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INLAND TRANSPORT COMMITTEE

Working Party on the Transport  
of Perishable Foodstuffs

REPORT OF THE WORKING PARTY ON ITS FORTY-FIFTH SESSION  
(25-28 September 1989)

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ATTENDANCE

1. The following ECE Member States were represented: Belgium; Denmark; Finland; France; German Democratic Republic; Germany, Federal Republic of; Ireland; Italy; Netherlands; Norway; Portugal; Spain; Sweden; Switzerland; Union of Soviet Socialist Republics; United Kingdom; United States of America. The following intergovernmental organization was represented: International Institute of Refrigeration (IIR). The following non-governmental organizations were represented: Association of the Dairy Industry of the European Community (ASSILEC) and Transfrigoroute International.

ADOPTION OF THE AGENDA

2. The provisional agenda (TRANS/WP11/179) was adopted.

ELECTION OF OFFICERS

3. Mr. M. DE CLIPPEL (Belgium) was elected Chairman.

DISCUSSIONS OF THE INLAND TRANSPORT COMMITTEE AFFECTING THE WORK OF THE WORKING PARTY

4. The Working Party took note of the discussions at the fiftieth session of the Inland Transport Committee concerning the activities of the Working Party (ECE/TRANS/74, paras. 229 to 237-ECE/TRANS/74, Add.1).

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

5. The Working Party noted that the following States had so far become Parties to the Agreement: Austria; Belgium; Bulgaria; Czechoslovakia; Denmark; Finland; France; German Democratic Republic; Germany, Federal Republic of; Hungary; Ireland; Italy; Luxembourg; Morocco; Netherlands; Norway; Poland; Portugal; Spain; Sweden; Union of Soviet Socialist Republics; United Kingdom; United States of America; Yugoslavia.

6. The Working Party was informed that the ATP had come into force for Hungary, Ireland and Portugal on 4 December 1988, 22 March 1989 and 15 August 1989, respectively.

7. The Working Party had before it a document submitted by Denmark (TRANS/WP11/R.13) concerning the implementation of ATP (art. 3) in combined road/air transport.

8. Several speakers stressed the importance of this question in view of the growing role of air transport in the carriage of perishable foodstuffs.

9. The Working Party asked the secretariat to contact the air transport organizations in order to ascertain what rules were applied in this regard.

10. The representatives of France and IIR offered to submit studies on this question to the Working Party at its next session.

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

11. The Working Party noted that the Secretariat had issued a revised list of testing stations officially recognized by the competent authorities of countries Contracting Parties to ATP, the test reports of which would consequently be valid for the issue of ATP certificates (TRANS/GE.11/R.76/Rev.1 and Amend.1).

12. The representative of Sweden informed the Working Party that Sweden had had a testing station approved by its competent authorities since 1 September 1989.

13. Several representatives submitted corrections to document TRANS/GE.11/R.76/Rev.1 and Amend.1; these amendments will be issued as an addendum to that document.

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

14. The Working Party noted that the amendment proposed jointly by France and the United Kingdom (separate testing of the body and the refrigeration equipment) to Annex 1, paragraph 1, Annex 1, appendix 1, paragraph 2 (c) (iii), Annex 1, appendix 2, paragraphs 1, 41 and 51 to 59, and test report model No. 10 (Depositary Notification C.N.199.1987, TREATIES-5 of 5 October 1987) had come into force on 6 July 1989.

15. The Working Party noted that the following amendment proposals had been communicated to the Contracting Parties in accordance with article 18, paragraph 1, of ATP:

Amendment to Annex 2 of the Agreement (temperature of quick- (deep-) frozen and frozen foodstuffs) proposed by the United Kingdom by Depositary Notification of 27 June 1989 (C.N.123.1989, TREATIES-2);

Amendment to Annex 1 of the Agreement (thickness of side walls) proposed by Sweden, by Depositary Notification of 14 August 1989 (C.N.165.1989, TREATIES-3);

Amendment to Annex 1, appendix 2 (several amendments to the wording of the new test reports) proposed by France by Depositary Notification (C.N.229.1989, TREATIES-4) (to be distributed shortly).

16. The Working Party was informed that it had not been possible to bring the amendments to several test reports reproduced in document E/ECE/810-E/ECE/TRANS/563/Amend.1/Rev.1 and accepted by the Group of Experts at its forty-third session (TRANS/GE.11/33, Annex 2) into force by the simplified procedure for amendment of ATP as set out in article 18, paragraph 8, of the Agreement.



