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INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Perishable Foodstuffs

**REPORT OF THE WORKING PARTY ON ITS FIFTY-NINTH SESSION
(27-31 October 2003)**

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ATTENDANCE

1. The Working Party on the Transport of Perishable Foodstuffs held its fifty-ninth session from 27 to 31 October 2003 with Mr. M. Eilsoe (Denmark) as Chairman. The following member States of the United Nations Economic Commission for Europe were represented: Belarus; Czech Republic; Denmark; Finland; France; Germany; Greece; Hungary; Ireland; Italy; Latvia; Netherlands; Norway; Poland; Portugal; Russian Federation; Slovakia; Spain; Sweden; United Kingdom of Great Britain and Northern Ireland; United States of America. The following non-governmental organizations also took part in the meeting: Liaison Committee of Coachwork and Trailer Builders (CLCCR); Transfrigoroute International (TI).

ADOPTION OF THE AGENDA

2. The provisional agenda (TRANS/WP.11/207 and TRANS/WP.11/2003/5) was adopted.

ACTIVITIES OF ECE BODIES OF INTEREST TO THE WORKING PARTY

(a) Inland Transport Committee

Document: ECE/TRANS/152, paras. 127 and 128

3. The Working Party was informed that the Inland Transport Committee had approved the report of the Working Party on its fifty-eighth session.

4. It was also informed that the Committee had decided to declare the week of 5 to 11 April 2004 "Fourth Road Safety Week"; during that week campaigns would be organized in the member States of UN/ECE aimed at making drivers of motor vehicles aware of the vital importance of adopting a calm behaviour behind the wheel and being polite and respectful of others (resolution No. 251) (ECE/TRANS/152, annex 1).

(b) Working Party on Standardization of Perishable Produce and Quality Development (WP.7)

5. The Working Party was informed about the work carried out within the Working Party on Standardization of Perishable Produce and Quality Development (TRADE/WP.7) which at its last session discussed UN/ECE standards for ovine carcasses and cuts, bovine carcasses and cuts, porcine carcasses and cuts, and the draft UN/ECE standard for carcasses and parts of chicken (*gallus domesticus*) (TRADE/WP.7/GE.11/2003/12).

6. With reference to carcasses and parts of chicken, the use of dry ice in a receptacle for refrigerated products was discussed at length (risk of lowering the temperature of the product below the permitted temperature).

7. The standards drafted by the Working Group concerning meat were available at the Internet address: <http://www.unece.org/trade/agr/standard/meat/meat.htm> and those concerning fresh fruit and vegetables at the address: http://www.unece.org/trade/agr/standard/fresh/fresh_e.htm.

ACTIVITIES OF THE OTHER INTERNATIONAL ORGANIZATIONS DEALING WITH PROBLEMS OF INTEREST TO THE WORKING PARTY**(a) International Institute of Refrigeration (IIR)**

8. The Working Party was informed about the discussions at the meeting of the D2 Sub-Commission on testing stations which had taken place in Vienna (Austria) from 15 to 16 May 2003.

9. The next session of the D2 Sub-Commission would be held in Estonia.

10. The Working Party was informed about the holding of the 21st IIR Congress held in Washington from 17 to 22 August 2003.

(b) Transfrigoroute International

11. The representative of Transfrigoroute International informed the Working Party about recent activities in his organization and about the latest Transfrigoroute International Congress, held in Paris in September 2003.

12. He drew the Working Party's attention to the document submitted by Transfrigoroute International concerning the length of articulated vehicles which were ATP-certified or which could be ATP-certified (TRANS/WP.11/2003/3).

13. This document recommended the tolerance - for ATP-certified vehicles - of an increase in the maximum length of such vehicles from 16.50 m to 16.70 m and in the maximum distance between the kingpin axis and the rearmost point of the trailer from 12.00 m to 12.20 m, as well as the setting of a maximum trailer interior length of 13.59 m.

14. Following an exchange of views on this matter, the Working Party decided that it did not come within its competence.

IMPLEMENTATION OF THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)**(a) Information on the status of application of the Agreement**

15. To date the following States have become Parties to the Agreement: Austria; Azerbaijan; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Georgia; Germany; Greece; Hungary; Ireland; Italy; Kazakhstan; Latvia; Lithuania; Luxembourg; Monaco; Morocco; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Serbia and Montenegro; Slovakia; Slovenia; Spain; Sweden; The former Yugoslav Republic of Macedonia; United Kingdom; United States of America; Uzbekistan.

