* | *BiH* | *CZ* | *DK* | *FIN* | *FRA* | *GR* | *HUN* | *IT* | *LV* | *POL* | *SP* |
| Number of ATP road checks | 2897 | 143 | 1214 | \*\* | 133 | 824 | 203 | 70 | \* | 304 | 5236 | 1245 |
| Number of ATP rail checks | 0 | 0 | 0 | \*\* | 0 | 0 | 0 | 0 |  | 0 | 0 | 11 |
| Breaches documents domestic/foreign | 194/4 | 0/0 | 0/10 | 0/0 | 3/11 | 19/0 | 2/1 | 5/5 | 245/20 | 4/2 | 9/26 | 916/23 |
| Breaches thermal appliances domestic/foreign | 0/0 | 0/0 | 2/15 | 0/0 | 0/0 | 0/0 | 0/0 | 0/0 | 129/3 | 3/1 | 0/0 | 0/0 |
| Breaches body domestic/foreign | 0/0 | 0/0 | 3/9 | 5/0 | 1/0 | 25/0 | 0/0 | 0/0 | 933/52 | 2/2 | 0/0 | 0/0 |
| Other breaches domestic/foreign | 0/0 | 0/0 | 0/0 | 0/0 | 0/0 | 0/0 | 0/0 | 0/0 | 47/4 | 0/0 | 0/1 | 34/2 |
| Total breaches domestic/foreign | 194/4 | 0 | 5/34 | 5/0 | 4/11 | 44/0 | 2/1 | 5/5 | 1354/79 | 9/5 | 9/27 | 950/25 |
| % of defective equipment | 0 | 0 | 3 | \*\*\* | 11.3 | 4.98 | \* | 14 | \* | 4.06 | \* | 3.69 |

*Notes*:

\* *Information not available*

*\*\* In Denmark, checks are made as part of the regular food control as well as during specific road check campaigns, so the number cannot be extracted electronically.*

*\*\*\* In Denmark percentages are not available as* *the number of checks is not readily available due to the fact that they are registered as an integrated part of the general food control.*

4. Additional information on the number of certificates issued in 2019 has been provided by twenty-one countries: Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Finland, France, Greece, Hungary, Italy, Latvia, Norway, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Turkey and United Kingdom (see table 2 below).

Table 2

**Additional information on compliance with ATP: number of certificates issued in 2019**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Country* | *BE* | *BiH* | *CRO* | *CZ* | *DK* | *FIN* | *FRA* | *GR* | *HUN* | *IT* | *LV* |
| 1st cert new equipment | 545 | 39 | 136 | 488 | 1056 | 723 | 18607 | 56 | 35 | 1385 | 0 |
| 2nd cert inspection | 189 | 0 | 214 | 1214 | 173 | 307 | 7372 | 76 | 0 | 6485 | 270 |
| 2nd cert K value | 0 | 64 | 91 | 3 | 0 | 1 | 124 | 83 | 27 | 1531 | 0 |
| 3rd cert inspection | 186 | 0 | 0 | \*\* | 3 | 145 | 3908 | 45 | 0 | 8713 | 30 |
| 3rd cert K value | 0 | 40 | 0 | \*\* | 0 | 1 | 363 | 54 | 5 | 2006 | 0 |
| 4th cert inspection | 61 | 0 | 0 | \*\* | 0 | 53 | 29 | 7 | 0 | 8367 | 4 |
| 4th cert K value | 0 | 0 | 0 | \*\* | 0 | 0 | 50 | 29 | 0 | 1361 | 0 |
| 5th cert inspection | 11 | 0 | 0 | \*\* | 0 | 26 | 0 | 3 | 0 | 0 | 0 |
| 5th cert K value | 0 | 0 | 0 | \*\* | 0 | 0 | 6 | 4 | 0 | 1683 | 0 |
| **Total** | **992** | **143** | **441** | **1705** | **1232** | **1254** | **32871** | **357** | **67** | **31531** | **304** |
| Duplicates | 3 | 0 | 0 | 3 | 63 |  | 310 | 0 | 0 | 693 | 0 |

*\* Certificates marked as "duplicate" are not issued in Finland. Instead, new certificates are issued to replace lost or erroneous ones. The number of such certificates in 2019 was 49 and they are included in the figures in the table.*