17. The Working Party decided to resort to the procedure defined in article 18, paragraphs 1 to 7, of ATP concerning the above-mentioned amendments.

18. The representative of the United Kingdom said that her Government was prepared to propose a draft amendment to the depositary.

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

Article 10, paragraph 1

Documents: TRANS/WP11/R.7 and Add.1 to 3, TRANS/WP11/178, TRANS/WP11/R.5.

19. Following an exchange of views on the matter, the Working Party set up a small group to find a solution which would accord with the interests of all Parties.

20. The small group met under the chairmanship of Ms. V. Colin-Russ (United Kingdom). The delegates of the following countries were present: Belgium; Denmark; France; Ireland, Italy; Netherlands; Portugal; Spain; United Kingdom; United States of America.

21. The representative of France, speaking on behalf of the European Economic Community and its Member States, was of the opinion that it was first of all necessary to clarify article 10 of ATP in order to ensure that it would not give rise to misunderstandings between the Parties to the Agreement in the future. He proposed the following draft text amending the first paragraph of article 10:

"It is understood that the provisions of this paragraph shall be applicable only to new Contracting Parties 1/ agreeing to the implementation of the Agreement in most of their national territory."

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1/ From the date when this amendment comes into force.

22. After a lengthy discussion of this question the small Group submitted the following text:

Insert at the end of the first paragraph:

"It is understood that the provisions of this paragraph shall not be applicable to new Contracting Parties acceding to the Agreement as from ... 1/"

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1/ Date on which this amendment will come into force.

23. The representative of Italy made the following statement:

"With regard to any future proposal to amend the existing text of ATP, the Italian delegation reserves the right to ascertain the compatibility of the amendment itself with national interests, pending a positive response from the United States to the position stated in paragraph 22 above."

Annex 1, appendix 1, paragraphs 1 and 4 (Transfer of equipment to another ATP country).

Document: TRANS/WP11/R.12

24. The representative of the United Kingdom introduced the amendment proposals contained in document TRANS/WP11/R.12.

25. Following an in-depth discussion of the issue, the Working Party adopted the draft text reproduced in Annex 1 to this report.

26. The representative of the United Kingdom said that his country was prepared to propose this amendment to the Depositary.

Annex 1, appendix 2, paragraph 27 (measurement of the K-coefficient)

Documents: TRANS/GE.11/R.122 and Add.1 to 3, TRANS/WP/R.14

27. The representative of IIR informed the Working Party that the inter-laboratory tests on the measurement of the K-coefficient were practically complete. The report on the experiment would be ready by about February 1990 and Lloyds Register would be responsible for monitoring the measurements as an impartial observer.

28. The representative of IIR assured the Working Party that the results of the study would be communicated to it as soon as possible.

Annex 1, appendix 2, paragraph 29 (aging coefficient)

Document: TRANS/WP11/R.14

29. The representative of IIR said that the problems arising from the calculation of the aging coefficient had not been solved because of the need to take into account a number of factors which were difficult to determine.

30. The Working Party decided to keep this question on its agenda so that it could be kept informed of all the research carried out in this field.

Annexes 2 and 3 (temperature of foodstuffs)

Documents: TRANS/WP11/178, TRANS/WP11/R.2 and Add.1-7 and Add.4/Corr.1, TRANS/WP11/R.8 and Add.1-5.

Annex 2 (selection of equipment and temperature conditions to be observed for the carriage of quick (deep)-frozen foodstuffs)

31. The representative of Denmark wondered whether it was quite clear that the expression "indicated temperature" in paragraph 1 of the draft text of Annex 2 to ATP in fact referred to the temperature indicated in the text which followed.

32. The Working Party confirmed this interpretation.

33. The representative of Italy said that, while he did not wish to hinder the entry into force of the amendment to Annex 2 to ATP, the expression "Deep-frozen" should in his view be deleted in future from the entry in paragraph 4 which read: "Deep-frozen and frozen foodstuffs mentioned below to be immediately further processed at destination".

34. The representative of Italy justified his proposal on the grounds that, according to Community Directive 89/108/EEC, deep-frozen foodstuffs were intended for the final consumer at a temperature of  $-18^{\circ}$  C without defrosting.

Annex 3 (selection of equipment and temperature conditions to be observed for the carriage of chilled foodstuffs)

35. Following an in-depth discussion of this Annex, the Working Party decided to adopt the text reproduced in Annex 2 to this report and to consider it further at its next session.

