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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Perishable Foodstuffs
(Fifty-sixth session,
30 October-3 November 2000)

Minutes of Meeting Held in Paris at Cemagref, 21-24 March 2000, on ATP Guidelines

Participants: Mr. M. Eilsoe, Denmark
 Mr. B. Commere, France
 Mr. T. Nobre, Portugal
 Mr. F. Van der Rijst, Sweden
 Mr. R. Lawton, United Kingdom
 Mr. O. K. Sid‘Ahmed, UN
 Ms N. Van Daalen, Netherlands
 Mr. J. N. Bonnal, France
 Mr. P. Nol, France
 Mr. L. Sallusti, Italy
 Mr. G Florio, Italy

1. Mr. M. Eilsoe was elected Chairman and Mr. R. Lawton was elected Secretary.

2. Adoption of agenda

The agenda was adopted with minor adjustments to section 3.

3 (a) Aims of the group

A discussion within the group followed concerning the aims of the group. It was felt that the terms of reference were as follows.

- Not to change ATP Agreement but to clarify the Agreement.
- To produce comments on the Agreement.
- To communicate these comments and decide if a permanent group should be set up and which ones to adopt?
- Would the handbook be approved by WP.11?
- Is it to be an Annex to the Agreement or a glossary of terms used?
- Need to arrange how to complete manual and not to go through in minute detail the points raised.
- Use the TIR manual as a basis for completion of such a manual.

Mr. B. Commere then briefly presented the "Origins of ATP Guidelines".

1. Transfrigoroute questionnaire.
2. IIR questionnaire 1998 – differing interpretations.
3. Lisbon – guidelines meeting suggested 3/99.
4. Geneva meeting – 5/99.
5. WP.11 meeting – 11/99.
6. CEMAGREF – 3/00.

The major areas of concern were then discussed.

Food safety

- Listeria / BSE.
- Environmental protections/foams etc./greenhouse gases.
- EU market is open.
- ATP rules are mixed users/constructions/test stations.
- ATP resolution is blocked by unanimity rule.

What is required?

- Clear requirements.
- Confusion between ATP and local regulations which leads to unfair competition.
- Hygiene directive – take into account quality systems as with other industries.
- Requirements to follow technical innovations.

Aim to clarify rules

- WP.11 decision process (majority rule 31 countries).
- Role of authorities. Validity of certificates/information/inspection.
- Test stations – accreditation/test methods.
- Construction – specifications and quality assurance.

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- Users – safety coefficient, guidelines for fruit and vegetables, temperature logging, pre-cooling. pre-

What will be the status of the handbook? Legally does it need to be agreed by WP.11?

What are the problems?

- Interpretation, different interpretations lead to different problems.
- Political problems, political content of unanimity.
- North/South different for Europe.
- Adoption of ATP to EU? International or EU interpretation?
- Technical interpretation differences.
- Key words added to ATP Agreement by Clive Bowyer – use these for guidelines.
- Glossary of terms presented by Mr. Sid‘Ahmed-use this for guidelines – interpretation agreed.
- Suggested to use revised ATP Agreement by Mr. R. Heap and Mr. C. Bowyer.

3 (b) Methods of the group

Method of group – need to have unanimity for scope and procedures. If not, the arguments presented and the majority of opinion.

1. Manual should follow ATP Agreement, have some interpretation everywhere if possible. Should indicate differences in national legislation.
2. Is the ATP handbook a handbook or a guideline?
3. Food safety and international problem. These must be the most important areas.
4. First draft ready for Geneva in November 2000.
5. Invite other countries to give comments to our group.
6. Group to be informal and try to produce paper for next meeting and decide whether to continue with the group. Variable attendance of meetings of interest, try to keep group to 6-8 persons dependent on the topic. Small informal group.
7. Add item to Geneva meeting to include ATP handbook. If this agenda item was included it would be presented through a country. How would this be done in practice? Could be presented by secretary or the Chairman to the secretariat of WP.11. Send Minutes to secretariat.
8. Receive document as a formal document and if agreed by WP.11 it will be agreed as a handbook.
9. The handbook will be developed over the next few years if WP.11 agrees. Group to be open and flexible composition dependent on sub-sector.

3 (c) Scope

It was decided that a scope document for the ATP guidelines document was required. Scope should be typed up as a modified version of the TIR Agreement, although principles for adoption need to be decided.

Scope of ATP Agreement produced and difference discussed between explanatory notes and comments.

- Explanatory notes are legal and binding.
- Comments are not binding and are the opinion of the experts.

The following test was provisionally put forward:

“Scope of ATP Handbook

This is the provisional text proposed by the informal working group on ATP Handbook set up by the Working Party on Perishable Foodstuffs (WP.11) of the Inland Transport Committee of the United Nations Economic Commission for Europe, in accordance with the request made by WP.11 on its fifty-fifth session in November 1999. It has to be presented to WP.11 on its next session in November 2000.

The Working Party on Transport of Perishable Foodstuffs (WP.11) of the Inland Transport Committee of the United Nations Economic Commission for Europe has decided that an ATP Handbook should be issued containing *the text of the ATP Agreement, 1970 and later amendments as well as* comments made on specific provisions and other useful information for competent authorities, transport operators, constructors and test stations.

