

Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Perishable Foodstuffs****8 October 2012****Sixty-eighth session**

Geneva, 22-25 October 2012

Item 5 (a) of the provisional agenda: Proposals of amendments to the ATP: Pending proposals**Revision of Annex 1 Appendix 1, work in progress****Transmitted by the Government of the Netherlands**

1. The system of approval of equipment in Annex 1, Appendix 1 is considered to be outdated. The system is very nationally orientated in the way that equipment should be approved in the country of manufacture, tested in a testing station, approved and certified by the national competent authority.
2. In documents ECE/TRANS/WP.11/2011/7 and INF.8 the Netherlands introduced a draft text with a new procedure for the approval process. However, before an informal working group could be organized the draft should be developed further. Suitable placing of the revised wording proved to be difficult because of the interaction of paragraphs.
3. Due to time restraints the first revised draft was available on 12 June 2012 and distributed to interested parties by e-mail for an initial reaction. Only two reactions emerged, both stating that to discuss the new draft a working group was wished for. This was however close to the summer holiday season and the invitation for the working group was delayed to after the holidays. Reactions on this invitation were however minimal and it was decided not to meet before the 2012 WP.11 meeting.
4. An informal working group is foreseen for early 2013.
5. During the development of the draft the following issues emerged.
 6. While analyzing the current text of Annex 1, Appendix 1 it was felt that provisions for construction, testing and approval were scattered over the whole of Annex 1 and its appendices. This made fitting in new provisions for type approval and obligations of the various participants difficult. Information contained in Annex 1 and its appendices deal with:
 - use (i.e. ATP certificate of approval should be on the equipment while carrying out transport),
 - construction (i.e. the standards in Annex 1) and,
 - approval of equipment (i.e. paragraphs 1 to 3 and 6 of Annex 1, Appendix 1, “decision” sections in Annex 1, Appendix 2).
6. This led to a new draft which divided the subjects into four parts;
 - general (definitions and transitional measures),
 - use (ATP certificate and markings),
 - construction (mainly the standards of Annex 1) and
 - approval and certification (mainly new text).

7. During this work a number of questions arose about the value of a number of provisions which complicated the drafting. The most important of these issues are reproduced in document ECE/TRANS/WP.11/2012/10 for consideration of WP.11.

8. It appears that when ATP was initially drafted every unit of equipment should be tested complete with its thermal appliance when new and after being in use for a period of time. When testing proved to be exceptionally time consuming and expensive, options for testing series of equipment and separate approval of the insulated body and its thermal appliance were introduced. All this was added to the existing provisions making it rather complex.

9. The situation now is quite different. Combinations of insulated bodies and thermal appliances are hardly tested and approved together. Both parts are manufactured by different companies, with their own liabilities. Deleting the options for testing insulating bodies and thermal appliances together will simplify the provisions and documents (see ECE/TRANS/WP.11/2009/11/Rev2/Add1).

10. The same applies for the provision for testing of equipment in use in a testing station for an extension of the approval for 6 years. The option to test 1% of a series in use with one owner in a testing station is obviously introduced to limit the expenditure of owners of series of equipment in the past, but the reliability of the outcome of the test of one unit for the other units is questionable. Nowadays the extension of approval of equipment after 6 and 9 years is mainly done by visual inspections and efficiency tests by appointed experts. Deletion of testing in a testing station for an extension of 6 years and the 1% option would simplify the provisions.

11. The updating of the approval system by including new wording for the process consequently led to a wider review of Annex 1 and its appendices. However, it is felt that for the future of ATP this is the right way to proceed.