\*\* *Information not available*

Table 2 *(cont'd)*

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Country* | *NW* | *POL* | *POR* | *RF* | *SK* | *SLV* | *SP* | *SW* | *TUR* | *UK* |
| 1st cert new equipment | 49 | 2669 | 981 | \*\* | 473 | 36 | 10972 | 725 | 360 | 1597 |
| 2nd cert inspection | 0 | 2488 | 504 | \*\* | 115 | 93 | 6057 | 48 | 360 | 85 |
| 2nd cert K value | 5 | 2 | 3 | \*\* | 0 | 0 | 597 | 0 | 0 | 0 |
| 3rd cert inspection | 0 | 1402 | 0 | \*\* | 36 | 99 | 4853 | 4 | 0 | 41 |
| 3rd cert K value | 1 | 1 | 467 | \*\* | 0 | 0 | 680 | 0 | 0 | 0 |
| 4th cert inspection | 0 | 916 | 0 | \*\* | 14 | 60 | 8720 | 31 | 0 | 16 |
| 4th cert K value | 0 | 1 | 0 | \*\* | 0 | 0 | 1007 | 0 | 0 | 0 |
| 5th cert inspection | 0 | 418 | 0 | \*\* | 0 | 143 | 8745 | 0 | 0 | 0 |
| 5th cert K value | 0 | 11 | 0 | \*\* | 0 | 0 | 2095 | 0 | 0 | 0 |
| **Total** | **55** | **7908** | **2283** | \*\* | **638** | **531** | **43934** | **808** | **720** | **1843** |
| Duplicates | 1 | 42 | 32 | 3701 | 0 | 103 | 523 | 1 |  | \*\*\* |

\*\* *Information not available*

*\*\*\* Certificates marked as "duplicate" are not issued in UK. Instead, new certificates are issued to replace lost or erroneous ones. The number of such certificates in 2019 was 41 and they are included in the figures in the table.*

5. Countries were requested to provide answers to the following question: How parcels and small containers used for the transport of perishable foodstuffs are regulated in your country? Answers can be found in the annex I to this document.

6. The secretariat also requested countries to provide information on additional measures taken to guarantee the transport of perishable goods across borders in response to the
COVID-19 pandemic. Answers can be found in the annex II to this document.

Annex I

Answers to the question: How parcels and small containers used for the transport of perishable foodstuffs are regulated in your country? (see ECE/TRANS/WP.11/241, paragraph 39).