16. Switzerland has signed the Agreement but has not yet ratified it.

17. Latvia became a Party to ATP on 6 February 2003.

(b) Testing stations officially designated by the competent authorities of countries Parties to ATP and whose test reports might be used for the issue of ATP certificates

Documents: TRANS/WP.11/2003/1
TRANS/WP.11/2003/2

18. The Working Party was informed of the addresses of two new testing stations in Greece (TRANS/WP.11/2003/1) and of two new testing stations in Italy (Cagliari and Settimo Torinese).

19. The Working Party took note of document TRANS/WP.11/2003/2 and invited the delegations of Contracting Parties to transmit additional information concerning the competent authorities issuing certificates of compliance, officially recognized testing stations and addresses of bodies to contact in the event of problems, with a view to updating this document.

(c) Exchange of information among Parties under article 6 of ATP

20. The Working Party took note of the information submitted by Poland concerning inspections of ATP vehicles between January and June 2003 by the national road inspection agency (of 473 vehicles inspected, 23 were in breach of ATP, 15 of them registered in Poland).

21. It decided to keep this issue on the agenda and invited the competent authorities to send the secretariat their replies to the questionnaire (see annex 1 to the report) by 1 May 2004.

AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP) WHICH HAVE ENTERED INTO FORCE

22. The draft amendments to annex 1, appendices 2 and 4, and to annex 3 to ATP, adopted by the Working Party at its last session (TRANS/WP.11/206, paras. 36 and 48 and annexes 2 and 3) were circulated by the depositary (see C.N.228.2003.TREATIES-2).

23. The draft amendments to annex 1, appendix 1, adopted by the Working Party at its fifty-seventh session (TRANS/WP.11/204, paras. 26 and 27 and annex 2) were deemed to have been accepted and would enter into force on 7 November 2003 (see C.N.363.2003.TREATIES-4).

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

(a) Articles 3 and 5 of ATP

Document: TRANS/WP.11/2003/4

24. The representative of Spain introduced his proposal as contained in document TRANS/WP.11/2003/4 to extend the application of ATP to carriage by sea in order to avoid the anomalies observed in the carriage by sea of perishable foodstuffs in containers or swap bodies.

25. He stressed that only ISO 1496-2 containers (thermal containers) were required to be subject to the technical conditions set out in annex 1, appendix 1, new paragraph 7 (this would be a consequential amendment).

26. Several speakers who were not in favour of this proposal recalled that the cost of implementing it would be exorbitant and that no study had been submitted to justify such changes.

27. It was also recalled that when ATP was drafted, its extension to maritime containers had been unanimously ruled out (TRANS/348-TRANS/WP.11/174, paras. 13 and 18, report of the twenty-fifth session of the Working Party, 24 April 1969; see also TRANS/415/Add.1-TRANS/WP.11/149/Add.1).

28. The representative of Spain said that he would study the matter and report to the Working Party at its next session.

(b) Article 18 of ATP

29. The Working Party deplored the fact that it had not been possible for the proposed amendment of paragraphs 4 and 5 of article 18, requiring not less than three objections for a rejection of an amendment to the technical annexes to the Agreement - the unanimity rule being maintained for the articles of the Agreement itself - to enter into force.

30. A representative of the secretariat informed the Working Party of the explanation which had been furnished to him by the competent authority in Germany.

31. The representative of Germany explained that since ATP was part of domestic legislation in Germany, any amendment of the Agreement must first be accepted by the Bundesrat and the Bundestag. This was the reason why Germany wished to keep the unanimity rule.

(c) Annex 1, appendix 2 to ATP

Paragraph 29 (c)

Documents: TRANS/WP.11/2002/9, INF.2

32. The representative of Spain said that the ambiguity concerning the period of periodic inspections must be clarified, bearing in mind that the visual inspections by the expert appointed by the competent authority were not the deciding factor, e.g. in determining the objective evolution of insulation ageing in a vehicle with several years of service.

33. This idea was supported by the representatives of France and Italy.

34. Some representatives considered that the state of the equipment depended on how it had been maintained.

35. It was decided that the informal document submitted by Spain (INF.2), amended in collaboration with the representative of France, would be considered at the next session as an official document.

Paragraphs 49 (b) and 54

Document: TRANS/WP.11/2003/6

36. The representative of Germany would redraft the parts of his proposal relating to paragraph 49 (b) and would discuss them with the D2 Sub-Commission of IIR before submitting them to the Working Party.

