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INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Perishable Foodstuffs

**REPORT OF THE WORKING PARTY ON ITS SIXTY-FIRST SESSION
(31 October-3 November 2005)**

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Addendum 1: Amendments to ATP adopted at the sixtieth and sixty-first sessions

ATTENDANCE

1. The following member States of the United Nations Economic Commission for Europe were represented: Belgium; Czech Republic; Denmark; Finland; France; Germany; Hungary; Italy; Latvia; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Slovakia; Spain; Sweden; United Kingdom of Great Britain and Northern Ireland; United States of America. The intergovernmental organization, International Institute of Refrigeration (IIR) and the following non-governmental organizations also took part in the meeting: Liaison Committee of the Body and Trailer Building Industry (CLCCR); International Organization for Standardization (ISO); Transfrigoroute International.

ADOPTION OF THE AGENDA

2. The provisional agenda (TRANS/WP.11/211 and -/Add.1) was adopted.

ACTIVITIES OF ECE BODIES OF INTEREST TO THE WORKING PARTY

(a) Inland Transport Committee

Document: ECE/TRANS/162

3. The Working Party was informed that the Inland Transport Committee had approved the report of the Working Party on its sixtieth session.

4. It was also informed that the Committee **had once again requested** all States members to become Contracting Parties to the legal instruments drawn up under its auspices and to take all necessary measures to implement them.

(b) Working Party on Agricultural Quality Standards (WP.7)

5. The Working Party was informed about the updated standards for bovine meat, ovine meat and chicken meat and the new standard for lama meat prepared by the Working Party on Agricultural Quality Standards (TRADE/WP.7).

6. The standards concerning meat prepared by this Working Party can be found at the Internet address: <http://www.unece.org/trade/agr/standard/meat/meat.htm> and those concerning fresh fruit and vegetables at the address: http://unece.org/trade/agr/standard/fresh/fresh_e.htm.

ACTIVITIES OF THE OTHER INTERNATIONAL ORGANIZATIONS DEALING WITH PROBLEMS OF INTEREST TO THE WORKING PARTY

(a) International Institute of Refrigeration (IIR)

Document: INF.5 (IIR)

7. The representative of IIR informed the Working Party about the discussions at the meeting of Sub-Commission D2 on testing stations which had taken place in Athens (Greece) in May 2005.

8. The IIR document would be discussed under the various pertinent items of the agenda.

(b) Transfrigoroute International

9. The representative of Transfrigoroute International reported to the Working Party on the activities of his organization.

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

(a) Information on the status of application of the Agreement

10. To date the following States had become Parties to the Agreement: Albania; Austria; Azerbaijan; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Georgia; Germany; Greece; Hungary; Ireland; Italy; Kazakhstan; Latvia; Lithuania; Luxembourg; Monaco; Morocco; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Serbia and Montenegro; Slovakia; Slovenia; Spain; Sweden; The former Yugoslav Republic of Macedonia; United Kingdom; United States of America; Uzbekistan.

11. Switzerland had signed the Agreement but had not yet ratified it.

12. The representative of Spain requested the secretariat to promote the accession of non-European countries to ATP.

(b) Testing stations officially designated by the competent authorities of countries Parties to ATP and whose test reports might be used for the issue of ATP certificates

13. The Working Party was informed of new changes in the addresses of competent authorities and testing stations.

14. It invited the delegations of Contracting Parties to transmit additional information concerning the competent authorities issuing certificates of compliance, officially recognized testing stations and addresses of bodies to contact in the event of problems, with a view to updating this document (e-mail addresses and possibly web page addresses).

15. The representative of CLCCR said that in the future users should be informed which testing stations were capable of performing tests on multi-compartment multi-temperature equipment.

(c) Exchange of information among Parties under article 6 of ATP

16. The Working Party stressed the importance of the exchange of information among the competent authorities on the implementation of ATP.

17. It requested the secretariat to circulate the questionnaire on the exchange of information among Contracting Parties under article 6 of ATP in an official letter (see annex 1) and to send delegations a reminder by e-mail.

18. The Working Party decided to keep the issue on the agenda of its next session.

(d) Securing of documents

19. The Working Party was informed that the informal group responsible for defining criteria for harmonizing the issue of ATP certificates, which in many countries depended on a global or individual inspection of the vehicles, had not yet been able to meet.

20. It agreed on the importance of securing documents and decided to form an informal group on the question, the members of which would be Denmark, France, Germany, Italy, Netherlands, Portugal, Slovakia, Spain and the United Kingdom.

21. The group's mandate was to study available texts on securing documents, in particular, Community legislation in that regard and ISO standards, and to propose means of securing ATP documents.

