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Item 5 (b) of the provisional agenda

Proposals of amendments to ATP: New proposals

Provisions applicable to authorities competent to issue technical compliance certificates

Transmitted by the Government of France

Background

1. The Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP), signed in 1970, relies on competent authorities designated by the Contracting Parties to issue technical compliance certificates.
2. ATP does not specify any requirement as to the competences of these competent authorities responsible for issuing equipment compliance reports for reference equipment that has undergone type testing, although the Agreement requires perfect mastery of the technical criteria needed for inspections.
3. Issuing a certificate of compliance on the basis of a technical assessment of equipment is similar to certifying an industrial product as defined in accreditation standard ISO 17065.
4. France is therefore submitting a proposal to allow for recognition of accreditation under standard ISO 17065 in the criteria applicable to competent authorities or bodies responsible for this task.

Proposal

5. 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 standard 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.

Impact

6. Accreditation of the competent authorities within each State involves the introduction of a quality management system that ensures impartial certification decisions, compliance with technical procedures and standards, and the competence of assessors. Third-party audits are carried out by the accreditation bodies of the different countries, which have the specific status of not-for-profit organizations. The International Laboratory Accreditation Cooperation (ILAC) network of accreditation bodies ensures that the accreditation rules are consistent so as to ensure widespread recognition of the competence of certifying bodies and, consequently, of the quality of certificates issued.

Economic impact of the procedure

7. The cost of accreditation to these bodies may be estimated at €4,000 per year, but it has no impact on the cost of certificates.

Proposal for amendment

8. It is proposed to add the text in bold in the following paragraph to article 2:

“Article 2

The Contracting Parties shall take the measures necessary to ensure that the equipment referred to in article 1 of this Agreement is inspected and tested for compliance with the said standards in conformity with the provisions of annex 1, appendices 1, 2, 3 and 4, to this Agreement. Each Contracting Party shall recognize the validity of certificates of compliance issued in conformity with annex 1, appendix 1, paragraph 3 to this Agreement by the competent authority of another Contracting Party. Each Contracting Party may recognize the validity of certificates of compliance issued in conformity with the requirements of annex 1, appendices 1 and 2, to this Agreement by the competent authority of a State not a Contracting Party.

The competent authorities of the Contracting Parties shall gain accreditation under standard ISO 17065 for the assessments covered by the present Agreement from an accreditation body belonging to the International Laboratory Accreditation Cooperation (ILAC) within the two years following the entry into force of the present amendment.”