

**Economic Commission for Europe**

Inland Transport Committee

**3 October 2018**

English

**Working Party on the Transport of Perishable Foodstuffs****Seventy-fourth session**

Geneva, 8-12 October 2018

Item 6(b) of the provisional agenda

**Proposals of amendments to ATP:****New proposals**

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**Report of the informal working group on improvements to the approval system of ATP equipment and thermal units****Transmitted by the Netherlands on behalf of the informal working group****Introduction**

1. The informal working group met on 26 and 27 September in Delft, the Netherlands on a mandate from the WP.11. Representatives of 4 contracting parties and Transfrigoroute International attended the meeting.
2. The purpose of this first meeting was to have an open discussion on the process of approving ATP equipment and identifying issues that present problems and provisions that could be improved. It was stated that mutual recognition of type approvals certificates was not evident in all contracting parties. Additional information would be required and supervision of the production of the manufacturer repeated. It was also expressed that the competent authority where the carrier is established bears the responsibility for the equipment and therefore have the right to check that equipment was produced correctly in accordance with the provisions of the ATP. It was felt that when a system could be developed, that would be more transparent, competent authorities of countries where the carrier was established could issue ATP certificates of compliance with more confidence and less repetitive checks.
3. It was explained that the system for approving equipment prescribed in paragraph 1 of Annex 1, appendix 1 was based on the competent authority of the country of manufacture. Combining this with paragraph 6, where a test report is to be regarded as a Type Approval Certificate it seems that the competent authority of the country of manufacture is responsible for the type approval and the supervision of the production. Also the initial ATP certificate of compliance to be issued by the country of manufacture could be seen as a control measure (i.e. for the numbers produced). Although serial production and checking by sampling was part of the original ATP of 1970, the details concerning the role of the national authority were introduced at a later stage. It was thought to be introduced to prevent expensive re-testing in each contracting party that could have been possible on the wording of the original ATP of 1970.

### **Transparency of the approval process.**

4. In order to develop a more transparent system it was felt that it would be advantageous if more information would be available how the system of testing, approving and the issuing a ATP certificates of compliance worked in the various contracting parties. In Annex 1 to this report two flow charts are given that give detailed steps in the approval of equipment with the question who is responsible for that step.

*Suggestion 1: The WP.11 is kindly requested to summon all contracting parties to supply the required information if possible before the end of November 2018.*

### **Appointment of testing stations.**

5. It was felt that the list of testing stations as given in the list on the UNECE website was not clear in view what the capabilities were. It was felt that there was confusion between laboratories performing tests in a climate chamber and the testing bodies that were more checking functioning of equipment. It was also recognized that at several occasions it was proposed to make accreditation mandatory and then in particular for the laboratories. It was also recalled that accreditation was not always possible (i.e. governmental laboratories) or too expensive. It was noticed that for ADR a new system to appoint inspection bodies, performing tests on tanks, where as an alternative to accreditation, also a national appointment system could exist. The equivalence of this national system in comparison with ISO 170xy should then be demonstrated before use by an informal working group working in parallel to the UNECE meeting. It could also be envisaged that this informal working group could check the laboratories that would be on the list of the UNECE with the particular capabilities of these laboratories. This could then be made available on the UN website or a special document. An example may also be found in the document on the following address from page 45 on: <https://www.unece.org/fileadmin/DAM/trans/main/wp29/wp29regs/2018/ECE-TRANS-WP.29-343-Rev.26.docx> . For each vehicle regulation the technical services performing type approval test are given. In Annex 2 to this report an example is given for the ATP –laboratory- test stations.

*Suggestion 2: It would be helpful to develop two definitions one for testing stations performing laboratory tests and one for testing station performing the other checks of equipment.*

*Suggestion 3: More detailed provisions should be developed to appoint testing stations in order to guarantee an equal level of competence .*

*Suggestion 4: A new overview of testing stations should be developed clearly indicating the capabilities. It should be considered if this overview should be periodically reviewed.*

### **Issue of type approvals.**

6. In paragraph 6 (a) of Annex 1, Appendix 1 it is stated that a test report shall be regarded as a type approval certificate. In other UNECE regulations the issue of a test report is the function of a testing- or inspection body while the issue of a type approval is exclusive to the competent authority of a contracting party. As a consequence supervision of the production is the responsibility of the competent authority. It was mentioned that in some contracting states type approvals were issued based on test reports by testing stations in other contracting parties, and that this is done for legal reasons by the competent authority of the country in which the carrier is established. It was felt that this statement would be incorrect in the ATP and would remove the right to control by the competent authority.

