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Item 7 of the provisional agenda

SCOPE OF ATP

Reefer containers

Note by the secretariat

1. The Dutch Road Haulage Association "TLN" has written to the secretariat asking for clarification regarding the application of reefer containers to the ATP. The TLN has 6200 members, all of them professional road hauliers that act for third parties. The concerns of TLN appear below in paragraphs 2-8. The WP.11 is invited to discuss the interpretation made by TLN and if necessary propose a change to the ATP Handbook.

2. According to the ATP Handbook 2007, reefer containers transported by road, after a sea crossing from country A to B, fall within the scope of ATP. However, reefer containers are approved under ISO and not ATP.

3. From the comment in the Handbook on article 3, land-sea-land transport is only excluded from the ATP when the sea crossing is longer than 150 kilometers *and* inland road transportation is restricted to only one country (ATP member State) on each leg of the transport.

4. In Rotterdam, numerous reefer containers are transferred from ship to road. However, in the case of the Netherlands, which is a small country, most of the containers then proceed via

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road to other countries. It is very common for reefer containers shipped to Rotterdam to be transported by road via Belgium to France. The “comments” in the Handbook would seem to bring this road leg under the scope of the ATP.

5. However, this conclusion seems to be in contradiction with Article 1 of the ATP, which stipulates that equipment shall not be designated as insulated unless it complies with Annex 1 to the ATP. However, no intermodal reefer containers correspond to the ATP; they correspond to ISO standards. The ISO standards, for example, say nothing about the mounting of a generator set on the semi-trailer carrying the reefer container. This generator set provides the cooling unit in the container with electric current during land transport. So it would seem to be impossible to obey the ATP, because this combination of separate generator set and reefer container is not tested.

6. The TLN proposes reconsideration of the comments under Article 3 because of the above-mentioned problem, which creates an unfair situation for small countries. Once a reefer container is landed in Marseille (France), a road transport company can transport this reefer unit for over 1000 kilometers (because France is a big nation) and even after such a distance, the ATP would not apply.

7. The Netherlands is very small (in terms of surface) and hauliers have a border crossing after only 150 kilometers, thus bringing the ATP into effect, which is not the case for France and the Russian Federation or other nations with a large territory.

8. A reconsidered comment that exempts road transport with ISO reefer containers in *international* journeys, would from the point of view of TLN be very welcome.