22. The representative of ISO said that his Organization was active in the sphere of securing transport documents. It had drawn up a security management system for the transport chain (ISO 28000 to be published in November 2005), which it would present at the next session of the Inland Transport Committee.

23. Several representatives welcomed ISO's participation in the work of the Working Party and hoped that it would continue to take part and to report to WP.11 on its activities in relation to the carriage of perishable foodstuffs.

24. The Working Party appointed Spain as leader of the informal group on the securing of documents. The leader's responsibilities were to organize coordination between the members, propose an agenda, if necessary invite members to a meeting and submit the group's report to the Working Party at its next session.

25. The Chairman of the Working Party noted that in the future it would also be useful to address the matter of harmonization of test reports.

AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP) WHICH HAVE ENTERED INTO FORCE

26. The draft amendments to annex 1 to ATP, adopted by the Working Party at its last session (TRANS/WP.11/210, annex 2) were circulated by the depositary (see C.N.481.2005.TREATIES-2 and C.N.500.2005.TREATIES-3).

27. The draft amendments to annex 1, appendix 2 to ATP, adopted by the Working Party at its fifty-ninth session (TRANS/WP.11/208, para. 37 and annex 2) entered into force on 19 December 2004 (see C.N.646.2004.TREATIES-1).
28. The representative of Germany regretted that the texts adopted had been circulated under two different depositary notifications within a short period; this could lead to confusion. He pointed out in particular that the text notified on 13 July 2005 did not reproduce the text notified on 27 June 2005 and therefore did not reflect the status of the decisions taken by WP.11. In addition, he said that Germany intended to enter an objection.
29. He invited the Working Party to reflect on the level of regulation ATP had achieved and wondered whether it might not be necessary to envisage reviewing the periodicity of meetings with a view to holding them only in case of need.
30. Some delegations considered that the annual meetings continued to be necessary, that ATP had not yet achieved an optimal level of regulation and that several texts were still in the process of preparation, in particular, procedures of approval of multi-compartment multi-temperature equipment, kit bodies and the ATP Handbook, the aim of which was to harmonize the interpretation of highly technical regulations.
31. The Working Party kept this issue on its agenda in order to receive contributions from delegations on making the most of its work.
32. It invited the secretariat to submit the text of all the amendments to annex 1 at one and the same time in order to expedite the entry into force of the annex and hoped that in the future WP.11 would resort more to “package solutions”, i.e. to circulating amendments by means of a single depositary notification.

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

(a) Annex 1, Appendix 1 to ATP

Annex 1, Appendix 1, paragraphs 1 (b) and 2 (a)

Informal document: INF.2 (United Kingdom)

33. The representative of the United Kingdom said that ATP did not stipulate that thermal devices required a new certification after six years.
34. He added that it was not clear whether Annex 1, Appendix 1, paragraph 2 (a) covered such devices.
35. The Working Party invited the representative of the United Kingdom to submit an official proposal for the next session.

(b) Annex 1, Appendix 2 to ATP

Annex 1, Appendix 2, paragraph 29 (c)

Document: TRANS/WP.11/2005/4 (Spain)

36. The representative of Spain submitted his proposal to add new provisions to paragraph 29 (c) to cover vehicles more than 12 years old.
37. He said that at the last session the Working Party had requested the rewording of the proposal, with a reference each time to the relevant parts of ATP; this had been done.
38. He explained that Spain had a single testing station and applied ATP nationally, hence the importance of the 12- to 14-year period.
39. The representative of France noted that according to experience the 12-year period did not pose problems, but beyond that time everything depended on the use and maintenance of the vehicle.
40. Several delegations considered that the principle of the proposal was sound and that it could be accepted with some changes.
41. The representative of Spain requested a vote on his proposal, which had been amended by replacing “vehicles” by “bodies”. The result of the vote was: 1 vote in favour, 4 against and 12 abstentions.
42. The Chairman invited delegations with an interest in this subject to submit a proposal for amendment for the next session.

Annex 1, Appendix 2, paragraph 49 (b)

Documents: TRANS/WP.11/2005/7 (Germany)
TRANS/WP.11/2005/9 (Sweden)

43. The representative of Germany recalled his proposal to add a detailed table of average outside temperatures for Classes A, B and C to ensure that different results, and therefore a different classification at various ambient temperatures, could not be obtained for the same equipment.
44. He added that the proposal had been under discussion for some time and had been approved by IIR.
45. The representative of Spain supported the proposal and said that a similar test that took account of the ambient temperature was used in his country.
46. The representatives of Finland and Sweden said that, after checking their databases, although their respective countries had carried out tests in accordance with the data in the proposed table, they had arrived at rejection rates of 27% and 26% respectively for FRC vehicles.

