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REPORT OF THE INFORMAL WORKING GROUP IN SECURING DOCUMENTS

Transmitted by the Government of Spain

1. The meeting organized by Spain took place in Las Palmas on 23 and 24 February 2006 with the participation of the following countries: Denmark, Germany, Portugal, Slovakia, Sweden, United Kingdom and Spain.
2. During both days of the meeting, the Working Group examined all kinds of existing information about the subject, and consequently other aspects regarding the matter "Securing Documents".
3. Taking account of the mandate given by the Working Party WP.11 to this informal working group, the present Report points out, in separate parts A and B, the main work performed under the scope of "Securing Documents" and other aspects the group has examined regarding the main point of the work performed by this group.
4. However, in this Report, only the main conclusions and the possible proposals to the WP.11 are included.

A. Securing Documents, main part of the work done by the Working Group

Once examined the Models n° 1A and 1B of the Test Report, of the ATP, the informal working group proposed to modify Annex 1, including a new point 6 that would read:

“6. Technical requirements for the “Test Stations”: The Test Stations will comply with the standard ISO-17.025”.

Reasons: currently it is impossible to do anything regarding the type of the responsibility of the measurements of the K-coefficient if it is not done according to the appropriate standard, that provides all the necessary information for all the Test Stations.

After examining the Model of “Certificate of compliance” of Annex 1, Appendix 3, (called ATP certificate), the informal working group decided, according to similar Securing Documents requirements of other Regulations (for example, Directive 2003/127/CE of the Commission (23-12-2003)), to propose to the WP.11 the following security points for the certificate ATP:

- (a) A fluorescent printed mark must appear on one of the corners of the certificate;
- (b) The stamp of the competent authority or authorized body, indicated in point 9 of the certificate, will be relief impress;
- (c) The main lines of the different points of the certificate will be written in bold letters;
- (d) In case of loss, a new certificate can be provided or, instead of it, a photocopy of the ATP certificate, bearing a special stamp with the following mention in 10 mm high characters: “CERTIFIED PHOTOCOPY” (in red ink) and the name of the certifying officer, his signature, the stamp in relief impress of the competent authority or authorized body with the name of the Contracting Parties of ATP;
- (e) Additional marks can be put by the competent authorities by means of watermarks, provided that these marks cannot be confused with the text of the certificate, nor be reproduced by photocopier.

The above paragraph can be added in a new paragraph in Annex 1 of the ATP, if the WP.11 decides to add it.

In order to guarantee the security of the documents (ATP), the list of approval numbers of the types of engines registered by each Contracting Party, including the name of the manufacturer, as they are defined in Annex I, 1 to 4, must be established in a Head Registry Office by each Contracting Party. The WP.11 can decide whether to include or not this requirement.

Taking account of the remarks made during the meeting while a document from Netherlands was being examined and other remarks were made by members taking part in

the discussion, the informal working group decided to propose to the WP.11 a standard type of ATP certificate, that will include the following changes in the same font style as the ATP publication, in order to avoid forgeries:

- (a) Parallelogram (6) of the distinctive mark of the country must be placed on the right side of circle (1);
- (b) In point 6.1 of the certificate, concerning independent or non independent thermal equipment, it is necessary to add the serial number of the cooling equipment, the model and the name of the manufacturer;
- (c) In (new) point 7.3 of the ATP certificate, it is proposed to say: “number of doors, number of vents and hanging equipment of meat”;
- (d) In point 9 of the present certificate, it is proposed to add “the address and telephone number of the competent authority or authorized body”;
- (e) The working group will have to decide whether to include or not notes 1 to 7 in the certificate.

All the above points are proposed to the working group in order to prevent the manipulation of the essential data of the original test-report of the prototype during periodical inspections conducted by authorized bodies or experts according to ATP.

Taking account of the fact that, if the ATP certificate is improved in terms of security, it will probably be necessary to demand from the WP.11 the compulsory use of the certificate of compliance (certificate ATP) during the transport of perishable foodstuffs, even if the vehicle or the engines and their equipment has the plate reproduced in section B of Appendix 3 to Annex 1.

Nevertheless, it seems that the stamp of the expert who does the inspection (periodical or initial) on point 1 (e) of the plate, after “Valid until”, is missing.

B. Other aspects regarding ATP, security of the documents

The working group had a long discussion about point 1 of Article 6 of the ATP agreement.

“Each Contracting Party will take all appropriate measures in order to ensure fulfilment of the provisions of this agreement. The competent Administrations of the Contracting Parties will report to each other on the general measures taken for this purpose”.

Currently there is an informal text, Annex 1, called “Questionnaire on exchange of information between Contracting Parties under Article 6 of ATP”. That questionnaire is not usually produced by the competent authorities, but can be used for this purpose.

Other aspects regarding Article 6 of ATP do not fall under the scope of the working group but are also mentioned here because the WP.11 can also decide to examine “Securing Documents” in terms of control of ATP documents, during the carriage or during the loading in the consignor or the unloading in the case of the consignee.

An exchange of information about different aspects of the ATP agreement will be encouraged in order to have more information about unclear aspects in the ATP or aspects which are not equally applied by all Contracting Parties.
