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Item 5 (b) of the provisional agenda

Proposals of amendments to ATP: new proposals

Periodic verification of temperature recorders

Transmitted by the Government of the Netherlands

Summary

Executive summary:	To be certain that foodstuffs are carried at the right temperature, regular monitoring and registration of the air temperature by a recorder is needed. However, before extending from quick-frozen foodstuffs only to all foodstuffs some issues need to be resolved.
Action to be taken:	Agree on amendments to annex 2, appendix 1 concerning periodic verification of the recorder.
Related documents:	ECE/TRANS/WP.11/2021/19

Introduction

1. During a session of the informal working group on Improvement of the Approval System, the periodic verification of the temperature recorder was discussed. It was noted that in most contracting parties, of which the experts took the floor, the annual or bi-annual validation of the temperature recorder according to EN 13486 was done by maintenance shops appointed and controlled by the competent authorities.
2. However an accredited body is prescribed for this verification in annex 2, appendix 1. Although "accredited" is not a protected term for a third party evaluation it may give the impression of an accreditation given by the national board of accreditation.
3. For the verification of the temperature recorder it was said that the system as a whole should be checked on correct functioning, and not only the temperature sensors. As parts are permanently fitted inside the walls of the insulated body demounting and sending it to an accredited laboratory is not possible, it has to be done in situ.



4. It may also be questioned if the additional value and costs of involving an accredited body over a well-trained mechanic of a maintenance shop is justified. Periodic checks on equipment may also be performed by non-accredited bodies and experts.

Proposal

5. Amend annex 2, appendix 1 to read: (deleted wording stricken through, new wording underlined):

“MONITORING OF AIR TEMPERATURE FOR TRANSPORT OF QUICK-FROZEN PERISHABLE FOODSTUFFS

1. *The transport equipment shall be fitted with an instrument capable of measuring and recording air temperatures and storing the data obtained (hereinafter referred to as the instrument) to monitor the air temperatures to which quick-frozen foodstuffs intended for human consumption are subjected.*
2. *Temperature recordings obtained in this manner ~~shall~~ must be dated and stored by the operator for at least one year or longer, according to the nature of the food.*
3. *The instrument shall ~~be type approved in accordance~~ comply with standard EN 12830:2018 by an accredited body. The documentation shall be available for the approval of ATP competent authorities.*
4. *The instrument shall be verified in accordance with EN 13486:2002 ~~by an accredited body~~ and the documentation of the verification shall be available for ~~the approval of~~ ATP competent authorities.*
5. *Testing stations and experts performing verifications shall either be accredited for this purpose or the verification shall be performed by appropriate trained personal according to procedures and with appropriately controlled/calibrated measuring equipment, to the satisfaction of the competent authority that has designated or approved them.*
6. *Transitional measures:*
 - 6.1 *Temperature recorders in service that comply with EN 12830:1999 may continue to be used.”*
 - 6.2 *Temperature recorders type approved before [month-year] by a body not accredited may continue to be used.”*

Justification

5. It feels as if the type-approval of the recorder and the periodic verification in the drafting was mixed up and that incorrect standards are used in these places. Type-approval would justify an accredited test laboratory. Introducing this change requires a transitional measure for existing recorders approved otherwise.

6. The requirements for the temperature recorder originated from European Union (EU) legislation. The wording of annex 2, appendix 1 is based on the now repealed EC directive 92/1/EEC that is replaced by the Commission Regulation (EC)No 37/2005 [<https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32005R0037>]. Neither in the repealed directive nor the new regulation there is a requirement for accreditation of the body or expert.

7. The paragraphs are now numbered. In paragraph number 2 "must" is replaced by "shall" which is normally used in UN treaties.

8. Paragraph 3 has moved up to be more in sequence, added is that it shall be checked by an accredited body. As this is a new requirements a transitional measure is added for existing recorders.

9. Paragraph 4 is moved down for the correct sequence and the requirements for accreditation is removed.

10. Paragraph 5 introduced obligations for bodies performing the verification. In such in may be accredited bodies, or when not accredited they shall comply with the basic requirements to guarantee the level of their verifications.

11. It is noted that a number of contracting parties may have accredited bodies prescribed in national legislation. By giving the choice of being accredited (without further control) or non-accredited bodies under supervision of the competent authority it is supposed form them to keep the status quo.

12. More discussion is needed on other issues concerning the temperature recorder.

Cost: The amendment will harmonize the way of working and the costs involved for verification of the temperature recorder.

Feasibility: No problems are expected with the feasibility.

Impact: No impact on fuel consumption of insulation factor?

Enforceability: With the new requirements for non-accredited bodies performing verifications enforceability improves.
