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Inland Transport Committee

**Working Party on the Transport of Perishable Foodstuffs**

Seventy-second session

**Report of the Working Party on the Transport of Perishable  
Foodstuffs on its seventy-second session**

held in Geneva from 4-7 October 2016

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Attendance.....	1-4	5
II. Adoption of the agenda (agenda item 1) .....	5	5
III. Activities of ECE bodies of interest to the Working Party (agenda item 2).....	6-10	5
A. Inland Transport Committee (ITC).....	6-9	5
Seventieth anniversary of the Inland Transport Committee.....	9	6
B. Working Party on Agricultural Quality Standards (WP.7) .....	10	6
IV. Activities of other international organizations dealing with issues of interest to the Working Party (agenda item 3) .....	11-16	6
A. International Institute of Refrigeration (IIR) .....	11	6
B. Transfrigoroute International .....	12-13	6
C. European Committee for Standardization (CEN) .....	14-16	7
V. Status and implementation of ATP (agenda item 4).....	17-30	7
A. Status of application of the Agreement.....	17-18	7
B. Status of amendments .....	19-21	7
C. Test stations officially designated by the competent authorities of countries Parties to ATP .....	22-23	8
D. Exchange of information among Parties under article 6 of ATP .....	24-26	8
E. Exchange of good practices for better implementation of ATP.....	27	8
F. Interpretation of ATP.....	28-30	8
VI. Proposals of amendments to ATP (agenda item 5) .....	31-68	9
A. Pending proposals.....	31-54	9
1. Amendments and additions to the definitions proposed in ECE/TRANS/WP.11/2015/17 for inclusion in annex 1 of ATP.....	31	9
2. Validity of certificates for equipment manufactured for transfer to another country.....	32-33	9
3. Provisions applicable to official testing stations .....	34-36	9
4. Provisions applicable to competent authorities to issue technical compliance certificates .....	37-40	10
5. Marking of multi-temperature equipment .....	41-44	10
6. Procedure for the efficiency testing of in-service independent, multi-temperature equipment .....	45-48	11
7. Audit reference document for manufacturers of temperature-controlled equipment.....	49-51	11
8. Proposal for test and approval of a refrigerated thermal appliance working on liquefied gas separate from the insulated body it will be used on .....	52-54	11

B.	New proposals .....	55-68	12
1.	Annex 1, appendix 2, Model No. 12 test .....	55	12
2.	Addition to ATP of provisions allowing for the use of the bodies of refrigerated, mechanically refrigerated, heated or mechanically refrigerated and heated equipment as insulated equipment without conducting separate inspections of such bodies to check compliance with the relevant ATP standards and requirements .....	56-57	12
3.	Addition to annex 1 of ATP of clarification in respect of the margin of error in the overall coefficient of heat transfer of special equipment and inclusion of its calculation in the ATP Handbook .....	58-59	12
4.	Additions to annex 3 of ATP concerning the temperature conditions to be observed for the carriage of chilled perishable foodstuffs and monitoring of air temperatures during their carriage .....	60-62	13
5.	Addition to ATP of provisions setting up a database of ATP certificates issued by the competent authorities of all the Contracting Parties on the official ECE website and calling for the competent authorities of the Contracting Parties on their own websites to publish lists of all ATP certificates issued .....	63-65	13
6.	Editorial correction to the Russian translation of ATP .....	66	14
7.	Testing of refrigeration units with new (drop in) refrigerants .....	67-68	14
VII.	ATP Handbook (agenda item 6) .....	69-72	14
A.	Inclusion in the ATP Handbook of comments to article 3 of ATP on definition of the term “perishable foodstuffs” .....	69-70	14
B.	Introduction in the ATP Handbook of definitions to determine the inner and outer heat transfer surface areas of rail wagons other than tank wagons .....	71	14
C.	Inclusion in the ATP Handbook of comments on article 7 of ATP on the carriage of fresh fruit and vegetables .....	72	14
VIII.	Scope of ATP (agenda item 7) .....	73	15
IX.	Energy labelling, refrigerants and blowing agents (agenda item 8) .....	74	15
X.	Programme of work and biennial evaluation (agenda item 9) .....	75	15
XI.	Election of officers (agenda item 10) .....	76	15
XII.	Other business (agenda item 11) .....	77-	15
A.	Dates of the seventy-third session .....	77	15
B.	1% allowance in the ATP test reports .....	78	15
C.	Tributes .....	79-80	16
D.	Miscellaneous .....	81-83	16
1.	Response to paragraph 139 of the ITC report (ECE/TRANS/254) .....	81-82	16
2.	Secretariat’s opinion on whether Contracting Parties to the ATP may enter into bilateral or multilateral agreements to regulate the carriage of fresh fruit and vegetables pursuant to article 7 of ATP .....	83	16
XIII.	Adoption of the report (agenda item 12) .....	84	17

Annexes

I.	Proposed amendments to ATP .....	18
II.	Corrections to ATP .....	19
III.	Additions to the ATP Handbook .....	20
IV.	Secretariat's opinion on whether Contracting Parties to the ATP may enter into bilateral or multilateral agreements to regulate the carriage of fresh fruit and vegetables pursuant to article 7 of ATP .....	25

## **I. Attendance**

1. The Working Party on the Transport of Perishable Foodstuffs (WP.11) held its seventy-second session from 4-7 October 2016 with Mr. T. Nobre (Portugal) as Chairman and Mr. E. Devin (France) and Mr. K. de Putter (Netherlands) as Vice-Chairmen.
2. Representatives of the following countries took part in the session: Belgium, Croatia, Czech Republic, Denmark, Finland, France, Germany, Italy, Morocco, Netherlands, Poland, Portugal, Republic of Moldova, Russian Federation, Serbia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.
3. Representatives of Jordan and Tunisia also took part in the session in accordance with paragraph 11 of the terms of reference of the Economic Commission for Europe.
4. The intergovernmental organization International Institute of Refrigeration (IIR) and the non-governmental organizations International Association of the Body and Trailer Building Industry (CLCCR) and Transfrigoroute International (TI) took part in the session. EuroMed was also represented.

## **II. Adoption of the agenda (agenda item 1)**

*Documents:* ECE/TRANS/WP.11/234 and Add.1

*Informal document :* INF.1 (Secretariat)

5. The provisional agenda (ECE/TRANS/WP.11/234 and -/Add.1) were adopted as amended by informal document INF.1 to take account of informal documents INF.1 to INF.11.