47. The representative of Sweden recalled that at the last session the Working Party had requested a cost/benefit analysis and that details should be supplied of the procedures on which the figures in the table were based, but that this had not been done; in addition, it would be necessary to specify the date of application of the new provisions and their applicability to equipment already in service.

48. He said that for these reasons his delegation was not in a position to support the proposal submitted by Germany.

49. The representative of the Netherlands would also like to have technical data to justify the figures in the table and wondered why the difference between stand-alone and non-stand-alone equipment in the document submitted by France did not appear in the current proposal, which he was unable to support as it stood.

50. The representative of Transfrigoroute International emphasized that carriers supported the proposal by Germany which would be the only means of excluding unreliable equipment from the market.

51. The representative of France also supported the proposal, stressing that its application in France had not posed problems and that the percentages of rejection referred to above could be explained by the methodology used; the cost of these rejections should also be compared with the cost to public health of a break in the cold chain.

52. The representative of Germany said that he hoped that Finland and Sweden would publish the results of their studies which seemed surprising in comparison with the tests carried out in France in 2002-2003 and in Germany where the rate of rejection was less than 1%.

53. The Working Party requested the representatives of Finland, France, Germany, the Netherlands and Sweden to set up a small group to prepare a proposal for the next session.

54. The representative of the United Kingdom pointed out that the minimum safety factor of 1.35 was still applicable and that this should be reflected in the number of temperature reductions, or else that the existing rule should be changed.

55. The representative of Sweden recalled that at the last session he had already proposed that the text preceding the table should be amended to read:

“It shall be verified that, when the outside temperature is not lower than +15° C, the inside temperature of the empty equipment may be brought to the temperatures prescribed in Annex 1, paragraph 3, within a maximum period of six hours.

The inside temperature of the empty equipment must first have been brought to the outside temperature indicated in the table below.”

(c) Annex 2, Appendices 1 and 2 to ATP

Documents: TRANS/WP.11/2005/12 (United Kingdom)
INF.4 (Sweden)

56. The representative of the United Kingdom said that although the mutual recognition of suitable measuring equipment to monitor ambient temperature was a fact in the international carriage of foodstuffs, the different approval standards had caused problems (unfair competition, barriers to trade in measuring equipment).

57. She said that, since early 2000, manufacturers of measuring equipment and also the operators who verified and calibrated such equipment had the obligation to conform to standards EN 12830 and EN 13486. Consequently, harmonized standards for monitoring equipment now existed and meant that all Parties to ATP could apply a common methodology and specifications to the approval of this equipment.

58. The representative of the United Kingdom informed the Working Party that the European Union had adopted a new Regulation, No. 37/2005(EC), which replaced Directive 92/1/EC. The Regulation no longer contained the requirement for the transport equipment to be approved by the competent authorities of the country in which the means of transport was registered. All equipment used to monitor ambient temperature, however, must conform to CEN standards EN 12830 and 13486 (and EN 13485 in the case of thermometers).

59. She said that the Directive proposed a transition period up to 31 December 2009 in order to reduce the costs and facilitate the change from national to CEN standards.

60. The Working Party adopted the United Kingdom's proposal (see annex 2).

REVISION OF ANNEX 1 TO ATP

Documents: TRANS/WP.11/2005/2 and TRANS/WP.11/2005/3 (Secretariat)

61. The Working Party took note of the new version of the revised Annex 1 to ATP (TRANS/WP.11/2005/2).

ATP HANDBOOK

Annex 1, Appendix 1, paragraph 2 (c)

Document: TRANS/WP.11/2005/8 (Finland)

62. The representative of Finland said that all new countries of registration had to issue a new ATP certificate, but that most of the time such certificates were issued without a prior inspection of the equipment. This could be seen in enormous differences between the

insulated bodies in circulation and the reference equipment that had been the object of type-approval tests and in failure to comply with the provisions of Annex 1, Appendix 1, paragraph 2 (c) (i) of ATP.

63. He also stressed that countries did not always interpret the provisions of Annex 1, Appendix 1, paragraph 2 (c) (i) in the same way as the authorities responsible for the implementation of ATP. There was therefore a need for a clarification of the text without compromising the insulating capacity of the bodies, by adding new comments to the ATP Handbook.

Maritime containers

Document: TRANS/WP.11/2005/6 (Spain)

64. The representative of Spain said that maritime containers that were not classified as thermal maritime containers, ISO-1496-2 containers or containers conforming to an equivalent standard, approved by the competent authority of a Contracting Party to the ATP Agreement, should no longer be permitted to carry perishable foodstuffs by land.

65. The representative of France supported this proposal and hoped that the ageing of the containers would be taken into account, as was the case for other ATP equipment.

