
Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Perishable Foodstuffs****Sixty-seventh session**

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Item 5 (b) of the provisional agenda

Proposed amendments to the ATP: New proposals

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**Proposed amendments to Article 3, Annex 2 and Annex 2,
Appendices 1 and 2 regarding the extension of the
requirements of Annex 2 to chilled foodstuffs. Annulment of
ATP Annex 3****Transmitted by the Government of the Russian Federation***Summary*

Executive summary: Article 3 divides the scope of application of ATP into the carriage of quick(deep)-frozen and frozen foodstuffs on the one hand and chilled foodstuffs referred to in Annex 3 on the other hand.

The current version of Annex 2 covers the selection of equipment and temperature conditions to be observed for the carriage of quick(deep)-frozen and frozen foodstuffs only.

Annex 2, Appendix 1 concerns air temperature monitoring during carriage of quick-frozen perishable foodstuffs only.

Annex 2, Appendix 2 specifies the procedure for the sampling and measurement of temperature for carriage of chilled, frozen and quick-frozen perishable foodstuffs.

Annex 3 concerns the selection of transport equipment and temperature conditions to be observed for the carriage of chilled foodstuffs only.

Russian Federation experts regard this division as being largely artificial.

There are no differences in the carriage of quick(deep)-frozen, frozen and chilled foodstuffs significant enough to justify their division either at the level of Article 3, or at the level of the Annexes. Furthermore, such a division creates additional problems in connection with the future extension of the scope of ATP (e.g. inclusion of certain provisions regarding the carriage of fresh fruit and vegetables, etc.).

Action to be taken: Prepare a new version of Article 3, Annex 2, Annex 2, Appendices 1 and 2.
Annul Annex 3.

Related documents: None.

I. Introduction

1. At the sixty-sixth session of the Working Party on the Transport of Perishable Foodstuffs (WP.11), the Russian Federation submitted a working document (ECE/TRANS/WP.11/2010/9) proposing amendments to Annex 2, Appendix 1 with clarified terminology regarding the measuring and recording instruments for measuring,

recording and storage of air temperature data during carriage of quick-frozen foodstuffs, as well as the placement of the measuring instrument in the transport equipment.

The Russian Federation has resubmitted to the sixty-seventh session of WP.11 a working document containing amendments to Annex 2, Appendix 1 and the ATP Handbook regarding the specification of design parameters and the placement of the instrument for measuring, recording and storage of air temperature in the transport equipment during carriage of quick-frozen foodstuffs.

2. While working on the said documents, the Russian Federation experts came to the conclusion that the fact that the scope of Annex 2 is restricted to the carriage of only quick(deep)-frozen and frozen foodstuffs while the scope of Annex 3 is restricted only to chilled foodstuffs is largely artificial. In their basic provisions those annexes may be consolidated.

3. The report of the Working Party on the Transport of Perishable Foodstuffs on its sixty-sixth session held in Geneva from 9 to 12 November 2010 contains a request to the Russian Federation to prepare a proposal for the inclusion of new and specified requirements of Annex 2, Appendix 1 into Annex 3. Successful completion of this work would in fact definitely equalize the requirements of Annexes 2 and 3 which further supports the argument for their consolidation.

4. It should also be taken in consideration that the consolidation of Annexes 2 and 3 would simplify the extension of the scope of ATP to for example the carriage of fresh fruit and vegetables.

ATP concerns the international carriage of perishable foodstuffs in general (not only quick(deep)-frozen, frozen and chilled) which is implied by the title of the document and its main objectives. In our opinion, the selection of the transport equipment and temperature monitoring during carriage should be governed by uniform requirements, namely regarding foodstuffs that may be included in ATP in the future.

5. Taking into consideration the above-mentioned considerations the Russian Federation suggests examining the suitability of the following amendments to ATP:

- In Article 3, cancel the separation of quick(deep)-frozen and frozen foodstuffs on the one hand from chilled foodstuffs on the other hand;
- In Annexes 2 (except for Appendix 2) and 3, replace the specific groups of perishable foodstuffs with the term "perishable foodstuffs" established by ATP;
- Redraft Annex 2 and Annex 2, Appendices 1 and 2 in accordance with the objective of their consolidation with the provisions of Annex 3;
- Annul Annex 3.