*Suggestion 5: Develop wording to clarify that the issue of a type approval certificate is the responsibility of the competent authority.*

*Suggestion 6: Develop wording to make the supervision of serial production the responsibility of the competent authority that issues a type approval certificate.*

**Information needs for test stations (laboratory) performing tests and competent authorities issuing ATP certificates of compliance.**

7. It was discussed that the information required by a laboratory would exceed that for a type test report. The set of information to be delivered is needed to comply with the requirement of ISO 17025, to be able to repeat the test to proof the results if necessary. It was also said that this extensive set of information contained confidential information about design solutions by the manufacturer that should not be made public. It was also felt that the required information differed from one laboratory to another.

8. The test report (and as a consequence the type approval certificate) should only contain the information needed to check that the provisions of ATP are met, the information required to fill-in the ATP certificate of compliance and identification of the equipment or appliance.

*Suggestion 7: Ask the IIR/IIF CERTE meeting to develop an overview of information required for a laboratory test for the different tests in Annex 1 Appendix 2 of the ATP.*

*Suggestion 8: development of a harmonized set of information for the test reports to prevent delays in the approval of equipment in the contracting parties.*

**Supervision of manufacturer.**

9. It was found that while paragraph 6 (b) of Annex 1, Appendix 1, contained the basic requirements for supervision of production but that the practice varied between contracting parties. This situation in application could lead to repeated checks by the various contracting parties for the same type of product, resulting in additional costs and delay in approval of equipment. It was recalled that France forwarded documents presenting their inspection schemes for manufacturers, although these were found to be too detailed.

Better wording for paragraph 6 (b) could be found within UNECE treaties such as “Schedule 2” of the 1958 Agreement (WP.29).

*Suggestion 9: Develop more appropriate wording for paragraph 6 (b) of Annex 1, Appendix 1.*

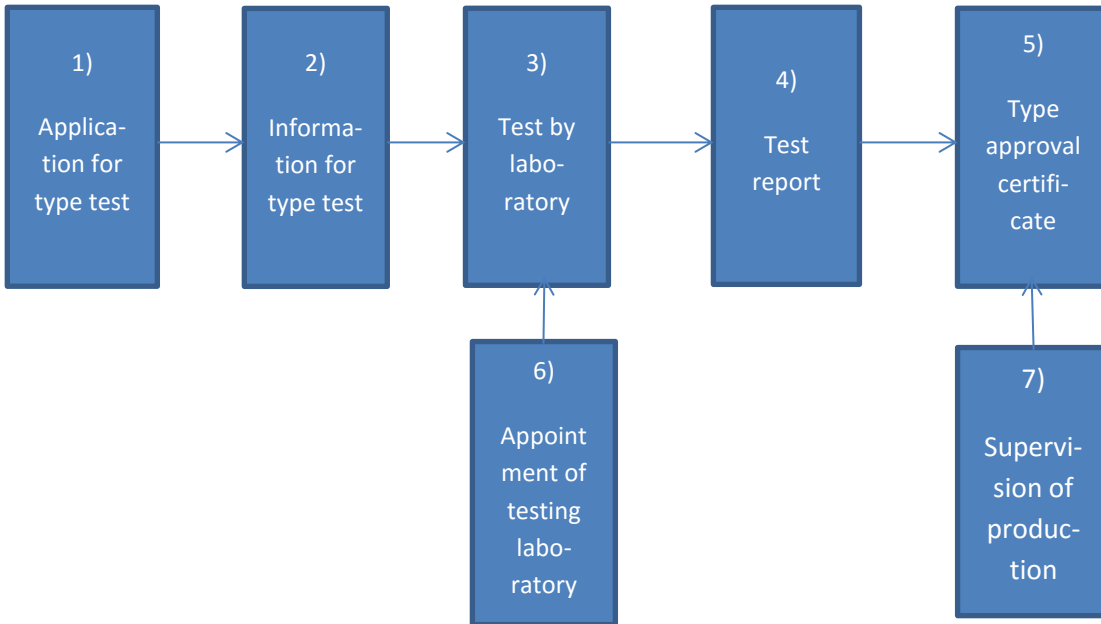
*Suggestion 10: Develop a guideline to harmonize the aspects to be considered during an audit of a manufacturer and the report of an audit to prevent repetition by other contracting parties.*