37. The part of the proposal concerning annex 1, appendix 2, paragraph 54, was adopted (see annex 2).

Class G

Documents: TRANS/WP.11/2002/17, INF.8

38. Several arguments were put forward in favour of introducing a new class G of -28° C into ATP: the existence of a demand for the carriage of deep-frozen foodstuffs at temperatures below -20° C, the low additional cost (approximately 1.5%, if energy consumption was also taken into account), an improved cold chain and a longer life for the products, more suited to carriage over long distances.

39. Several speakers, including Transfrigoroute International, considered that it was unnecessary at the present stage to introduce a new class G into ATP.

(d) Annex 2, appendices 1 and 2 to ATP

40. The Working Party asked the representative of the United Kingdom to submit a proposal concerning the passages of ATP where reference could be made to the standards EN 13485:2001 (*Thermometers for measuring the air and product temperature for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream*) and EN 13486:2001 (*Thermometer recorders and thermometers for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream*).

41. The Working Party decided to keep this matter on the agenda.

PROCEDURES FOR THE APPROVAL OF MULTI-COMPARTMENT MULTI-TEMPERATURE VEHICLES

Document: TRANS/WP.11/2003/18

42. The Working Party was informed that an informal drafting group had met in Paris in September 2003 to consider test procedures for multi-temperature refrigeration units.

43. The results of the work of this informal group would be discussed at the forthcoming session of the D2 Sub-Commission of IIR and subsequently submitted to the Working Party.

44. The representative of CLCCR said that he would like to take part in this activity, particularly with reference to multi-compartment vehicles.

REVISION OF ANNEX 1 TO ATP

Documents: TRANS/WP.11/2003/9
TRANS/WP.11/2002/12

45. The Working Party adopted the new version of revised annex 1 (TRANS/WP.11/2003/9) with some drafting amendments (see annex 3).

46. The secretariat was invited to submit this text to the depositary.

ATP HANDBOOK

Documents: TRANS/WP.11/2002/11
TRANS/WP.11/2003/11

47. The Working Party adopted the draft ATP Handbook with some amendments (see annex 3).

48. Opinions were divided regarding the comment in paragraph 26 of annex 1, appendix 2, and it was decided to delete this comment although it might mean coming back to it with a subsequent proposal.

FACILITATION OF TRANSPORT OF PERISHABLE FOODSTUFFS

49. The Working Party was informed that the Administrative Committee of the International Convention on the Harmonization of Frontier Controls of Goods was scheduled to adopt the draft annex for the facilitation of transport of perishable foodstuffs at its next session (February 2004).

SCOPE OF ATP

Document: TRANS/WP.11/2000/12

50. The representative of the Russian Federation recalled the need for an annex for the carriage of fresh fruit and vegetables since in the Russian Federation the refrigerated carriage of such products took place over long distances which could be as much as 4 to 5,000 km with considerable external temperature variations.

51. She said that she was available to discuss the list of products to be included in this annex to ATP and possible temperature regimes proposed by other delegations.

52. The representatives of Spain and Transfrigoroute International were also in favour of extending ATP to the carriage of fresh fruit and vegetables.

53. The representatives of the Russian Federation and Spain announced the preparation for the next session of a proposed new annex to ATP for fruit and vegetables.

54. The Working Party kept this item on the agenda for its next session.

KIT BODIES

Document: TRANS/WP.11/2003/7

55. The Working Party considered a proposal by CLCCR (TRANS/WP.11/2003/7) which defined the concepts currently used (*kit body, body, manufacturer, assembler*) and specified the obligations of the manufacturer and the assembler as well as the procedures to be followed for issuing a certificate of compliance for the approval of kit bodies.

56. The proposal also indicated the documentation which must be furnished to the competent authority in the country of registration.

57. CLCCR would submit a new proposal which would take into account the comments and observations made by delegations.

58. The Working Party invited delegations to study the proposed procedure carefully so that a final decision could be adopted at the next session.

REFRIGERANTS AND BLOWING AGENTS

Informal document: INF.4

59. The Working Party was informed of the replacement of R12 in the Russian Federation by a mixture of the refrigerants R22, R142b and R21 with organic modifiers which would improve the exchange properties of the refrigerant and reduce the greenhouse effect. The new mixture was also used in Ukraine and in the air-conditioning system of trains in Belarus.

60. The Working Party was also informed of the existence of new regulations on refrigerants in Switzerland.

61. The Working Party kept this item on the agenda for the next session in order to obtain information from delegations on the subject.

PROCESSES OF INTEGRATION IN EUROPE AND THEIR POSSIBLE EFFECT ON THE APPLICATION OF ATP AMONG PARTIES TO THE AGREEMENT

62. The Working Party was informed that certain Community Directives concerning foodstuffs would be replaced by the Regulations on hygiene and products of animal origin.