MEASUREMENT OF THE TEMPERATURE OF FOODSTUFFS DURING TRANSPORT

Documents: TRANS/WP11/R.10 and Add.1.

36. The representative of the United Kingdom outlined several possible procedures for measuring the temperature of perishable foodstuffs during transport and emphasized the practical advantages of recording the temperature.

37. The representative of the United States of America referred to the recent work of ISO in this area and more particularly to the remote monitoring system using digital-type devices, which were still too expensive. He said that he was prepared to submit a document for the next session concerning recent developments in his country.

38. The representative of the USSR described his country's experiences in the measurement of the temperature of perishable foodstuffs and undertook to submit a document on the subject for the next session.

39. The representative of Transfrigoroute International said that Note CCT No. 12, drawn up jointly by his organization and IIR, could be useful in obtaining proper homogeneity of the temperature of perishable foodstuffs during transport. It concerned the circulation and distribution of air within controlled-temperature transport equipment.



40. The representative of IIR pointed out that the third edition of the IIR document containing recommendations for the preparation and distribution of frozen foodstuffs contained an entire chapter on temperature measurement.

#### SEPARATE TESTING OF THE BODIES AND THE REFRIGERATION UNITS

Document: TRANS/WP11/R.14.

41. The representative of IIR described the experiments in progress.

42. The representative of France by agreement with the representative of the Federal Republic of Germany, described the initial results of inter-laboratory refrigerating capacity tests carried out in 1988 and early 1989.

43. The results of the tests will be studied in detail by IIR's Sub-Committee on testing stations in February 1990.

44. The Working Party will be informed at its next session of developments in this area, particularly regarding the interpretation and implementation of new articles 51-60 of Annex 1, appendix 2 to ATP.

#### DEFINITION OF "CONTAINER" FOR THE PURPOSES OF ATP

Documents: TRANS/GE.11/R.128, TRANS/WP11/R.4 and Add.1-3, TRANS/WP11/R.9.

45. The representative of Sweden proposed that, in article 5 (chapter III) of ATP, the word "container" should refer only to containers corresponding to the description given in the ISO Standard.

46. The representative of France pointed out that ISO standards were constantly evolving and he considered that it was more appropriate to refer to a definition included in that standard.

47. The representative of the United Kingdom said that, overall, the Swedish proposal was acceptable, but that it would be advisable to delete specific references to the various ISO codes.

48. The representatives of Sweden and the United Kingdom proposed the following definition of container:

"'Container' in this article refers to thermal freight containers according to ISO standard 1496/2 (current at the time of manufacture of the containers)".

49. The Working Party decided to include the question on the agenda of its next session and invited participants to submit their comments on it.

#### FACILITATION OF TRANSPORT OF PERISHABLE FOODSTUFFS

Documents: TRANS/R.163, TRANS/WP11/R.11 and Add.1-5.

50. The representative of Transfrigoroute International recalled that, in 1982, his Association had proposed a "Frigocard" system for the facilitation of ATP transport so as to:

(a) increase efficiency of the partnership between international trade operators and administrations;

(b) create between enterprises and authorities the conditions for credible and verifiable self-monitoring;

(c) promote the creation of an innovative procedure which would encourage the development of international trade in perishable goods.

In its report TRANS/GE.11/23, the general objectives proposed in document TRANS/R.163 had been favourably received by the Working Party, at whose request Transfrigoroute International had prepared a new proposal contained in document TRANS/WP11/R.11/Add.1.

51. The secretariat drew the Working Party's attention to the provisions of the International Convention on the Harmonization of Frontier Controls of Goods (1982) which provided a framework lending itself to all aspects of facilitation. Broader measures to facilitate the transport of perishable foodstuffs could possibly be the subject either of an additional annex to that Convention, in accordance with its article 13, or of an additional protocol to the Convention or of a recommendation to Governments in the form of a resolution of the Inland Transport Committee.

52. The Working Party decided to keep this question on the agenda of its next session while awaiting specific proposals from Transfrigoroute International.

#### INTRODUCTION OF MODULAR SYSTEMS FOR THE CARRIAGE OF PERISHABLE FOODSTUFFS

53. The secretariat informed the Working Party that ISO had indicated that its report at the last session of the Working Party was still valid.