66. The representative of the United Kingdom expressed the hope that the ISO/TC104 Committee would in particular consider the addition to the ISO standard of the pre-trip inspection function, common to all refrigerated containers, which should include a test temperature reduction similar to paragraph 49 of the ATP Agreement.

67. The representative of ISO said that the ISO/TC104 Committee could address the question of equivalence with ATP standards.

Draft ATP Handbook

68. The Working Party adopted the draft ATP Handbook as contained in document TRANS/WP.11/2005/10, with some changes to the Foreword, the comment on article 5 and the comments on Annex 1, Appendix 1, paragraph 2 (c) of ATP (see annex 3).

69. It requested the secretariat to publish an Internet version as soon as possible and to hold over the hard copy version until the revision of Annex 1 came into force so that this could be taken into account.

PROCEDURES FOR THE APPROVAL OF MULTI-COMPARTMENT MULTI-TEMPERATURE VEHICLES

Document: INF.6 (Germany)

70. The representative of Germany informed the Working Party about the results of tests carried out at the Munich testing station in order to draw up test procedures for multi-temperature refrigeration units.

71. The representative of Transfrigoroute International welcomed the work done, which had been financed by industry, and announced the elaboration of a test procedure which could be discussed in IIR and submitted to the Working Party at its next session.

72. The representative of France stressed the importance of the elaboration of this test procedure and in particular the harmonization of the definitions.

73. The representative of CLCCR renewed his request to take part in this work, which had implications for constructors.

74. The Chairman expressed the hope that testing stations carrying out tests on multi-compartment equipment could also set up a common procedure.

75. The Working Party kept this issue on the agenda for its next session.

KIT BODIES

Documents: TRANS/WP.11/2005/5 (Spain)
TRANS/WP.11/2005/11 (CLCCR)

76. The representative of Spain explained that the adoption of the provisions concerning kit bodies was conditional on a revision of article 2 of ATP; otherwise, small-scale assemblers would be unable to resist unfair competition from countries that did not apply ATP.

77. He proposed that the last sentence of article 2 of ATP should be deleted and explained that it had been justified in the early years of the Agreement in opening up further possibilities for use and for accession to ATP, but that there was no longer any need to keep it.

78. The deletion of the last sentence of article 2 was adopted by the Working Party by 5 votes in favour (France, Italy, Netherlands, Poland, Spain), 2 against (Germany, United Kingdom) and 10 abstentions (Belgium, Czech Republic, Denmark, Finland, Latvia, Portugal, Romania, Russian Federation, Sweden, United States of America).

79. The Working Party considered a revised version of the proposal by CLCCR (TRANS/WP.11/2005/11).

80. The representative of CLCCR said that this proposal took account of the comments and recommendations by the various delegations and the proposal submitted by Spain (TRANS/WP.11/2005/5). Its purpose was not to modify how the ATP Agreement operated but to put an end to the malpractice underlying the problems that were now appearing. It did not alter the tasks and the responsibilities of the approval authority empowered to monitor bodies.

81. The Working Party adopted CLCCR's proposal with some changes (see annex 2) by 11 votes in favour (Belgium, Denmark, Finland, France, Italy, Latvia, Netherlands, Poland, Russian Federation, Spain, Sweden), 1 against (Portugal) and 5 abstentions (Czech Republic, Germany, Romania, United Kingdom, United States of America).

82. The Working Party invited the secretariat to transmit the amended CLCCR text to the depositary along with the other amendments adopted in the course of the session (article 2 of ATP, Annex 2, Appendix 1 to ATP).

FACILITATION OF INTERNATIONAL TRANSPORT OF PERISHABLE FOODSTUFFS

83. The Working Party was informed that draft annex 8 on “Facilitation of border crossing procedures for international road transport” had been adopted in October 2005 by the Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods, as it appeared in document TRANS/WP.30/AC.3/2005/1.

84. This annex 8 could enter into force in 2007. It stipulates in article 3 that “*priority shall be given to urgent consignments, e.g. live animals and perishable goods.*”

In particular, the competent services at border crossing points:

- (i) *shall take the necessary measures to minimize waiting times for ATP-approved vehicles transporting perishable foodstuffs or for vehicles transporting live animals, as from their time of arrival at the frontier until their regulatory, administrative, Customs and sanitary controls;”.*

SCOPE OF ATP

85. The Working Party kept this item on the agenda for its next session.

COMPATIBILITY BETWEEN ATP AND COMMUNITY LEGISLATION

86. The Working Party was informed that the European Commission had submitted a three-year programme of action to simplify European Union legislation (“Established facts”: 222 basic laws and more than 1,400 related legal acts, see: http://europa.eu.int/comm/enterprise/regulation/better_regulation/simplification.htm).