63. This matter was kept on the agenda for the next session as the item: "Compatibility between ATP and Community legislation".

OTHER BUSINESS

ATP Seminar in Minsk (Belarus)

64. A representative of the secretariat informed the Working Party that the Government of Belarus was intending to prepare an ATP seminar in Minsk and had requested assistance for the purpose from the secretariat and the Working Party.

65. The representative of Belarus said that the objective of the seminar was a better implementation of the technical requirements of ATP.
66. He said that Belarus would provide the venue and the interpretation services.
67. The representative of Germany announced that he was prepared to cooperate with Belarus in holding the seminar.
68. The Chairman of the Working Party asked the representative of Belarus to circulate an invitation to the members of the Working Party so that those who were able could participate in the seminar.

Insulation kits

Document: TRANS/WP.11/2003/8

69. The representative of CLCCR introduced her proposal on ATP insulation kits with a description of the procedures to enable the use of an ATP Type Test Certificate for such kits.
70. She said that these procedures permitted the definition of the entities involved and the allocation of responsibilities for the various stages of manufacture.
71. The Working Party decided to come back to the question of insulation kits after the possible adoption of the draft concerning kit bodies, in view of the similarity between the two issues.

Interpretation of annex 1, appendix 1, paragraph 4

Informal document: INF.5

72. The Working Party decided to come back to this issue on the basis of an official document to be prepared by the Chairman and possibly to ask the opinion of Transfrigoroute International in this regard.

Test report

Informal document: INF.7

73. The representative of Germany presented a draft test report which would supplement the ATP certificate for insulated bodies with a refrigeration unit.
74. She announced that she would submit the draft as an official document in four months' time and that she would like to have comments from other delegations before doing so.

PROGRAMME OF WORK FOR 2004-2008

75. The Working Party adopted its programme of work for 2004-2008 (see annex 4).

DATE OF THE NEXT SESSION

76. The Working Party was informed that its sixtieth session had provisionally been scheduled for 2-5 November 2004.

ELECTION OF OFFICERS FOR THE NEXT SESSION

77. The Working Party decided to elect its officers at the start of its next session.

ADOPTION OF THE REPORT

78. The Working Party adopted the report on its fifty-ninth session, with its annexes.

Annex 1

Questionnaire on exchange of information between Contracting Parties under article 6 of ATP

**1.1 Exchange of information between ATP member States (article 6 (1) of the ATP Agreement)
(to be completed by 1 May 2004)**

Member State Competent authority
Contact person Tel./Fax

Who carries out the measures? How often?	What is checked?	Consequences in the case of non-compliance with article 4 (1) of ATP
<ul style="list-style-type: none"> * traffic police frequency¹ _1_2_3_4_5 * road/rail control authority frequency¹ _1_2_3_4_5 * customs authority frequency¹ _1_2_3_4_5 * authority for the inspection of foodstuffs frequency¹ _1_2_3_4_5 * others <ul style="list-style-type: none"> * * 	<ul style="list-style-type: none"> * Validity of the ATP Certificate (certification plate) * Validity of the distinguishing mark * Damage to the transport equipment * Inspection of the suitability of the transport equipment for the goods to be carried 	<ul style="list-style-type: none"> * Rejection by the control authority * Note in the freight documents and continuation of journey * Report to a competent health authority (Designation of the authority ...) * Inspection of the foodstuffs * Release/seizure/rejection * Fine for an administrative offence * Amount of the fine about² * Information from the country of registration (article 6 (2) of ATP) * Other measures
Remarks/amendments:		
¹ Distribution of frequency from 1 = rarely to 5 = regularly. ² Please indicate range of the amount of the fine in the national currency.		

1.2 Statistics on checks for compliance with the ATP Agreement in the year ...¹ (optional)

Number and checks under article 6 of ATP	road/railway checks border checks checks during loading and unloading (by official veterinary authorities)
Number of detected breaches of ATP ² <div style="text-align: center;"><u>including:</u></div>	(total): domestically registered vehicles vehicles registered in foreign countries
The highest percentage of defective vehicles was ...%. The vehicles were from (Name of country of registration)	
Remarks/amendments:	
¹ Please indicate the year of the data. ² Without differentiation as to whether the checks were made on roads, at borders or during loading and unloading.	

Annex 2**Amendments adopted by the Working Party to annex 1,
appendix 2, paragraph 54 of ATP**

First paragraph, delete “The refrigerant flow measurement shall be accurate to $\pm 5\%$.”, and amend the following sentence to read: “The refrigerating capacity shall be determined with an accuracy of $\pm 5\%$ ”.