## **III. Activities of ECE bodies of interest to the Working Party (agenda item 2)**

### **A. Inland Transport Committee (ITC)**

*Document:* ECE/TRANS/254

6. The Working Party took note of the results of the seventy-eighth session of the ITC related to the work of WP.11 as reflected in paragraphs 136-142 of ECE/TRANS/248.
7. It was suggested to start again discussing the subject of an amendment to the unanimity rule in article 18, paragraph 4 of ATP in the framework of an informal working group. It was recalled that this subject had been discussed for a number of years now without reaching a satisfactory conclusion. All Contracting Parties were encouraged to discuss the issue with their respective governments and to state clearly their position at the next session.
8. Regarding the practice of putting each amendment proposal to the vote and taking into account the length and time consumed by this practice, it was mentioned that the Working Party was conducting an informal trial of putting only those proposals that could be adopted by a unanimous vote in favour to the vote. It was also remarked that the current system had its advantages, allowing authors to know which countries were against the proposed amendments and to work between sessions to improve their proposals. Once a new voting procedure is agreed, it could be incorporated in the Terms of Reference and Rules of Procedure of the Working Party.

**Seventieth anniversary of the Inland Transport Committee (ITC)**

9. The Working Party was informed that the Inland Transport Committee would celebrate its seventieth anniversary at its seventy-ninth session to be held in Geneva from 21-24 February 2017 and which would include a ministerial segment on 21 February, with plans to develop a strategy running up to 2030. For preparing this strategy, a questionnaire had been sent to all delegates participating in the work of ITC and its subsidiary bodies, and all delegates of WP.11 were invited to respond to this questionnaire since their contribution would be taken into account in the definition of the ITC strategy.

**B. Working Party on Agricultural Quality Standards (WP.7)**

*Informal document:* INF.4 (Secretariat)

10. The Working Party was informed about the recent work of WP.7 on the development of commercial agricultural quality standards. Further information can be found at the following link: <http://www.unece.org/trade/agr/welcome.html>.

**IV. Activities of other international organizations dealing with issues of interest to the Working Party (agenda item 3)****A. International Institute of Refrigeration (IIR)**

*Informal document:* INF.3 (IIR)

11. The Working Party was informed about the results of the meeting of the IIR Sub-Commission on refrigerated transport held in Prague, Czech Republic, 13-14 April 2016. The Sub-Commission had given its support for proposals to WP.11 including those on liquefied gas systems, drop-in refrigerant (in service equipment), drop-in refrigerant for new machines, new airflow proposal, supporting document model for MTMC vehicles, temperature recorder details on the model certificate and placement of temperature sensor in vehicles (4.4). In addition, comments on uncertainties and metrology aspects in annex 1, appendix 2, paragraph 4.2.3(ii) for the ATP Handbook.

**B. Transfrigoroute International**

*Informal document:* INF.8 (Transfrigoroute International)

12. The Working Party was informed about the activities of Transfrigoroute International in support of the refrigerated transport industry as reflected in informal document INF.8.

13. It was suggested to create an informal working group to discuss the issues raised in informal document INF.8 and to present a proposal at the next session.

## C. European Committee for Standardization (CEN)

*Informal document:* INF.10 (CEN)

14. The Working Party was informed of the status of work on the development and revision of CEN standards relating to temperature-controlled land transport. Concern was expressed that those standards also contained provisions regarding marking of equipment, which was not an issue that such standards would be expected to cover.

15. A member of the secretariat pointed out that there should be a closer cooperation between the Working Party and organizations that develop standards to avoid including provisions in standards that do not comply with those of ATP.

16. It was agreed to change the title of this agenda sub-item to “Standardization organizations” for future sessions.

## V. Status and implementation of the ATP (agenda item 4)

### A. Status of application of the Agreement

*Informal document* INF.11 (Tunisia)

17. The representative of Tunisia updated the Working Party on the status of implementation of the agreement in his country as well as on the challenges his country was still facing. The presentation can be found on the UNECE website at: <http://www.unece.org/fileadmin/DAM/trans/doc/2016/wp11/WP11-72-inf11f.pdf>.

18. The number of Contracting Parties to the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP) had risen to 50 with the accession of San Marino in May 2016.

### B. Status of amendments

19. The Working Party was informed that the amendments to ATP adopted at its seventieth session in 2014, and contained in annex I of ECE/TRANS/WP.11/231, (depository notification C.N.181.2015.TREATIES-XI.B.22), with the exception of the amendment to annex 1, appendix 2, paragraph 3.2.6) were deemed accepted as of 19 June 2016 (depository notification C.N.510.2016.TREATIES-XI.B.22), for entry into force on 19 December 2016.

20. Proposed amendments and corrections to the ATP adopted at the seventy-first session in 2015 (ECE/TRANS/WP.11/233, annexes I and II) were notified to ATP Contracting Parties by the United Nations Treaty Section on 6 April 2016 (C.N.135.2016.TREATIES-XI.B.22 and C.N.128.2016.TREATIES-XI.B.22, respectively). Corrections were deemed accepted on 13 July 2016 (C.N.497.2016.TREATIES-XI.B.22).

21. On 28 June 2016, the Government of Germany, in accordance with article 18, subparagraph 2 (b) of the ATP, informed the Secretary-General that although it intended to accept the proposals, the conditions for such acceptance were not yet fulfilled (C.N.453.2016.TREATIES-XI.B.22). As a consequence, the amendments adopted at the 2015 session will be deemed accepted only if, before the expiry of a period of nine months following the initial notification period of six months, the Government of Germany does not notify an objection to the proposed amendments.

**C. Test stations officially designated by the competent authorities of countries Parties to ATP**

*Informal document:* INF.6 (Secretariat)

22. The Working Party took note of the updated list of officially designated competent authorities and test stations that could also be found at the following web link: <http://www.unece.org/trans/main/wp11/teststationsnew.html>

23. The Working Party stressed that if there were any doubts about the authenticity of ATP certificates, it was imperative to contact the relevant competent authority.

**D. Exchange of information among Parties under article 6 of ATP**

*Document:* ECE/TRANS/WP.11/2016/1 (Secretariat)

*Informal document:* INF.2 (Belgium)

24. The Working Party thanked the 21 countries that had provided data in response to the questionnaire on the implementation of ATP in 2015 and stressed that it was important to have information from all ATP Contracting Parties. The Working Party took note of the responses to the additional question regarding implementation of ATP. It also took note of the list of infractions and corresponding penalties included in a Royal Decree that will provide for road checks to verify compliance with the provisions of ATP provided by Belgium (see informal document INF.2).