87. This item was kept on the agenda for the next session.

STUDY OF THE PROCEDURES FOR ENERGY LABELLING, REFRIGERANTS AND BLOWING AGENTS

88. The Working Party was informed that a directive on fluorinated gases was in preparation.

89. The representative of Transfrigoroute International informed the Working Party that it had established a new group on energy labelling, the results of which could be transmitted to the Working Party at its next session.

90. The representative of IIR also stressed the importance of energy labelling for his organization.

91. The Working Party kept this item on its agenda for the next session.

OTHER BUSINESS

Inter-laboratory testing

92. In response to the request by IIR on inter-laboratory testing, the Chairman said that European funds that could be used in this regard did perhaps exist and invited participants to transmit all useful information to the secretariat.

Announcement by France

93. The representative of France informed the Working Party that he had been asked by French industrialists to work on the drafting of a special protocol for mechanically refrigerated tanks.

94. He promised to present a glossary for the ATP Handbook at the next session; the glossary would be sent to the delegations of the Russian Federation and the United Kingdom for language checks.

Definition of perishable foodstuffs

95. The representative of the Russian Federation stressed the importance for ATP of a clear definition of perishable foodstuffs and regretted that the Working Party spent more time on technical problems than on the carriage itself.

Corrigendum to the report of the sixtieth session

96. The representative of Sweden pointed out that in paragraph 50 of the English version of the report of the last session (TRANS/WP.11/210) "Slovenia" should be replaced by "Sweden" (the French and Russian versions are correct).

PROGRAMME OF WORK FOR 2005-2008

97. The Working Party made some changes to its programme of work (see annex 4).

DATE OF THE NEXT SESSION

98. The Working Party was informed that the sixty-second session had provisionally been scheduled for 6 to 9 November 2006.

ELECTION OF OFFICERS FOR THE NEXT SESSION

99. The Working Party elected Mr. T. Nobre (Portugal) as Chairman and Mr. J.-M. Bonnal (France) as Vice-Chairman for the year 2006.

ADOPTION OF THE REPORT

100. The Working Party adopted the report on its sixty-first session with its annexes.

* * * * *

Annex 1

**QUESTIONNAIRE ON EXCHANGE OF INFORMATION BETWEEN
CONTRACTING PARTIES UNDER ARTICLE 6 OF ATP**

1.1 Exchange of information between ATP member States (article 6 (1) of the ATP Agreement) (to be completed by 1 May 2006)

Member State: Competent authority:

Contact person: Tel./Fax:

Who carries out the measures? How often?	What is checked?	Consequences in the case of non-compliance with article 4 (1) of ATP
<ul style="list-style-type: none"> * traffic police frequency¹ _1_2_3_4_5 * road/rail control authority frequency¹ _1_2_3_4_5 * customs authority frequency¹ _1_2_3_4_5 * authority for the inspection of foodstuffs frequency¹ _1_2_3_4_5 * others <ul style="list-style-type: none"> * * 	<ul style="list-style-type: none"> * Validity of the ATP certificate (Certification plate) * Validity of the distinguishing mark * Damage to the transport equipment * Inspection of the suitability of the transport equipment for the goods to be carried 	<ul style="list-style-type: none"> * Rejection by the control authority * Note in the freight documents and continuation of journey * Report to a competent health authority (Designation of the authority ...) * Inspection of the foodstuffs * Release/seizure/rejection * Fine for an administrative offence * Amount of the fine about² * Information from the country of registration (article 6 (2) of ATP) * Other measures
Remarks/amendments:		
<p>¹ Distribution of frequency from 1 = rarely to 5 = regularly.</p> <p>² Please indicate range of the amount of the fine in the national currency.</p>		

1.2 Statistics on checks for compliance with the ATP Agreement in the year ...¹ (optional)

Number of checks under article 6 of ATP	road/railway checks border checks checks during loading and unloading (by official veterinary authorities)
Number of detected breaches of ATP ² <div style="text-align: center;"><u>including:</u></div>	(total): domestically registered vehicles vehicles registered in foreign countries
The highest percentage of defective vehicles was %	The vehicles were from (name of country of registration)
Remarks/amendments:	
¹ Please indicate the year of the data. ² Without differentiation as to whether the checks were made on roads, at borders or during loading and unloading.	

Annex 2

Texts adopted in ATP

ATP, article 2

Delete the last sentence.