6. The Russian Federation submits herewith the corresponding informal document for consideration.

II. Proposals

7. Redraft paragraph 1 of Article 3 as follows:

"1. The provisions of article 4 of this Agreement shall apply to all carriage **specified in annex 2 to this Agreement of perishable foodstuffs – quick (deep)-frozen, frozen and chilled**, 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 or by a combination of the two, 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 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.

8. Redraft Annex 2* as follows, including the title:

**Selection of equipment and temperature conditions to be observed for the carriage of
~~quick(deep)-frozen and frozen~~ perishable foodstuffs**

1. ~~For the carriage of the following quick (deep) frozen and frozen perishable foodstuffs~~ The transport equipment has to be selected and used in such a way that **during carriage of quick (deep)-frozen and frozen foodstuffs** the highest temperature of the foodstuffs at any point of the load ~~during carriage~~ does not exceed the indicated temperature **and during carriage of chilled foodstuffs the temperature of the foodstuffs at any point of the load does not exceed the indicated limits.**

~~By that means~~ The equipment used for the transport of ~~quick-frozen~~ **perishable** foodstuffs shall be fitted with the ~~device~~ **instrument** referred to in appendix 1 to this annex. If however one should proceed to the verification of the temperature of the **chilled, frozen and quick (deep)-frozen perishable** foodstuffs, this shall be done according to the procedure laid down in appendix 2 to this annex.

2. Accordingly, **the temperature of the quick (deep)-frozen and frozen foodstuffs** at any point in the load must be at or below the indicated value on loading, during carriage and/or on unloading **and the temperature of chilled foodstuffs must not exceed the indicated limits.**

3. Where it is necessary to open the equipment, e.g. to carry out inspections, it is essential to ensure that the foodstuffs are not exposed to procedures or conditions contrary to the objectives of this annex and those of the International Convention on the Harmonization of Frontier Controls of Goods.

4. During certain operations, such as defrosting the evaporator of mechanically refrigerated equipment, a brief rise of the temperature of the surface of the foodstuffs of not more than 3 °C **above the appropriate value for quick (deep)-frozen and frozen foodstuffs and the upper indicated limit for chilled foodstuffs** in a part of the load, e.g. near the evaporator, may be permitted.

* As per the Russian text of ATP as amended on January 2, 2011.

<i>Quick (deep)-frozen and frozen foodstuffs:</i>	
Ice-cream	-20 °C
Frozen or quick (deep)-frozen fish, fish products, molluscs and crustaceans and all other quick (deep)-frozen foodstuffs	-18 °C
All other frozen foodstuffs (except butter)	-12 °C
Butter	-10 °C
Deep-frozen and frozen foodstuffs mentioned below to be immediately further processed at destination ¹	
Butter	
Concentrated fruit juice	
<i>Chilled foodstuffs:</i>	
Raw milk²	from 0 °C to +6 °C
Red meat³ and big game (other than red offal)	from 0 °C to +7 °C
Meat products⁴, pasteurized milk, butter, fresh dairy products (yoghurt, kefir, cream and fresh cheese⁵), ready cooked foodstuffs (meat, fish, vegetables), ready to eat prepared raw vegetables and vegetable products⁶, concentrated fruit juice and fish products⁴ not listed below	from 0 °C to + 6 °C or at temperature indicated on the label and/or on the transport documents

¹ The deep-frozen and frozen foodstuffs listed, when intended for immediate further processing at destination, may be permitted gradually to rise in temperature during carriage so as to arrive at their destination at temperatures no higher than those specified by the sender and indicated in the transport contract. This temperature should not be higher than the maximum temperature authorized for the same foodstuff when refrigerated. The transport document shall state the name of the foodstuff, whether it is deep-frozen or frozen and that it is immediately to be further processed at destination. This carriage shall be undertaken with ATP-approved equipment without use of a thermal appliance to increase the temperature of the foodstuffs.

² **When milk is collected from the farm for immediate processing, the temperature may rise during carriage to +10 °C.**

³ **Any preparations thereof.**

⁴ **Except for products fully treated by salting, smoking, drying or sterilization.**

⁵ **"Fresh cheese" means a non-ripened (non-matured) cheese which is ready for consumption shortly after manufacturing and which has a limited conservation period.**

⁶ **Raw vegetables which have been diced, sliced or otherwise size reduced, but excluding those which have only been washed, peeled or simply cut in half.**

<i>Chilled foodstuffs: (cont'd)</i>	
Game (other than large game), poultry ³ and rabbits	from 0 °C to +4 °C
Red offal ³	from 0 °C to +3 °C
Minced meat ³	
	from 0 °C to + 2°C or at temperature indicated on the label and/or on the transport documents
Untreated fish, molluscs and crustaceans ⁷	on melting ice or at temperature of melting ice"

9. Redraft Annex 2, Appendix 1 as follows**:

"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 perishable foodstuffs intended for human consumption are subjected.