25. It was remarked by the representative of France, that the number of Contracting Parties replying to the questionnaire was disappointingly low and that it was necessary that all countries fulfilled their obligation under article 6 of ATP of replying to the annual questionnaire sent by the secretariat.

26. The secretariat was requested to submit a newly designed questionnaire, taking into account some comments raised during the discussion, for the approval of the Working Party at the next session.

**E. Exchange of good practices for better implementation of ATP**

27. There was no discussion under this agenda sub-item.

**F. Interpretation of ATP**

*Informal documents:* INF.5 and INF.6 (Russian Federation)

28. Some delegations agreed with the interpretation that the experts should be appointed by the competent authority responsible for the compliance of the equipment with ATP requirements and that is issuing the certificate. It was also explained that, where no specifics were given, as it is the case for several provisions in the Agreement, the national competent authority is responsible for establishing the parameters of compliance.

29. Regarding the second question, the Working Party confirmed that it is possible for an expert to conduct activities in the territory of another contracting party, as long as the expert is appointed by the contracting party responsible for issuing the certificates.

30. It was clarified that the prototype should be tested before the production of the units and that the prototype might become the first vehicle of the series.



## VI. Proposals of amendments to ATP (agenda item 5)

### A. Pending proposals

#### 1. Amendments and additions to the definitions proposed in ECE/TRANS/WP.11/2015/17 for inclusion in annex 1 of ATP

*Document:* ECE/TRANS/WP.11/2016/9 (Russian Federation)

*Informal document:* INF.7 (Secretariat)

31. After discussion of all proposals included in the document, it was decided to create a correspondence group to address all the comments made and come back with a harmonized proposal for the next session. As many of the issues found were related to the terminology in the three languages of ATP, native speakers of English, French and Russian were encouraged to participate. The secretariat will set up the platform for sharing the document and will inform all interested parties by email of the specific details, so that an agreed version of the document could be provided at the next session.

#### 2. Validity of certificates for equipment manufactured for transfer to another country

*Document:* ECE/TRANS/WP.11/2016/12 (France)

32. The proposal was to authorize the issuance of certificates valid for three months, later agreed to extend it to six months, and which could be renewed only once in the case of equipment manufactured for transfer to another country.

33. A number of countries supported the proposal while others considered that it was not necessary. When put to the vote, the proposal was rejected with 2 countries voting against (Germany and United States of America) and 10 countries in favour (Czech Republic, Denmark, Finland, France, Italy, Morocco, Portugal, Russian Federation, Spain and United Kingdom).

#### 3. Provisions applicable to official testing stations

*Document:* ECE/TRANS/WP.11/2016/13 (France)

34. A number of official ATP testing stations had obtained accreditation for their activities under ISO 17025 (General requirements for the competence of testing stations and calibration laboratories). The French proposal argued that third-party audit of testing stations could ensure a greater degree of harmonization in their practices and therefore a high level of recognition.

35. The Working Party did not agree with the proposed amendment to ATP because it felt the costs had been severely underestimated and it would be too high for testing stations that only issued a small number of test reports. It was clarified that such amendment would have an impact on the manufacturers as the cost of the audit will be recover by the test station. It was also explained that the accreditation is related to the tests performed by the test station.

36. The voting on the proposal was 7 in favour (Croatia, France, Italy, Morocco, Poland, Portugal and Spain) and 5 against (Denmark, Germany, Netherlands, United Kingdom and United States of America).

#### **4. Provisions applicable to competent authorities to issue technical compliance certificates**

*Document:* ECE/TRANS/WP.11/2016/14 (France)

37. France argued that accreditation ensures third-party evaluation of bodies responsible for monitoring compliance. Such accreditation ensures a degree of harmonization in the practices of these bodies, allowing for formal recognition of certificates of compliance at international level. Accreditation of the competent authorities under ISO 17065 allows the pre-existing provisions of ATP, which requires recognition of certificates issued by other competent authorities, to be applied on an objective basis. It would also enable practices to be harmonized.

38. Most delegations did not agree with the proposed amendment to ATP because it considered that the costs had been severely underestimated. Given the disparity in the number of certificates issued by testing stations, a significant variation in the cost is to be expected. Some did not see the need for this amendment.

39. The representative of France explained that the assessment of cost is corresponding to the cost of audits in France and that it would make sense to take into account the cost of audits in other countries for a future proposal.

40. The voting on the proposal was 3 in favour (Croatia, France and Morocco) and 6 against (Finland, Netherlands, Portugal, Russian Federation, United Kingdom and United States of America).

#### **5. Marking of multi-temperature equipment**

*Documents:* ECE/TRANS/WP.11/2016/16 (France)  
ECE/TRANS/WP.11/2016/21, annex 1 (Netherlands)

*Informal document:* INF.9 (Transfrigoroute International)

41. It was pointed out that, even though, in principle, the Working Party did not make decisions based on late informal documents, the proposed order for discussion of the issues related to marking, efficiency testing (certificates) and re-test for in-service multi-temperature equipment should be in the order proposed in informal document INF.9.

42. The representative of France agreed to vote on the proposal contained in ECE/TRANS/WP.11/2016/21, annex 1 instead of their own proposal and thanked the Netherlands for the work done. The voting on the proposal was 11 in favour (Croatia, Denmark, Finland, France, Italy, Morocco Netherlands, Poland, Portugal, United Kingdom and United States of America) and 1 against (Germany).

43. When asked, the representative of Germany explained that the reason she voted against the proposal is that the drafting of the amendment allowed for two different ways of marking the equipment, that may result in different interpretations, increasing the chances of misunderstandings and problems when trying to enforce the requirements by different competent authorities.

44. Given that most of the countries that voted did so in favour of the proposal, it was suggested to draft a multilateral agreement to implement these provisions between Contracting Parties signatory of the said agreement.

## **6 Procedure for the efficiency testing of in-service independent, multi-temperature equipment**

*Documents:* ECE/TRANS/WP.11/2016/15 (France)  
ECE/TRANS/WP.11/2016/21, annex 3 (Netherlands)

*Informal document:* INF.9 (Transfrigoroute International)

45. The proposal was based on the testing method for autonomous mono-temperature mechanically refrigerated equipment with the addition of a test for the reversibility of compartments that made it possible to limit the length of the test while maintaining its relevance.

46. The representative of France agreed to vote on the proposal contained in ECE/TRANS/WP.11/2016/21, annex 3 instead of the French proposal, as this amendment proposal came as a result of an informal working group led by the representative of the Netherlands. The voting on the proposal was 10 in favour (Czech Republic, Denmark, Finland, France, Italy, Morocco, Poland, Portugal and United Kingdom) and 1 against (Germany).