|  |  |
| --- | --- |
| Belgium | La législation belge ne contient pas de disposition sur ces petits colis qui ne sont pas réglementés au niveau de l'UNECE. |
| Croatia | There is no regulation for parcels and small containers used for transport of perishable foodstuffs. |
| Czech Republic | There is no special regulation for a small container for the transport of perishable foodstuffs. |
| Denmark | ATP-rules are implemented in a national order comprising all elements of the Treaty. Equipment not covered by the Treaty must comply with EU-legislation as well as supplementary Danish legislation covering hygiene, safety and suitability in the food sector. |
| Finland | All regulations regarding the transport of foodstuffs come directly from the EU legislation. We don't have specific national regulations for parcels and small containers used for the transport of perishable foodstuffs. There's not a single certificate issued to a parcel or a small container in Finland. Some questions have been asked concerning ATP-testing and certificate. |
| France | Pour les petits conteneurs, les règles de l’ATP sont étendues aux transports nationaux.Pour les colis, il n’existe pas de réglementation spécifique ; seule une norme volontaire est en projet pour le moment. |
| Hungary | Parcels and small containers used for the transport of perishable foodstuffs have not been regulated in Hungary. |
| Italy | In accordance with the ATP Agreement, with circular no. 24035 of 2015 and circular no. 10811 of 2014 of the DIV3 DGMOT of the Ministry of Infrastructure and Transport, a cumulative ATP certificate can be issued for identical containers mass-produced with internal volume of less than 2 m3. The renewal of the aforementioned certificates may be made by the experts by issuing a cumulative report following the inspection conducted on the containers in question (or on part of them). In the same way, experts will be able to renew the cumulative certificate of several identical insulated containers mass-produced with an internal volume of less than 2 m3. The testing stations will be able to issue the certificates for the containers in question in the same way as for group tests. |
| Norway | Norwegian legislation on food hygiene and transport of perishable foodstuffs (only when in use for such transport). |
| Poland | No additional provisions have been issued in Poland (except for applying European rules, for example: Regulation (EC) No 853/2004 of the European parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin). |
| Portugal | Until the present day, there are not small containers with ATP certificate. |
| Slovenia | Working group for ATP took an overview on principle of regulation of parcels and small containers used for the transport of perishable foodstuffs and made a recommendation to responsible authorities that it is important to establish regulations based on international agreements (such as ATP) and international standards. |
| Slovakia | We have no such an information how parcels and small containers used for the transport of perishable foodstuffs are regulated in our country. |
| Spain | Parcels and small containers used for the transport of perishable foodstuffs are regulated by the Spanish Royal Decrees 237/2000 and 1202/2005, which refer to the regulations established in the ATP Agreement. |
| United Kingdom | Parcels and small containers for the transport of perishables within the UK have to adhere to UK food standards and legislation. ATP does not apply for UK internal transportation as it has not been adopted as a national standard.Small containers or parcels if used for perishable food transport over an international boundary require ATP certification. |
| United States | The United States Department of Health and Human Services’ Food and Drug Administration maintains requirements under the Food Safety Modernization Act Final Rule on Sanitary Transportation of Human and Animal Food [https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-sanitary-transportation-human-and-animal-food] for shippers, loaders, carriers by motor or rail vehicle, and receivers involved in transporting human and animal food to use sanitary practices to ensure the safety of that food. The requirements apply to shipments originating within the United States as well as those originating in other countries who ship food to the United States directly by motor or rail vehicle (such as Canada or Mexico), or by ship or air and arrange for the transfer of the intact container onto a motor or rail vehicle for transportation within the U.S., if that food will be consumed or distributed in the United States. The requirements cover vehicle and transportation equipment, transportation operations, personnel training, and records maintenance. In addition, the United States Department of Agriculture provides voluntary guidelines to shippers, receivers and transporters handling perishable food products during transportation and storage. These guidelines, Protecting Perishable Foods During Transport by Truck and Rail provide a list of safety and security measures that can be taken to prevent contamination of perishable foodstuffs during loading and unloading, transportation, and in-transit storage. https://www.ams.usda.gov/sites/default/files/media/ProtectingPerishableFoodsDuringTransportbyTruckandRailSummary.pdf |

Annex II

Answers to the request from the secretariat on additional measures taken to guarantee the transport of perishable goods across borders in response to the COVID-19 pandemic.

|  |  |
| --- | --- |
| Russian Federation | In order to ensure the continuity of the unified technological process, limited measures must be followed for crew members, as well as for international and domestic Russian inter-regional transport, if the crew does not complete the route and is forced to continue following.At the same time, before the departure point, to continue the further route, during loading and unloading and other technical processes, the crew of the vehicle must carry out all the necessary preventive (anti-epidemic) measures, use of personal protective equipment and compliance with the rules of personal hygiene by drivers.To carry out a continuous schedule of international and Russian interregional cargo transportation, taking into account the peculiarities of restrictive measures in the constituent entity of the Russian Federation, drivers after completing international (interregional) route must comply with the self-isolation regime only until they leave for the next route.From the explanations it follows that in case of a short break between the flights of the vehicle, for the passage of self-isolation, the driver can use the cabin of the vehicle equipped with a berth, provided that there is a stock of personal protective equipment and personal hygiene rules.In case of a longer break between routs, drivers must be provided with conditions for self-isolation, excluding cohabitation with other people, including family members and relatives. |
| Spain | The Spanish Government has declared the state of alarm last 13th March 2020. During the state of alarm and extensions thereof, the Spanish ministerial Order INT/262/2020 preserves the free circulation of perishable goods, as well as fresh fruits and vegetables, in vehicles that meet the definitions and standards expressed in the ATP Annexes 3 and 1. In any case, perishable goods must account for at least half of the vehicle's payload capacity or occupy half of the vehicle's payload volume. |

1. \* Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage. [↑](#footnote-ref-2)