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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of  
Perishable Foodstuffs  
(Fifty-eighth session,  
Geneva, 11-14 November 2002)

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

Article 3 of ATP

**Note by the secretariat**

The secretariat reproduces below a proposal submitted by Spain. Spain proposes the following amendments to article 3 of ATP:

**Article 3**

Read:

1. The provisions of article 4 of this Agreement shall apply to all carriage, whether for hire or reward or for own account, carried out exclusively - ~~subject to the provisions of paragraph 2 of this article~~ - by rail, by road, **by sea** or by a combination of ~~the two~~ **or three of these means of transport**, of

- quick (deep)-frozen and frozen foodstuffs, and of
- foodstuffs referred to in annex 3 to this Agreement even if they are neither quick (deep)-frozen nor frozen,

if the point at which the goods are, or the equipment containing them is, loaded on to a rail, **maritime** or road vehicle and the point at which the goods are, or the equipment containing them is, unloaded from that vehicle are in two different States and the point at which the goods are unloaded is situated in the territory of a Contracting Party.

~~In the case of carriage entailing one or more sea crossings other than sea crossings as referred to in paragraph 2 of this article, each land journey shall be considered separately.~~

~~2.——The provisions of paragraph 1 of this article shall likewise apply to sea crossings of less than 150 km on condition that the goods are shipped in equipment used for the land journey or journeys without transloading of the goods and that such crossings precede or follow one or more land journeys as referred to in paragraph 1 of this article or take place between two such land journeys.~~

**3.2.** Notwithstanding the provisions of ~~paragraphs 1 and 2~~ **paragraph 1** of this article, the Contracting Parties need not apply the provisions of article 4 of this Agreement to the carriage of foodstuffs not intended for human consumption.”

### **Consequential amendment**

Delete article 5 of the ATP Agreement and number the subsequent articles accordingly.

### **Justification**

A number of irregularities in the carriage of perishable foodstuffs are linked to carriage in containers or swap bodies, by rail or by sea, prior to the phase of secondary distribution by vehicle/swap body on journeys that are often short in comparison with the time spent at sea, jeopardizing the safety of the cold chain and the good condition of perishable foodstuffs regulated by the ATP Agreement.

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