54. The representative of the United States of America, who was also a member of an ISO working party, referred to recent developments, particularly those which had taken place at the meeting in London (June 1989). He offered to report to the Working Party on ISO's work at its next session.

55. The representative of France said that, at ISO's London meeting, mention had been made of a request for harmonization of ISO standards and those of ATP.

56. On the proposal of the representative of the Netherlands, the Working Party expressed the wish that, at the Seminar on the Impact of Increasing Dimensions of Loading Units in Combined Transport, to be held under the auspices of the Economic Commission for Europe at Geneva from 13 to 16 November 1989, account should be taken of aspects relating to thermal containers.

57. The Working Party expressed the wish for more co-ordination with the work of ISO and decided to keep this question on the agenda of its next session.

#### INTEGRATION PROCESSES IN EUROPE AND THEIR POSSIBLE EFFECT ON THE APPLICATION OF ATP AMONG PARTIES TO THE AGREEMENT

58. The representative of France, speaking on behalf of the European Economic Community and its member States, made the following statement:

"The European Economic Community and its member States would like to reiterate their position as regards the consequences of integration processes in Europe. They do not consider themselves able to predict the consequences of the single Market of 1993 before it is fully established; this is also the case with regard to the possible effect of the application of the ATP among Parties to the Agreement. They are prepared, however, to provide answers to specific questions on the status of the single Market regarding matters within the competence of this Working Party.

Nevertheless, they will at all times be grateful to countries belonging to economic integration groups, such as the European Free Trade Association or the Council for Mutual Economic Assistance, for any information which they may be able to provide on the ongoing integration processes of those groups."

#### PROGRAMME OF WORK

59. The Working Party adopted its programme of work for 1990-1994 as reproduced in Annex 3 to this report.

#### OTHER BUSINESS

##### Date of the next session

60. The Working Party was informed that its forty-sixth session had provisionally been scheduled to take place from 19 to 22 November 1990.

##### Distribution of documents

61. The Working Party decided that it was unnecessary to extend the period of one year during which documents submitted to the current session were subject to restricted distribution.

#### ADOPTION OF THE REPORT

62. The Working Party adopted the report on its forty-fifth session together with its Annexes.

Annex 1

PROPOSED AMENDMENTS TO ANNEX 1, APPENDIX 1, PARAGRAPHS 1 AND 4

Annex 1, appendix 1, paragraph 1 should read:

"1. Checks for conformity with the standards prescribed in this annex shall be made:

- (a) before the equipment is put into service;
- (b) periodically, at least once every six years;
- (c) whenever required by the competent authority.

Except in the cases provided for in appendix 2, paragraphs 29 and 49, to this annex, the checks shall be made at a testing station designated or approved by the competent authority of the country in which the equipment is registered or recorded, unless, in the case of the check referred to in (a) above, a check has already been made on the equipment itself or on its prototype in a testing station designated or approved by the competent authority of the country in which the equipment was manufactured."

Paragraph 4 should read:

"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 and recorded on a form conforming to the model reproduced in appendix 3 to 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 shall 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 shall 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. The certificate or a certified true photographic copy thereof shall be carried on the equipment during carriage and be produced whenever so

required by the control authorities. However, if the certification plate reproduced in appendix 3 to this annex is fixed to the equipment the said plate shall be recognized as equivalent to an ATP certificate. The said certification plate shall be removed as soon as the equipment ceases to conform to the standards laid down in this annex. If equipment cannot be designated as belonging to a category or class except by virtue of the transitional provisions contained in paragraph 5 of this annex, the validity of the certificate issued for such equipment shall be limited to the period laid down in the said transitional provisions."



Annex 2

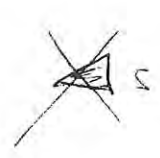
"Annex 3

SELECTION OF EQUIPMENT AND TEMPERATURE CONDITIONS TO BE OBSERVED  
 FOR THE CARRIAGE OF CHILLED FOODSTUFFS

1. For the carriage of the following chilled foodstuffs, the transport equipment has to be selected and used in such a way that during carriage the highest temperature of the foodstuffs at any point of the load does not exceed the indicated temperature.
2. Accordingly, the temperature of the foodstuffs at any point in the load must not exceed the temperature indicated as below on loading, during carriage and on unloading.
3. Where it is necessary to open the equipment, e.g., to carry out inspections, it is essential to ensure that the foodstuffs are not exposed to procedures or conditions contrary to the objectives of this annex and those of the International Convention on the Harmonization of Frontier Controls of Goods.
4. The temperature control of foodstuffs specified in this annex should be such as not to cause freezing at any point of the load.