47. Germany explained that due to the fact that no agreement was reached on the subject of marking, they could not vote in favour of this proposal.

48. Transfrigoroute International was encouraged to work in collaboration with Germany to submit a proposal for the next session containing provisions for the use of a calculation tool as explained in informal document INF.9. The output of such calculations, which define the compartment sizes and required evaporator nominal cooling capacity and airflow should be added to each ATP certificate. Transfrigoroute International informed the Working Party that it has decided to translate the text portion of the multi temperature calculation tool into both Russian and French languages and distribute it to all ATP test stations.

## **7. Audit reference document for manufacturers of temperature-controlled equipment**

*Document:* ECE/TRANS/WP.11/2016/17 (France)

49. It was pointed out by Transfrigoroute International that it is important to limit the number of audits and that all Contracting Parties should recognize them. France clarified that the aimed of the proposal was to harmonize audit practices and not to increase the number of them. Some delegations supported the proposal in principle while others considered it was not necessary.

50. The proposed amendment to ATP was rejected with one country voting against (Germany) and four countries in favour (Belgium, France, Morocco and Poland)

51. A suggestion to include annex 4 of the document in the ATP Handbook was also rejected with 3 countries voting against (Germany, Portugal and United Kingdom) and 5 countries in favour (France, Morocco, Netherlands, Poland and Spain)

## **8. Proposal for test and approval of a refrigerated thermal appliance working on liquefied gas separate from the insulated body it will be used on**

*Documents:* ECE/TRANS/WP.11/2016/20 (Netherlands)  
ECE/TRANS/WP.11/2016/19 (France)

52. It was agreed that direct liquefied refrigeration systems should not be included in the proposal due to safety issues. It was proposed to vote on proposal 2 of document -/2016/20 establishing the legal basis for the testing and approval procedures and then on the proposal in document -/2016/19 related to the procedure itself.

53. Proposal 2 in -/2016/20 was rejected with one country voting against (Germany) and 7 countries in favour (Denmark, Finland, France, Italy, Netherlands, Poland and United Kingdom)

54. Proposal in -/2016/19 was also rejected with 2 countries voting against (Germany and Netherlands) and 7 countries in favour (Denmark, Finland, Italy, Poland, Portugal, Spain and United Kingdom). The representative of the Netherlands explained that the vote was to reflect the principle that the procedure should not be adopted without providing the legal basis first.

## **B. New proposals**

### **1. Annex 1, appendix 2, Model No. 12 test**

*Document:* ECE/TRANS/WP.11/2016/2 (United Kingdom)

55. After a few standing issues were clarified, the document was adopted as amended (see annex I). In addition, it was suggested to review all the model certificates regarding the date of the test report in accordance with ISO 17025. The representative of the United Kingdom was invited to present a proposal at the next session with the necessary amendments.

### **2. Addition to ATP of provisions allowing for the use of the bodies of refrigerated, mechanically refrigerated, heated or mechanically refrigerated and heated equipment as insulated equipment without conducting separate inspections of such bodies to check compliance with the relevant ATP standards and requirements**

*Document:* ECE/TRANS/WP.11/2016/3 (Russian Federation)

56. Several delegations agreed with the principle that proposal one was already covered by article 4 of ATP. It was perfectly possible, in case of a break down, to continue the journey if the safety of the perishable foodstuffs transported could be ensured. When put to the vote, proposal one was rejected with 5 countries voting against (Denmark, Finland, Netherlands, United Kingdom and United States of America) and 1 country in favour (Russian Federation).

57. There was also agreement on the principle that proposal 2 was already possible within the current provisions of the Agreement even though some delegations did not have any objection to its adoption. Proposal two was rejected with 1 country voting against (Germany) and 3 countries in favour (Finland, Russian Federation and United Kingdom). The Russian Federation was invited to provide a revised proposal for consideration at the next session.

### **3. Addition to annex 1 of ATP of clarification in respect of the margin of error in the overall coefficient of heat transfer of special equipment and inclusion of its calculation in the ATP Handbook**

*Document:* ECE/TRANS/WP.11/2016/4 (Russian Federation)

*Informal document:* INF.7 (Secretariat)

58. The Working Party thanked the Russian Federation for the proposal, recognizing that it was a very complicated subject but perfectly in line with established practice, as ISO 17025 accredited laboratories are using this methodology already. During the introduction of the document, the authors addressed the questions raised by the translators included in informal document INF.7.

59. It was therefore agreed to vote on two separated proposals. First, the proposal in paragraph 4 of the document to amend ATP which was rejected with one country voting against (Germany) and 2 countries in favour (Poland and Russian Federation). Second, on the inclusion in the ATP Handbook of the proposal in paragraph 5, which was adopted (see annex III), with one country voting against (Germany) and 2 countries in favour (Poland and Russian Federation). The Russian Federation was invited to lead a correspondence group with the aim of aligning the methodology with current international standards.

**4. Additions to annex 3 of ATP concerning the temperature conditions to be observed for the carriage of chilled perishable foodstuffs and monitoring of air temperatures during their carriage**

*Document:* ECE/TRANS/WP.11/2016/7 (Russian Federation)

60. Several delegations thanked the Russian Federation for the clearly thought out document. Denmark argued that the purpose of the ATP was to safeguard food safety and not its quality and therefore a minimum temperature for the transport of perishable foodstuff should not be prescribed in the agreement. Some concerns were raised regarding the cost of implementation and enforcement if the amendments were to be adopted mostly for countries that have ATP as national law. In addition, the possibility of discarding food that is safe for human consumption, just because it did not meet quality standards should be taken into account.

61. The voting on proposal 1 was 2 in favour (Italy and Russian Federation) and 7 against (Belgium, Denmark, France, Morocco, Netherlands, United Kingdom and United States of America). Proposal 2 was rejected with 3 in favour (Germany, Morocco and Russian Federation) and 7 against (Belgium, France, Italy, Netherlands, Spain, United Kingdom and United States of America).

62. A suggestion to include proposal one in the ATP Handbook was also rejected with 5 votes against (Belgium, Morocco, Netherlands, United Kingdom and United States of America).

**5. Addition to ATP of provisions setting up a database of ATP certificates issued by the competent authorities of all the Contracting Parties on the official ECE website and calling for the competent authorities of the Contracting Parties on their own websites to publish lists of all ATP certificates issued**

*Document:* ECE/TRANS/WP.11/2016/10 (Russian Federation)

63. Several delegations expressed their support to the proposal and were of the view that a database sharing certificate information would improve checking of compliance by the police and other enforcement bodies. Italy and Morocco said that they were ready to share the link to their national databases if the Working Party requested them to do so. Concerns were raised regarding security (possible increase in the number of fake certificates due to availability of the information) and the time and cost to implement the national databases.