- (a) Add at the end of (a):

“The accuracy of the temperature measuring system shall be ± 0.2 K.”

- (b) Add at the end of (b):

“The electrical energy and fuel consumption shall be determined with an accuracy of $\pm 0.5\%$.”

- (c) Add at the end of (c):

“The speed of rotation shall be measured to an accuracy of $\pm 1\%$.”

- (d) Add at the end of (e):

“The electrical energy consumption shall be determined with an accuracy of $\pm 0.5\%$.”

Consequential amendments:

Annex 1, appendix 2, model No. 10, Table “Results of measurements and refrigerating performance”, delete the three columns relating to the refrigerant.

Annex 3

Texts adopted for revised annex 1 and the draft ATP Handbook

Document TRANS/WP.11/2003/9 adopted with the following amendments:

Include in the revised annex 1 the amendments proposed in document TRANS/WP.11/2003/6 under “Proposed amendment to annex 1, appendix 2, Accuracy”.

Annex 1

Footnote 1, keep with the existing text in ATP.

4. First sentence, delete “fitted” (English version only)

Annex 1, appendix 1

1. (c) (French version only)
6. (a) (French version only)

Annex 1, appendix 2

2.1.3 Align the French version with the English version.

4.2.2 Align the French version with the English version.

Document TRANS/WP.11/2003/11 adopted with the following amendments:

Comments to articles 3 and 5, replace “should not be” with “is not”.

Comments to article 17, delete the first sentence and “However” in the second sentence.

Annex 1, appendix 2

Comment to paragraph 26, delete.

Annex 2, appendix 2, remove the square brackets in the footnote.

Annex 4

Programme of work for 2004-2008

ACTIVITY 02.11: TRANSPORT OF PERISHABLE FOODSTUFFS

Harmonization of regulations and standards relating to the international transport of perishable foodstuffs and facilitation of its operations

Priority: 2

Description:

Review of the harmonization and the facilitation of the international transport of perishable foodstuffs under the ATP Agreement and updating of this Agreement in order to keep it in line with technological developments, taking into account safety and quality standards.

Work to be undertaken:

CONTINUING ACTIVITIES

- (a) Consideration of amendment proposals to ATP to ensure it is updated as necessary

Priority: 1

Output expected by the end of 2004:

Entry into force of the revision of annexes 1 and 2 to ATP.

- (b) Exchange of information on the implementation of ATP by virtue of Article 6

Priority: 1

Output expected by the end of 2004:

Consideration of the information exchanged between Contracting Parties and their consequences on the implementation of ATP.

- (c) Follow-up of resolution No. 243 on "Improving the traffic flow of ATP vehicles for the transport of foodstuffs covered by ATP" for better facilitation.

Priority: 2

Output expected by the end of 2004:

To consider the difficulties encountered at border crossings, for the transport of perishable foodstuffs, on an annual basis.

- (d) Review of the definitions and standards (in annex 1) for the carriage of perishable foodstuffs following the Montreal Protocol to take account of new refrigerants and insulating materials, and environmental constraints.

Priority: 2

Output expected by the end of 2005:

To contribute to the promotion of less polluting vehicles and fuels, as recommended in the Programme of Joint Action adopted by the Regional Conference on Transport and the Environment (Vienna, 12-14 November 1997).

- (e) Consideration of methods developed by the IIR Sub-Commission on testing stations.

Priority: 1

Output expected by the end of 2004:

To be aware of the work done by IIR relating to the transport of perishable foodstuffs.

- (f) Elaboration of an ATP Handbook.

Priority: 1

Output expected by the end of 2004:

To have a final version of the Handbook including the revised annexes.

ACTIVITIES OF A LIMITED DURATION

- (g) Consideration of proposals on the conditions of transport of fresh fruit and vegetables (2005).

Priority: 2

Output expected by the end of 2005:

To finish the consideration of the feasibility of introducing rules for the transport of fresh fruit and vegetables into ATP.

- (h) Consideration of amendment proposals relating to test methods and procedures for the approval of multi-compartment and multi-temperature vehicles, to take account of technical development (2005).

Priority: 2

Output expected by the end of 2005:

The entry into force of a new amendment to ATP on multi-compartment and multi-temperature vehicles.

- (i) Compatibility between European legislation and ATP.

Priority: 1

Output expected by the end of 2004:

To cooperate with the Commission of the European Communities with the aim of harmonizing European regulations with ATP.

(j) Review of the approval of kit-bodies (2004).

Priority: 2

Output expected by the end of 2005:

The entry into force of a new amendment to ATP on the approval of kit-bodies.