Annex 1, Appendix 2

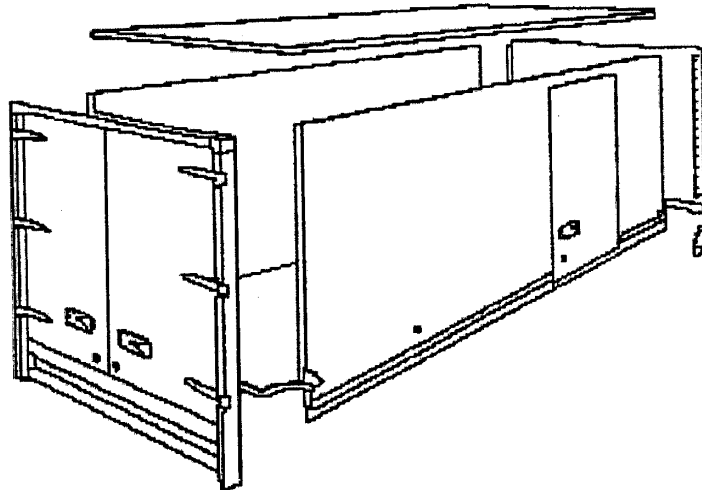
After the existing paragraph 60, add paragraphs 61 to 64 of document TRANS/WP.11/2005/11, and add models 11 to 13 after the existing model 10, with the following changes:

“E KIT BODIES

61. Definitions

For the purposes of this part:

- (a) Kit body: means the constituent parts of an insulated body consisting as a minimum of those parts of importance to the overall heat transfer: side walls, a roof, a floor, a front end and a rear end, as well as all their means of connection. The major parts of a kit body are delivered in non-assembled form. The rear frame and door(s), if any, shall be supplied fully assembled and operable. Side door(s), if any, shall be built into the side walls and be fully operable;



- (b) Body: means a kit body that has been assembled in accordance with the manufacturer's instructions and which is in conformity with the type that has been tested and approved by a designated testing station;

- (c) **Manufacturer:** means the organization that has design and production responsibility for the kit and to which the type-approval certificate has been issued. This organization shall deliver the certificate of compliance and have its manufacturing facilities in a country which is a Contracting Party to ATP;
- (d) **Assembler:** means the organization that has assembled the kit body in accordance with the manufacturer's instructions. This organization shall have its manufacturing/assembly facilities in a country which is a Contracting Party to ATP.

62. Manufacturer's obligations

Prior to supplying kits to assemblers, the manufacturer shall have a body assembled from a kit ATP type-approved in an ATP testing station. An ATP type-approval test certificate for a particular kit remains valid for 6 years or 100 kits. After 6 years or after 100 kits a new ATP type-approval test is to be carried out.

The manufacturer shall ensure that the kit delivered corresponds to the type tested and that the inside surface area does not vary by more than +/-20% of the surface area of the type tested.

The manufacturer shall attest that the assembler has the competence to assemble the kit in accordance with the manufacturer's instructions. The manufacturer shall conduct audits at least every 18 months, to verify the continued competence of the assembler.

The manufacturer shall supply at least all parts as used in the ATP type-approval test.

The manufacturer shall provide the assembler with a parts list corresponding to the kit delivered. The parts list shall bear the kit serial number. The manufacturer shall provide detailed assembly instructions with each kit. These instructions shall include the principal internal dimensions of length, height and width.

The manufacturer shall supply evidence to the assembler that the constituent parts of the kit are in conformity with the parts used in the construction that has been tested and approved by the approved testing station.

The manufacturer shall, in addition to Annex 1, Appendix 1, paragraph 6, deliver a filled-in type plate installed on the kit. The type plate shall state the kit serial number and kit production date.

The manufacturer's instructions shall provide details on at least the following:

- The assembly sequence;
- The attachment of the floor to the vehicle;

- The fixing of the refrigeration unit, if applicable; and
- Details on the handling and use of all those components contributing to the heat transfer. This includes the adhesive(s).

The manufacturer shall keep a record relating kit serial numbers and the assemblers to which the kits were supplied.

The manufacturer shall complete the Declaration of compliance of the kit body with the ATP type-approval test report (Model No. 11).

63. Assembler's obligations

Before assembly of the first kit, the assembler shall be in possession of a certificate issued by the kit manufacturer attesting his competence in relation to the type of kit to be assembled. The original type plate installed by the manufacturer shall not be removed by the assembler.

The assembler shall ensure that the manufacturer's instructions are fully adhered to and that an appropriate quality management system is practised.

The assembler shall complete the Declaration of compliance for a body assembled from a kit (Model No. 12).

64. Approval process

Bodies may be sold in the name of the manufacturer and/or of the assembler. However, it shall be possible to identify the manufacturer from the documentation and from the type plate. If it is not possible to identify the manufacturer, the body shall be considered as a new type and must be submitted for test by an approved testing station. The subsequent re-testing renders the original type-approval test invalid and the manufacturer no longer bears any responsibility in relation to the body.