10. The WP.11 is requested to endorse the suggestions made by the informal working group and extend the mandate given to continue its work. November 26 and 27 were reserved for a future session to be held in Brussels

## Annex 1

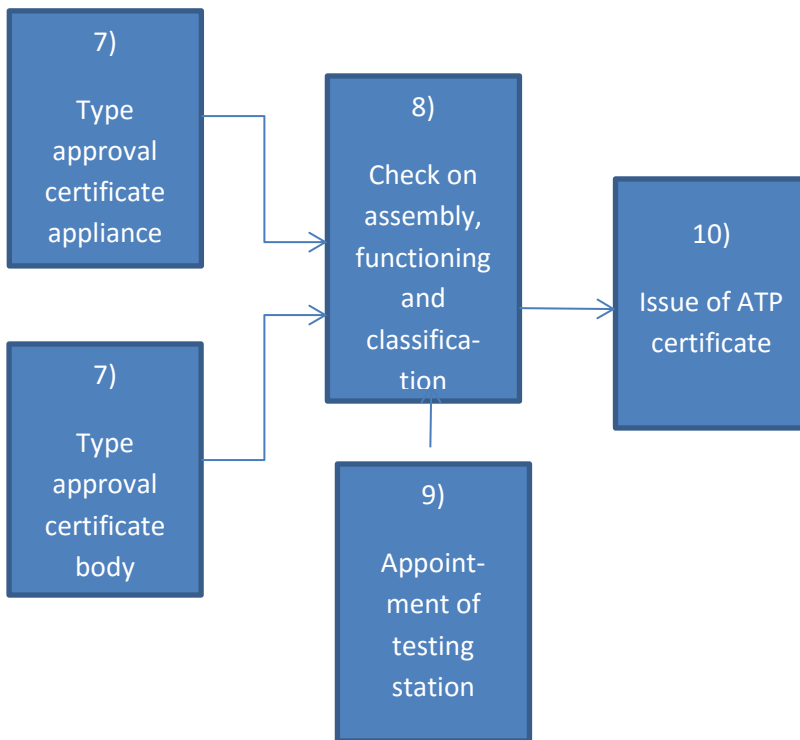
In this annex two flow charts are given presenting the steps to be taken for approval. To help the development of improved system for approval of equipment the contracting parties are requested to give information on who is responsible and some additional questions.

Type approval of insulated bodies and thermal appliances



- 1) Application for type test (approval) done by: .....(i.e. manufacturer, legal representative, carrier)
- 2) Information for type test done by : .....
- 3) Test done by : .....(i.e. national laboratory - appointment laboratory in other country)
- 4) Issue of test report: .....
- 5) Issue of type approval certificate done by :.....(competent authority, laboratory etc.)
  - 5 a) Is the type approval certificate of the original country used to issue a national one? Yes/no
- 6) Checking competence of test laboratory done by :.....
  - 6 a) Is accreditation mandatory for appointment : Yes/no
  - 6 b) Who is appointing the test laboratory : .....

### Checking individual equipment



- 7) Who has to supply the Type approval certificate: .....(i.e. carrier, manufacturer, legal representative man).
- 8) Who is appointed for the entry into service check?
- 8a) is every unit checked or samples of type approved products
- 8b) are additional physical checks required.
- 9) Who appoints testing stations?
- 9a) how is competence checked? : ..... (accreditation/national appointment system,other)
- 10) Who issues the ATP certificate?:.....(a governmental body /agency, private party).

■ **Annex 2**

**Example of an overview of testing station and the competences**

Testing station (name and address)	K-Value test	Mech refrigerating unit	Multi temp unit	Liquefied gas unit	Heating unit	Efficiency test/inspection body (periodical)	
The example laboratory, invented street 99, Somewhere, Far-away	X	x		X			