64. Several delegations were of the opinion that the validity of certificates can only be assessed by contacting the competent authority issuing the certificate and therefore the database was not necessary. The Working Party decided that it needed more time to assess the conditions of implementation and the usefulness of the database.

65. The proposal was rejected with 8 in favour (Belgium, Croatia, France, Italy, Morocco, Poland, Russian Federation and Serbia) and 4 against (Germany, Netherlands, United Kingdom and United States of America).

**6. Editorial correction to the Russian translation of ATP**

*Document:* ECE/TRANS/WP.11/2016/11 (Russian Federation)

66. Correction to the Russian version of the ATP was adopted (see annex II).

**7. Testing of refrigeration units with new (drop in) refrigerants**

*Document:* ECE/TRANS/WP.11/2016/18 (France)

67. Several concerns were raised regarding the limited number of refrigerants included in the proposal and the representative of Transfrigoroute International considered that the deviation permitted was too small. It was recognized that urgent action was needed and therefore the Working Party kindly requested the IIR Sub-Commission "CERTÉ" to discuss this issue at their next meeting and submit their expert opinion to the next WP.11 session.

68. When submitted to the vote, the proposal was rejected with 3 in favour (Belgium, France and Italy) and 1 against (Germany).

**VII. ATP Handbook (agenda item 6)****A. Inclusion in the ATP Handbook of comments to article 3 of ATP on definition of the term "perishable foodstuffs"**

*Document:* ECE/TRANS/WP.11/2016/5 (Russian Federation)

69. The Working Party thanked the Russian Federation for the work done but was of the opinion that clarifications/explanations introduced in the ATP Handbook should correspond to provisions contained in the Agreement and therefore was against adopting this proposal. Denmark accepted flexibility on this principle because the Russian Federation had been invited to propose a definition for the term "perishable foodstuffs" to be included in the ATP Handbook. The Russian Federation emphasized that it is necessary to have a definition and expressed its intention to submit a revised proposal for consideration at the next session.

70. The proposal was rejected with 5 in favour (Belgium, France, Italy, Portugal, and Russian Federation) and 3 against (Denmark, Germany and United Kingdom).

**B. Introduction in the ATP Handbook of definitions to determine the inner and outer heat transfer surface areas of rail wagons other than tank wagons**

*Document:* ECE/TRANS/WP.11/2016/6 (Russian Federation)

*Informal document* INF.7 (Secretariat)

71. The proposal contained in paragraph 5 of the document was adopted (see annex III)

**C. Inclusion in the ATP Handbook of comments on article 7 of ATP on the carriage of fresh fruit and vegetables**

*Document:* ECE/TRANS/WP.11/2016/8 (Russian Federation)

72. Some concerns were raised during the discussion of the document, including the placement of the comment in the ATP Handbook and the temperature ranges proposed. The

proposal was therefore rejected with 2 in favour (France and Russian Federation) and 6 against (Germany, Morocco, Netherlands, Poland, United Kingdom and United States of America). The Russian Federation suggested to the Working Party to continue to work on this issue at future sessions.

## **VIII. Scope of ATP (agenda item 7)**

73. There was no discussion under this agenda item.

## **IX. Energy labelling, refrigerants and blowing agents (agenda item 8)**

74. The Working Party was informed that ISO 1496 -2, which is the standard for marine thermal containers was being revised. The revised standard would now accept that the required insulation k values are for new equipment and that ageing of the insulation occurs. The revised standard would now also have energy labelling tests at standard ambient temperature for chilled frozen and banana temperatures. Refrigerant R-513a was being proposed as an alternative for R-134a as it has approximately 50% of the Global Warming Potential (GWP) and should help alleviate the F-Gas production cap. Their physical properties are very similar.

## **X. Programme of work and biennial evaluation (agenda item 9)**

75. The Working Party should discuss this issue at its 2017 session and was reminded that its adopted programme of work for 2016-2017 and biennial evaluation appear in annexes IV, V and VI of ECE/TRANS/WP.11/233.

## **XI. Election of officers (agenda item 10)**

76. The Working Party elected Mr. T. Nobre (Portugal) as Chairman and Mr. E. Devin (France) and Mr. K. de Putter (Netherlands) as Vice-Chairmen for its seventy-third session in 2017. The Working Party thanked the officers and the secretariat for their work.

## **XII. Other business (agenda item 11)**

### **A. Dates of the seventy-third session**

77. The dates of 10-13 October 2017 (Tuesday to Friday) have been reserved for the seventy-third session. The deadline for submission of documents is 18 July 2017.

### **B. 1% allowance in the ATP test reports**

78. Some countries agreed with the principle of including in the test report only the list of accessories/objects that effectively reduced the insulation material or have an impact on the k value. Others were of the opinion that list of all the alterations should be kept, whether they have an impact on the k value or not, just to be able to know the state of the equipment at any given time for enforcement purposes. The Working Party agreed to continue discussion on this topic at a future session.

## C. Tributes

79. The Working Party was informed that Mr. Muñoz (Spain) would be retiring soon and that this would be his last WP.11 session. The Working Party thanked Mr. Muñoz for his long-lasting contribution to the work related to the carriage of perishable foodstuff and wished him a long and happy retirement.

80. The Working Party was also informed that Mr. Schockaert (Belgium) would soon assume new functions and would not therefore participate any longer in the WP.11 sessions. All delegations thanked Mr. Schockaert for his active contribution to the work of WP.11 and wished him the best of luck in his future endeavours.

## D. Miscellaneous

### 1. Response to paragraph 139 of the ITC report (ECE/TRANS/254)

81. The Chairman encouraged the Working Party to consider ways of improving its work and at the same time, optimize the allotted time for the sessions. To this end, several proposals were made:

(a) *To postpone the report adoption to the first day of the following session.* It was pointed out that trying to agree on a report several months after discussions have taken place was very difficult. A member of the secretariat remarked that the report has to be submitted to the ITC during its February session and therefore postponing the adoption of the report for the next WP.11 session would prevent ITC from approving it in due time;

(b) *To shorten the meeting time to 3 days, with the reading of the report in the afternoon of the last day;*

(c) *To increase the number of sessions to 3 per 2 years;*

(d) *To reduce the number of sessions;*

(e) *Earlier submission and availability of documents;*

(f) *Establishment of informal working groups with a specific mandate from the Working Party;*

(g) *To reconsider proposals already made in the past years regarding the unanimity rule and voting procedures.*

82. Overall, it was agreed that a renewed spirit of collaboration was necessary and it was emphasised that delegations should be neutral and not biased towards specific commercial interests. It was also suggested that challenges faced by countries who have adopted ATP as national law should be taken into account without losing sight of the international nature of the agreement. WP.11 was encouraged to continue working on these issues and hopefully find a solution in the near future.