The type-approval certificate issued to the manufacturer by the approved testing station shall only remain valid, if:

- The kit supplied contains at least all those parts as used in the ATP type-approval test;
- The manufacturer's assembly instructions have been fully complied with; and
- Any additional equipment affecting the overall heat transfer was present at the time of the original type-approval test.

Where this requirement is not fully complied with, a new ATP type-approval test shall be conducted.

In addition to the normal documentation required under the ATP Agreement for an individual ATP approval certificate, the following shall be supplied to the competent authority:

- A test report;
- A declaration by the manufacturer of compliance of the kit body with the ATP type-approval test report (Model No. 11);
- A declaration of conformity for a body assembled from a kit, completed by the assembler (Model No. 12); and
- A copy of the certificate issued by the manufacturer attesting the competence of the assembler to assemble the kit for which approval is being sought (Model No. 13).

Declarations shall be in at least one language of ATP.

The competent ATP Authority may verify each equipment by applying paragraphs 29 and 49, prior to issuing an ATP certificate.

MODEL No. 11

Declaration by the manufacturer of compliance of the kit body
with the ATP type-approval test report

Manufacturer's name and address

Type of equipment (lorry, semi-trailer, trailer, container, etc.)

Kit body serial number

Date of manufacture of the kit body

Internal dimensions of the body that was ATP type-approval tested (mm):

length, width, height

External dimensions of the body that was ATP type-approval tested (mm):

length, width, height

Thickness of insulation (mm): side wall, roof, floor
front end, rear end, door

Name of testing station and ATP type-approval test report number

K-value W/m^2K (according to the ATP type-approval test report)

Date of ATP type-approval test report

The manufacturer certifies that all parts supplied within this kit body conform to the parts as used in the body that was ATP type-approval tested and approved.

Signature of manufacturer

Manufacturer's stamp

Name

Function in company

Date

MODEL No. 12

Declaration of conformity for a body assembled from a kit

Manufacturer's name and address
.....
.....

Type of equipment (lorry, semi-trailer, trailer, container, etc.)

Kit body serial number

Date of manufacture of the kit body

Internal dimensions (mm): length, width, height

External dimensions (mm): length, width, height

Thickness of insulation (mm): side wall, roof, floor
front end, rear end, door

Name of testing station and ATP type-approval test report number
.....

K-value W/m^2K (according to the ATP type-approval test report)

Date of the ATP type-approval test report

Assembler's name and address
.....
.....

Assembler's identification of body (if any)

The assembler certifies that for the above body the manufacturer's instructions have been strictly adhered to and that no modifications to the body have been carried out.

Signature of assembler

Assembler's stamp

Name

Function in company

Date

MODEL No. 13

Certificate attesting the competence of an assembler to assemble
a specific ATP kit body

We, the undersigned ATP kit body manufacturer, hereby attest that (name of company or individual) has successfully completed a course on the assembly of ATP kit body (type/model No.)

The company/individual stated above has satisfied us of their/his competence to assemble this kit professionally and according to our instructions. This company/individual is therefore approved as a qualified assembler for the ATP kit body referenced above.

Signature of manufacturer

Manufacturer's stamp

Name

Function in company

Date

Annex 2, Appendix 1

Read:

“Monitoring of air temperatures for transport of perishable foodstuffs quick-frozen

The transport equipment must be fitted with a suitable recording instrument to monitor, at frequent and regular intervals, the air temperatures to which quick-frozen foodstuffs intended for human consumption are subjected.

The measuring instrument must be certified by an accredited body and the documentation must be available for the approval of the competent ATP authorities

The measuring instruments must comply with standards EN 12830 (Temperature recorders for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream - Tests, performance, suitability) and EN 13486 (Temperature recorders and thermometers for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream - Periodic verification).

Temperature recordings obtained in this manner must be dated and stored by the operator for at least one year or longer, according to the nature of the food.

Measuring instruments shall comply with the provisions of this Appendix one year after the date of entry into force of the above provision. Measuring instruments already installed, but which do not conform to the above standard, before this date can continue to be used until 31 December 2009.”

Annex 3

Texts adopted in the ATP Handbook

ATP Handbook

Amend the introduction to read as follows:

“FOREWORD

1. The ATP Handbook comprises the Agreement itself and its Annexes with comments added where appropriate for clarification or additional explanation of the text.
2. Comments contained in the ATP Handbook are not legally binding for Contracting Parties of the ATP. They are, however, important for the interpretation, harmonization and application of the Agreement as they reflect the opinion of the Working Party on the Transport of Perishable Foodstuffs of the Inland Transport Committee of the Economic Commission for Europe (UNECE).
3. Comments are placed with the provisions of the Agreement to which they refer.
4. Comments do not modify the provisions of the Agreement or of its Annexes but merely make their contents, meaning and scope more precise.
5. Comments provide a means of applying the provisions of the Agreement and of its Annexes so as to take into account the development of technology and economic requirements. They may also describe certain recommended practices.”