Maximum temperature

Meat [and large game] <u>c/</u> (other than red offal, minced meat and meat in small pieces) .....	+ 7° C
Red offal, minced meat and meat in small pieces, ready to eat vacuum packed products <u>6/</u> .....	+ 3° C
Raw milk, <u>1/</u> game, poultry and rabbits .....	+ 4° C
Meat products, <u>2/</u> pasteurized milk, <u>1/</u> fresh ..... dairy products <u>1/</u> <u>2/</u> <u>a/</u> (yoghurt, kefir, cream and fresh cheese <u>3/</u> ), ready cooked foodstuffs (meat, fish, vegetables), ready to eat prepared raw vegetables and vegetable products, <u>7/</u> and fish products <u>2/</u> not listed below	at temperature indicated on the label but not exceeding + 6° C <u>a/</u>
Butter .....	+ 10° C
Non-prepackaged fish, molluscs and raw crustaceans with shells <u>4/</u> .....	must always be carried in melting ice
Prepackaged fish, molluscs, peeled crustaceans	[+ 2° C] <u>a/</u> <u>b/</u>
Butter to be immediately further processed at destination <u>5/</u> .....	+ 14° C



Notes

1/ In principle, the duration shall not exceed 48 hours.

2/ Except for products fully-treated by salting, smoking, drying or sterilization.

3/ "Fresh cheese" means a non-ripened (non-matured) cheese which is ready for consumption shortly after manufacturing and which has a limited conservation period.

4/ Except for products fully-treated by salting, smoking, drying or sterilization and except for live fish, molluscs and crustaceans.

5/ Butter, when intended for immediate further processing at destination, may be permitted to gradually rise in temperature during carriage so as to arrive at destination at temperatures no higher than those indicated by the sender. The transport document shall state that the product is chilled, the name of the product, that it is to be immediately further processed at destination, and the maximum temperature allowed during carriage.

[6/ Not fully sterilized products packed under vacuum.] or

[6/ Products with or without heating, packed under vacuum, which have not been preserved to prevent growth of Clostridium Botulinium.]

7/ Raw vegetables which have been diced, sliced or otherwise size-reduced but excluding those which have only been washed, peeled or simply cut in half.

a/ The representative of Norway entered a reservation; he will re-examine his position and inform the secretariat of it as soon as possible.

b/ The United Kingdom proposes a temperature of [+ 4° C].

c/ The representative of France entered a reservation regarding the insertion of the words 'large game'."

Annex 3

PROGRAMME OF WORK FOR 1990-1994 TO BE SUBMITTED FOR REVIEW TO THE  
INLAND TRANSPORT COMMITTEE

09.4 Transport operations and facilitation

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

Description: With a view to facilitating the international transport of perishable foodstuffs, the Committee will consider, as and when required, selected problems, in particular with regard to:

(a) The application of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP) and, where appropriate, amendment of ATP;

(b) The preparation and application of resolutions on various subjects concerning the transport of perishable foodstuffs;

(c) The consideration of relevant studies carried out on the subject by other international organizations;

(d) The consideration of proposals for facilitating the international transport of perishable foodstuffs including the choice of rational conditions for the transport of perishable foodstuffs ensuring minimum loss during transport;

(e) Study of the possibility of collecting statistical data on equipment used for the carriage of perishable foodstuffs under controlled temperature;

(f) Means of closer co-operation with international organizations, and adequate steps to be taken by Governments to achieve this aim;

(g) Urge Governments to increase support for co-operation in international projects with the aim of improving the harmonization of methods and procedures pertaining to the interpretation of the ATP, especially by supporting the work in the IIR-Sub-Commission of engineers of testing stations; with respect to comparative testing.

Work accomplished: Amendments to ATP have been considered and draft resolutions prepared.

Work to be undertaken: Study by the Working Party on the Transport of Perishable Foodstuffs of problems which arise, including the evaluation of the suitability of thin-walled vehicles for the carriage of quick (deep) frozen products and consideration of questions relating to the facilitation of the transport of perishable foodstuffs, where appropriate in co-operation with the Working Party on Standardization of Perishable Produce and the Working Party on Customs Questions affecting Transport, with a view to the possible amendment of ATP and the relevant resolutions.

Duration: Continuing.