### 2. Secretariat's opinion on whether Contracting Parties to the ATP may enter into bilateral or multilateral agreements to regulate the carriage of fresh fruit and vegetables pursuant to article 7 of ATP

83. The opinion expressed by the secretariat is reproduced in annex IV.



### **XIII. Adoption of the report (agenda item 12)**

84. The WP.11 is expected to adopt the report on its seventy-second session on the basis of a draft prepared by the secretariat.

## Annex I

### Proposed amendments to ATP

**1. Annex 1, appendix 2, Model No. 12 Test report**

Amend the beginning, before “Approved testing station”, to read as follows:

“TEST REPORT

Prepared in conformity with the provisions of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP)

Test Report No.....

Determination of the effective refrigerating capacity of a refrigeration unit in accordance with section 4 of ATP Annex 1, Appendix 2

Date of testing from DD/MM/YYYY to DD/MM/YYYY

Refrigerant charge

Refrigerant fluid: (ISO/ASHRAE designation)<sup>a)</sup>

Nominal mass of refrigerant .....

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<sup>a) If existing</sup>

At the end of existing model, replace “On” by “Date of test report”.

*(Reference document: ECE/TRANS/WP.11/2016/2 as amended)*

## Annex II

### Corrections to ATP

1. In the Russian text, Annex 1, appendix 2, Model No. 2A Test report, formula for the K coefficient for the inside-heating test

$$\text{For } K = \frac{W_1 - W_2}{S \cdot \Delta T} \text{ read } K = \frac{W_1 + W_2}{S \cdot \Delta T}$$

Correction does not apply to the English or French text.

*(Reference document: ECE/TRANS/WP.11/2016/11)*

## Annex III

### Additions to the ATP Handbook

1. Annex 1, appendix 2, sub-section 2.3.2, amend the comments to read as follows:

“Comments to 2.3.2:

1. Examples for the errors which are normally taken into account by the test stations are temperature, heat output, which is generally dependent on the electrical power consumed by the electric heating units (for the method of internal heating) or cold production (for the method of internal cooling) and the surface area of the body.

The relative margin of error for determining the  $K$  coefficient,  $\varepsilon_K$ , can be obtained by the relationship between the absolute margin of error for determining the  $K$  coefficient,  $\Delta K$ , and its calculated (average) value,  $\bar{K}$ . As it is generally very complicated to establish the value for  $\Delta K$ , it is advisable to use probability and mathematical statistic theory methods, determining the value of the confidence interval (of the random error) for  $\bar{K}$ ,  $\Delta_{\bar{K}}$ , with a confidence probability (reliability) greater than 95%. In this case:

$$\varepsilon_K = \frac{\Delta K}{\bar{K}} \cdot 100 \cong \frac{\Delta_{\bar{K}}}{\bar{K}} \cdot 100$$

$$\Delta_{\bar{K}} = \sqrt{\left(\frac{\Delta_{\bar{W}}}{\bar{S} \cdot (\bar{T}_e - \bar{T}_i)}\right)^2 + \left(\frac{\bar{W} \cdot \Delta_{\bar{T}_i}}{\bar{S} \cdot (\bar{T}_e - \bar{T}_i)^2}\right)^2 + \left(\frac{\bar{W} \cdot \Delta_{\bar{T}_e}}{\bar{S} \cdot (\bar{T}_e - \bar{T}_i)^2}\right)^2 + \left(\frac{\bar{W} \cdot \Delta_{\bar{S}}}{\bar{S}^2 \cdot (\bar{T}_e - \bar{T}_i)}\right)^2}$$

where:

$\bar{W}$ ,  $\bar{T}_e$ ,  $\bar{T}_i$ ,  $\bar{S}$  — are sample mean values respectively for the heat output (or cold production), in  $W$ ; the external and internal temperatures of the body, in  $^{\circ}C$ ; and the area of the average surface of the body, in  $m^2$ ;

$\Delta_{\bar{W}}$ ,  $\Delta_{\bar{T}_i}$ ,  $\Delta_{\bar{T}_e}$ ,  $\Delta_{\bar{S}}$  — are the confidence intervals (random errors) respectively for the heat output (or cold production), in  $W$ ; the external and internal temperatures of the body, in  $^{\circ}C$ ; and the area of the average surface of the body, in  $m^2$ .

$$\bar{W} = \frac{\sum_{k=1}^n W_k}{n}$$

$$W_k = \eta_k \cdot Q_k$$

$$\Delta_{\bar{W}} = \sqrt{\left(t_{\alpha, n} \cdot \sqrt{\frac{\sum_{k=1}^n (\bar{W} - W_k)^2}{n \cdot (n-1)}}\right)^2 + (\alpha \cdot \Delta_Q)^2}$$

$$\bar{T}_i = \frac{\sum_{k=1}^n \sum_{i=1}^l T_{i,k}}{n \cdot l}$$

$$\Delta_{\bar{T}_i} = \sqrt{\left(t_{\alpha, (n \cdot l)} \cdot \sqrt{\frac{\sum_{k=1}^n \sum_{i=1}^l (\bar{T}_i - T_{i,k})^2}{(n \cdot l) \cdot (n \cdot l - 1)}}\right)^2 + (\alpha \cdot \Delta_{T_i})^2}$$

$$\bar{T}_e = \frac{\sum_{k=1}^n \sum_{j=1}^m T_{e,j,k}}{n \cdot m}$$

$$\Delta_{\bar{T}_e} = \sqrt{\left( t_{\alpha, (n \cdot m)} \cdot \sqrt{\frac{\sum_{k=1}^n \sum_{j=1}^m (\bar{T}_e - T_{e_{j,k}})^2}{(n \cdot m) \cdot (n \cdot m - 1)}} \right)^2 + (\alpha \cdot \Delta_{T_e})^2}$$

$$\Delta_S = \sqrt{\frac{(\bar{S}_i \cdot \Delta_{\bar{S}_e})^2 + (\bar{S}_e \cdot \Delta_{\bar{S}_i})^2}{4 \cdot \bar{S}_e \cdot \bar{S}_i}}$$

where:

$Q_k, W_k$  — are the measured values respectively of the electrical power consumed from the grid and the heat output (or cold production), when measuring the  $k$ th measurement (overall, for the calculation period, at the end of the steady state period,  $n$  measurements taken), in W;

$\eta_k$  — is the coefficient of efficiency of electrical heating devices, taking into account losses in wiring (for the method of internal heating) or of heat exchangers (for the method of internal cooling), when measuring the  $k$ th measurement, expressed as a fraction;

$T_{i,k}, T_{e_{j,k}}$  — are the temperatures measured at the  $k$ th measurement, respectively using the  $i$ -instrument inside the body of the special equipment under test (in all, with one measurement, simultaneously taken by  $l$  uniformly precise thermometers) and by instrument  $j$  on the outside of the body of the special equipment under test (in all, with one measurement, simultaneously taken by  $m$  uniformly precise thermometers), in °C;

$\Delta_{T_i}, \Delta_{T_e}, \Delta_Q$  — are the instrument margins of error for the measurement of temperatures respectively inside and outside the body of the special equipment under test, in K, and the electrical power consumed from the grid, in W;

$t_{\alpha, n}, t_{\alpha, (n \cdot l)}, t_{\alpha, (n \cdot m)}$  — are the values of the Student's  $t$ -coefficient for a given confidence level  $\alpha$  ( $\alpha \geq 0.95$ ) and the corresponding quantity of measurements taken of physical magnitudes;

$\bar{S}_i, \bar{S}_e$  — are the sample mean areas respectively of the inner and outer surfaces of the body of the special equipment under test (disregarding corrugation), in  $m^2$ ;

$\Delta_{\bar{S}_i}, \Delta_{\bar{S}_e}$  — are the confidence intervals (random errors) of the area of the body surface respectively of the inner and outer surfaces of the special equipment under test, in  $m^2$ .

Using the method of internal heating,  $\eta_k$  can be calculated based on the assumption that the electrical power in the electric heating units is transformed into heat with practically no loss. In such a case the only loss will be in the wiring, calculated as follows:

$$\eta_k = 1 - \frac{2 \cdot Q_k \cdot L_{line} \cdot \rho}{U^2 \cdot S}$$

where:

$Q_k$  — is the value of the electric power consumed from the grid measured at the  $k$ th measurement, in W;

$L_{line}$  — is the length of the power cable from the meter to the location of the corresponding device, in m;

$\rho$  — is the resistivity of the wire in the power cable, in  $\text{ohm} \cdot \text{mm}^2/\text{m}$ ;

$U$  — is the rated electric tension in the grid, in V;

$s$  — is the cross-sectional area of the wire in the power cable, in  $\text{mm}^2$ .

When using the method of internal cooling, the calculation of  $\eta_k$  must take into account the specific means of cooling employed and the equipment used.

Instrument margins of error may be indicated by the manufacturer of the measurement equipment as absolute values, in which case they shall be used directly in the calculation formulae or as an accuracy class. In the latter case, the margin of error may be standardized in relation to the result of the measurement:

$$\Delta_x = \frac{\delta}{100} \cdot x$$

or may be expressed thus:

$$\Delta_x = \frac{\delta}{100} \cdot X$$

where:

$\delta$  — is the value of the accuracy class indicated by the manufacturer of the measurement instrument, in %;

$x$  — is the value of the measured physical phenomenon. If it is determined in a series of measurements as an average of the results, it is advisable to use the maximum value in the series of measurements for the calculated value of  $x$ ;

$X$  — is the maximum admissible value for the measured physical phenomenon  $x$  in a given operating range of the measurement instrument.

2. Under normal test conditions,  $\bar{S}_i$  and  $\bar{S}_e$  can be measured with a high degree of accuracy. Generally, the following method may be used to determine the margins of error of  $\bar{S}_i$  and  $\bar{S}_e$ , which are used to determine the average surface area of the body,  $\bar{S}$ .

If  $\bar{S}_i$  and  $\bar{S}_e$  are presented as functions of a series of repeated measurements,  $\bar{p}_i$  and  $\bar{p}_e$ , (for example, the length, width and height measured at various places in the body of the special equipment):

$$\bar{S}_i = f_1(\bar{p}_{i_1}, \bar{p}_{i_2}, \dots, \bar{p}_{i_Y})$$

$$\bar{S}_e = f_2(\bar{p}_{e_1}, \bar{p}_{e_2}, \dots, \bar{p}_{e_Z})$$

then:

$$\Delta_{\bar{S}_i} = \sqrt{\sum_{y=1}^Y \left( \Delta_{\bar{p}_{i_y}} \cdot \frac{\partial f_1}{\partial \bar{p}_{i_y}} \right)^2}$$

$$\Delta_{\bar{S}_e} = \sqrt{\sum_{z=1}^Z \left( \Delta_{\bar{p}_{e_z}} \cdot \frac{\partial f_2}{\partial \bar{p}_{e_z}} \right)^2}$$

where:

$\frac{\partial f_1}{\partial \bar{p}_{i_y}}, \frac{\partial f_2}{\partial \bar{p}_{e_z}}$  — are respectively the partial derivatives for the functions to calculate  $\bar{S}_i$  and  $\bar{S}_e$ ;

$\Delta_{\bar{p}_{i_y}}, \Delta_{\bar{p}_{e_z}}$  — are respectively the confidence intervals for the parameters  $\bar{p}_{i_y}$  and  $\bar{p}_{e_z}$ .

$$\bar{p}_{i_y} = \frac{\sum_{v=1}^V p_{i_y v}}{V}$$

$$\Delta_{\overline{p_{i_y}}} = \sqrt{\left( t_{\alpha, V} \cdot \sqrt{\frac{\sum_{v=1}^V (\overline{p_{i_y}} - p_{i_y, v})^2}{V \cdot (V - 1)}} \right)^2 + (\alpha \cdot \Delta_{p_{i_y}})^2}$$

where:

$V$  — is the quantity of measurements carried out to determine the average value of parameter  $p_{i_y}$ ;

$p_{i_y, v}$  — is the measured value of parameter  $p_{i_y}$  at the  $v$ th measurement;

$t_{\alpha, V}$  — is the value of the Student's  $t$ -coefficient for a given confidence level  $\alpha$  ( $\alpha \geq 0.95$ ) and the corresponding quantity of measurements of parameter  $p_{i_y}$ ,  $V$ ;

$\Delta_{p_{i_y}}$  — is the instrument margin of error for the parameter  $p_{i_y}$ ;

$\overline{p_{e_z}}$  and  $\Delta_{\overline{p_{e_z}}}$  are determined in the same way as  $\overline{p_{i_y}}$  and  $\Delta_{\overline{p_{i_y}}}$ .