Comment related to article 5

Amend the comment to article 5 to read as follows:

“*Comment:*

Land transport by container classified as a thermal maritime ISO-1496-2 container or container conforming to this standard, approved by the competent authority of an ATP Contracting Party, preceded or followed by one or more sea crossings, other than those referred to in article 3, paragraph 2, is not subject to the provisions of the Agreement.”

Comments related to Annex 1, Appendix 1, paragraph 2 (c)

Add the following comments related to Annex 1, Appendix 1, paragraph 2 (c):

After “The construction shall be comparable and, in particular, the insulating material and the method of insulation shall be identical.”, add:

“Note 1.1 Different types of equipment, e.g. trailers, semi-trailers, may be considered as of comparable construction, if other conditions in Annex 1, Appendix 1, paragraph 2 (c) (i) are satisfied.

Note 1.2 Using different surface materials compared to the reference equipment is allowed, if thickness of the insulating materials is not reduced and if changing the surface material does not reduce the insulating capacity of the body.”

After “The thickness of the insulating material shall be not less than that of the reference equipment”, add:

“Note 2.1 Reducing in some parts of the body the thickness of the insulating material, compared to the reference equipment, and compensating the change by increasing the thickness of the insulating material in some other parts of the body, is not allowed.”

Annex 4**PROGRAMME OF WORK****ACTIVITY 02.11: TRANSPORT OF PERISHABLE FOODSTUFFS**

Harmonization of regulations and standards relating to the international transport of perishable foodstuffs and facilitation of its operations

Priority: 2

Description: Review of the harmonization and the facilitation of the international transport of perishable foodstuffs under the ATP Agreement and updating of this Agreement in order to keep it in line with technological developments, taking into account safety and quality standards.

Work to be undertaken:

CONTINUING ACTIVITIES

- (a) Consideration of amendment proposals to ATP to ensure it is updated as necessary.

Priority: 1

Output expected by the end of 2007: Entry into force of the revision of annexes 1 and 2 to ATP.

- (b) Exchange of information on the implementation of ATP by virtue of article 6.

Priority: 1

Output expected by the end of 2006: Consideration of the information exchanged between Contracting Parties and their consequences on the implementation of ATP.

- (c) Follow-up of Resolution No. 243 on “Improving the traffic flow of ATP vehicles for the transport of foodstuffs covered by ATP” for better facilitation.

Priority: 2

Output expected by the end of 2006: To consider the difficulties encountered at border crossings, for the transport of perishable foodstuffs, on an annual basis.

- (d) Review of the definitions and standards (in Annex 1) for the carriage of perishable foodstuffs following the Montreal Protocol to take account of new refrigerants and insulating materials, and environmental constraints.

Priority: 2

Output expected by the end of 2006: To contribute to the promotion of less polluting vehicles and fuels.

- (e) Consideration of methods developed by the IIR Sub-Commission on testing stations and study of the procedures for energy labelling. Priority: 1

Output expected by the end of 2006: To be aware of the work done by IIR relating to the transport of perishable foodstuffs and to collect information on energy labelling.

- (f) Elaboration of an ATP Handbook. Priority: 1

Output expected by the end of 2007: To have a final version of the Handbook including the revised annexes.

- (g) Compatibility between European Union legislation and ATP. Priority: 1

Output expected by the end of 2006: To cooperate with the Commission of the European Communities with the aim of harmonizing European regulations with ATP.

ACTIVITIES OF A LIMITED DURATION

- (h) Consideration of proposals on the conditions of transport of fresh fruit and vegetables (2006). Priority: 2

Output expected by the end of 2006: To finish the consideration of the feasibility of introducing rules for the transport of fresh fruit and vegetables into ATP.

- (i) Consideration of amendment proposals relating to test methods and procedures for the approval of multi-compartment and multi-temperature vehicles, to take account of technical development (2006). Priority: 2

Output expected by the end of 2008: The entry into force of a new amendment to ATP on multi-compartment and multi-temperature vehicles.

- (j) Review of the approval of kit bodies (2006). Priority: 2

Output expected by the end of 2007: The entry into force of a new amendment to ATP on the approval of kit bodies.

- (k) Securing of ATP documents (2006). Priority: 2

Output expect by the end of 2006: Recommendations on the best means of securing ATP documents.