The instrument shall be verified in accordance with EN 13486 (Temperature recorders and thermometers for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream – Periodic verification) by an accredited body and the documentation shall be available for the approval of ATP competent authorities.

The instrument shall comply with standard EN 12830 (Temperature recorders for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream – Tests, performance, suitability).

The instrument protected against any mechanical damage that may occur during cargo handling operations or carriage of perishable foodstuffs shall be placed inside the transport equipment:

- **Insulated equipment - near (left or right of) the middle of the largest door aperture.**

Refrigerated or mechanically refrigerated equipment: -

- **With the side doors (door) or end door and upper cold air distribution system - near (left or right of) the bottom of the door aperture furthest away from the refrigerating unit;**
- **With the side doors (door) or end door and lower cold air distribution system - in the middle of the top of the door aperture furthest away from the refrigerating unit;**
- **For other transport equipment - in the highest air temperature area.**

⁷ Except for live fish, live molluscs and live crustaceans.

** As per the Russian text of ATP as amended on January 2, 2011 with changes adopted by the sixty-sixth session of the WP.11

Heated equipment:

- **With the side doors (door) or end door and upper hot air distribution system - near (left or right of) the bottom of the door aperture furthest away from the heat producing appliance;**
- **With the side doors (door) or end door and lower hot air distribution system – in the middle of the top of the door aperture furthest away from the heat producing appliance;**
- **For other transport equipment – in the lowest air temperature area.**

Temperature recordings obtained in this manner must be dated and stored by the operator **of the transport equipment** for at least one year or longer, according to the nature of the food.

The ~~measuring~~ instruments shall **be brought into compliance** ~~comply~~ **with** the provisions of this appendix one year after the date of entry into force of ~~the above provision~~ its current version. ~~Measuring~~ Devices already installed, but which do not conform to the above standards, before this date, can continue to be used until 31 December ~~2009~~ **2012.**"

10. Redraft Annex 2, Appendix 2 as follows:

10.1. Redraft the title of Annex 2, Appendix 2 as follows:

**PROCEDURE FOR THE SAMPLING AND MEASUREMENT OF TEMPERATURE
~~FOR CARRIAGE OF CHILLED, FROZEN AND QUICK (DEEP)-FROZEN~~
PERISHABLE FOODSTUFFS**

10.2. In paragraphs 1, 2, 4, replace "in annexes 2 and 3" with "in annex 2".

10.3. In paragraph 8 replace "in annex 3" with "in annex 2".

11. Annul Annex 3.

III. Justification

12. In the Russian Federation's opinion it is crucial for the requirements of ATP to correspond to the main objective of the Agreement, i.e. improving the conditions of preservation of quality during carriage of the full range of perishable foodstuffs rather than individual groups thereof (quick (deep)-frozen, frozen and chilled foodstuffs).

13. The approval of the amendments to Article 3, Annex 2 and Annex 2, Appendices 1 and 2 and the subsequent annulment of Annex 3 as proposed by the Russian Federation, will pave the way for the adoption at the sixty-eighth session of WP.11 of those amendments to help promote the main objectives of ATP and create a solid basis for the expansion of its scope in the future.

IV. Costs

14. The requirement as per the proposed version of Annex 2, Appendix 1 to retrofit all transport equipment with a device allowing the monitoring of the air temperature to which any perishable foodstuffs are subjected, measuring, recording and storing the acquired data.

V. Feasibility

15. The proposed amendments will create better conditions for achieving the main objectives of ATP.

VI. Enforceability

16. No serious problems in fitting transport equipment with the appropriate devices are expected. The industry of ATP Contracting Parties produces a wide range of equipment for monitoring, measuring, recording and storage of air temperature data. Neither should the retrofitting of transport equipment create serious problems, especially as many units of transport equipment previously used for international carriage of quick (deep)-frozen and frozen foodstuffs are already equipped with such devices.