The values of parameters  $\overline{p_{i_y}}$  and  $\overline{p_{e_z}}$  can be taken as given (in the technical documentation of the special equipment). In this case:

$$\Delta_{\overline{p_{i_y}}} = \alpha \cdot d_{p_{i_y}}$$

$$\Delta_{\overline{p_{e_z}}} = \alpha \cdot d_{p_{e_z}}$$

where:

$d_{p_{i_y}}, d_{p_{e_z}}$  — are the unit in the highest digit position of the parameter in question, divided by two;

3. Other errors which have not been taken into consideration can have an effect on the exact value of the  $K$  coefficient. These errors are as follows:

(a) Latent errors due to admissible variations in the internal and external temperatures, which are a function of the thermal inertia of the walls of the equipment, the temperature and time;

(b) Errors due to the variation of air velocity at the boundary layer and its effect on the thermal resistance.

If the internal and external air velocities are of equal value, the possible error will be about 2.5% as between 1 to 2 m/s for a mean  $K$  coefficient of 0.40 W/m<sup>2</sup>.K. For a  $K$  coefficient of 0.70 W/m<sup>2</sup>.K, this error will be nearly 5%. If there are significant thermal bridges, the influence of the speed and direction of the air will be greater.”.

(Reference document: ECE/TRANS/WP.11/2016/4 as amended by informal document INF.7)

2. Annex 1, appendix 2, sub-section 1.2, add the following comment at the end of existing comments:

“The above methods shall also apply for calculating the mean surface area of the body of railway wagons other than tank wagons, including those with a rounded roof. In this case the calculations according to the schemes and formulae given below shall be used:

$$S_i = LI \cdot WI + 2 \cdot (LI + WI) \cdot Wi + LI \cdot \frac{PI}{2} + \pi \cdot \frac{WI}{2} \cdot (HI - Wi)$$

$$S_e = LE \cdot WE + 2 \cdot (LE + WE) \cdot We + LE \cdot \frac{PE}{2} + \pi \cdot \frac{WE}{2} \cdot (HE - We)$$

$$PI = 4 \cdot \left( \left( \frac{WI}{2} \right)^x + (HI - Wi)^x \right)^{\frac{1}{x}}$$

$$PE = 4 \cdot \left( \left( \frac{WE}{2} \right)^x + (HE - We)^x \right)^{\frac{1}{x}}$$

$$x = \frac{\ln 2}{\ln \frac{\pi}{2}}$$

Where:

HI is the weighted mean inner height of the body on a central axis X, in m;

$\frac{PI}{2}$  is the length of the inner arc of the rounded roof, in m;

HE is the mean outer height of the body on a central axis, in m;

$\frac{PE}{2}$  is the length of the outer arc of the rounded roof, in m;

$\pi \approx 3.14159$ , is the number Pi.

The maximum relative error in determining PI and PE in this way shall not exceed 0.3619% (the error is always positive)”).

7. Insert the following drawing in the ATP Handbook:

“Figure 6: Estimated values for a body with a rounded roof



(Reference document: ECE/TRANS/WP.11/2016/6 as amended by informal document INF.7)



## Annex IV

### **Secretariat's opinion on whether Contracting Parties to the ATP may enter into bilateral or multilateral agreements to regulate the carriage of fresh fruit and vegetables pursuant to article 7 of ATP**

1. In its afternoon meeting of 5 October, 2016, the Working Party requested the secretariat to express its opinion on whether Contracting Parties to ATP may enter into bilateral or multilateral agreements to regulate the carriage of fresh fruit and vegetables pursuant to article 7 of ATP. The opinion of the secretariat is the following:

2. The ATP does not precisely define what is meant by the term "perishable foodstuffs".

3. Article 3 simply states that quick (deep)-frozen and frozen foodstuffs, as well as foodstuffs that are neither quick (deep)-frozen nor frozen, referred to in annex 3 are subject to the requirements of article 4.

4. The Secretariat notes that there is no consensus among the Contracting Parties on the issue of inclusion of fresh fruit and vegetables in annex 3, some Contracting Parties considering that their carriage should be subject to the conditions of ATP, others considering that these foodstuffs present no risk to public health and it is therefore not necessary to impose temperature control requirements for their carriage. As changes to ATP require the consensus of the Contracting Parties, it does not seem obvious to the secretariat that these differences of opinion could be easily resolved in the near future through amendments to annex 3.

5. The Secretariat also notes that, according to the preamble of ATP, the Contracting Parties are desirous to improve the conditions of preservation of the quality of perishable foodstuffs during their carriage, particularly in international trade, and considers that the improvement of those conditions is likely to promote the expansion of trade in perishable foodstuffs. It therefore appears that the spirit of the Agreement is not confined to considerations of public health, but it concerns more generally the quality of perishable foodstuffs in a wider commercial framework.

6. The exposure of perishable foodstuffs, including fruit and vegetables, to high or low temperatures during carriage, or even just to large temperature fluctuations during carriage, is likely to significantly alter the quality of the foodstuffs and therefore their commercial value. The secretariat believes that the desire of some Contracting Parties to use ATP to ensure the preservation of the quality of fresh fruit and vegetables may be considered legitimate in view of the spirit of the agreement, even if other Contracting Parties are opposed to it for reasons that are also substantiated. It might be advisable to consider a compromise by introducing for example in annex 3 a list of foodstuffs that could be regulated optionally and by introducing provisions specifying what conditions would apply in international carriage in case a Contracting party would like to apply this optional list.

7. Meanwhile, to respond specifically to the question of the Working Party, the Secretariat believes that the Contracting Parties may make use of article 7 to regulate the carriage of such perishable foodstuffs. In fact, since fresh fruit and vegetables are not specified in Annex 3, no temperature-control conditions are imposed by the ATP for their carriage and laying down conditions for their carriage in special agreements would make transport conditions more stringent, justifying the use of article 7.

8. Furthermore, article 7 does not state that these bilateral or multilateral agreements should apply only to foodstuffs referred to in article 3. The use of the term "certain foodstuffs" without further detail may be interpreted as covering all foodstuffs for which some Contracting Parties would desire to improve the conditions of preservation of quality during carriage, as per the preamble of the agreement. If desired only by certain Contracting Parties, it seems logical that these Contracting Parties should conclude multilateral or bilateral agreements to solve the issue for international carriage between them.

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