Comments are placed in close connection with the provisions of the Agreement to which they refer.

Comments contained in the ATP Handbook are not legally binding for the Contracting Parties of the ATP Agreement. They are however important for the interpretation, harmonization and application of the Agreement as they reflect the opinion of WP.11”.

4. Structure of the ATP Handbook

After much discussion it was decided that the final version of the Agreement would include the ATP Agreement and the appropriate comments at the end of each section.

Who can make comments with regard to the ATP guidelines? For example, Transfrigoroute might like to discuss a certain item, this item would be discussed and if WP.11 thinks this is a valid comment, it will then be included.

All comments must be made via a recognized UN group (e.g. this informal working group) and then forwarded to the secretariat.

5. Discussion to clarify selected comments at WP.11 1999

5.1 Definition of perishable foodstuffs as requested by Russian Federation.

“Capable of producing toxins that can be undetected if incorrectly stored”.

Problems occur when it comes to frozen vegetables such as cauliflower, in which case cauliflower should not be included.

5.2 Perishable foodstuffs, fruit and vegetables. Who would be responsible for the reduction of quality in vegetables? Who would this be directed at? Probably users.

5.3 Cheese would need to be included due to listeria problems.

5.4 Quality definitions of perishables were considered to be the most contentious areas. Mr. Sid' Ahmed recommends this to be left out for the time being for discussion at WP.11.

5.5 Multi-compartment testing – being discussed in D2 meeting in Munich.

5.6 Look at major problems: multi-compartments
quality
definition of 'perishables'
re-approval of certificates and K value – is 0.4 the new
value or the highest value allowed?

6. Review of Minutes of ATP-Guidelines Meeting 25-26 May 99 (TRANS/WP.11/1999/1)

Further discussion of IIR questionnaire confirmed that 12, 35, 11 were for information only.

Annex 1, Appendix 1 para. 2 (d) often referred to as the 1% rule. Discussion followed as to whom was the competent authority.

Comment:

“The competent authority is the authority that issues the ATP ‘certificate’ as appearing in Annex 1, Appendix 3, A. When determining the percentage of units to be tested the competent authority may take into account the manufacturers procedures and quality assurance systems.”

Annex 1, Appendix 2, para. 29 and 49

The procedure for type approval was discussed and a chart produced which is described below.

Comment:

“The procedure is for a manufacturer to submit a unit to a test station along with appropriate documentation (drawings, material, specification, construction etc). On the basis of the test report the manufacturer can apply to a competent authority for an ATP certificate as appearing in Annex 1, Appendix 3, A.”

After the issue of the test report for type approval it was suggested that the manufacturer issue a declaration of compliance in accordance with the approved type. (There is no reference to this in ATP).

Approval of in-service equipment (Annex 1, Appendix 2, para. 29 and 49)

Comment:

“Following the May 99 ATP guidelines meeting there are differences in interpretation between different countries as to whether the concept of re-approval is to determine if the insulated structure is below the K value as given in annex 1 (0.4 & 0.7). Or whether the over capacity (1.75 rule) is designed to account for deterioration of the ‘K value’.”

Some countries consider that annex 1 means that 0.4 is the maximum K value for classes B, C, E and F also by re-approval. Others are of the opinion that re-approval is done by fulfilling paragraphs 29 and 49.

A discussion followed with regard to different types of insulation and technical innovation. Ageing factors might not be appropriate to vacuum insulated panels, or PVC foam or pu foams blown with agents other than 141b.

Cool down test

Portugal indicated that a refrigeration unit tested recently was capable of reaching -20°C in a $+15^{\circ}\text{C}$ ambient but only 0°C in a $+30^{\circ}\text{C}$ due to operation on only one cylinder. Discussion followed as to the merits of the pull down test. The lack of time limit for the efficiency test for new mechanically refrigerated equipment was discussed.

Validity of re-approval

Differences exist between countries that apply regulations similar to ATP internally and those that do not. Countries that apply ATP internally always have equipment with a valid ATP certificate and therefore have no difficulty with 6 or 9 month periods of elapsed time.

Discussion followed regarding ageing factors and re-approval ‘K’ values. Mr. M. Eilsoe hopes to introduce a paper based on the French proposal of around ten years ago for the fifty-sixth session of WP.11.

Vehicles for export

The text of the May 1999 ATP guidelines minutes (TRANS/WP.11/1999/1) were discussed concerning Annex 1, Appendix 1 4 (a) and (b).

“(a) The validity period of the provisional certificate is to be a maximum of three months.

(b) The certificate of compliance as described in article 2 is an ATP certificate when issued by a Contracting Party.”

7. Discussion of previous reports of WP.11 and suggested comments where relevant

The informal group discussed interpretations already made by the Working Party WP.11. Comments suggested will be used by the secretariat for the elaboration of the draft ATP Handbook (see TRANS/WP.11/2000/5).

8. Other

(a) The draft agenda of the IIR meeting May 2000 was discussed.

(b) Any contributions of sketches for the handbook will be gratefully received.

(c) The Glossary of terms relating to Treaty actions could be used by the secretariat, if necessary, for the elaboration of the Draft ATP Handbook.
