

UNITED NATIONS  NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE UNITED NATIONS, N.Y. 10017
CABLE ADDRESS—ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE: C.N.116.1982.TREATIES-4 (Depositary Notification)

AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS
AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)
CONCLUDED AT GENEVA ON 1 SEPTEMBER 1970

OBJECTION BY FRANCE TO AMENDMENTS PROPOSED
BY DENMARK TO ANNEX 3 TO THE AGREEMENT

The Secretary-General of the United Nations, acting in his capacity as depositary, and referring to depositary notification C.N.248.1981.TREATIES-5 of 29 September 1981 concerning certain amendments proposed by Denmark to annex 3 to the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP) concluded at Geneva on 1 September 1970 with regard to the temperature conditions for the international carriage of milk and butter, communicates the following:

In a communication received on 23 March 1982, the Government of France, in accordance with the provisions of article 18 (2) (a) of the Agreement, that is to say, within the period of six months following the communication by the Secretary-General of the proposed amendments, informed the Secretary-General that it entered an objection to the said amendments, with the following explanatory statement:

(Translation) (Original: French)

The notion of the wholesomeness of the product has always been retained in connexion with the transport of perishable foodstuffs and must prevail. The temperatures of +4° C for refrigerated non-sterilized milk, raw or pasteurized, in tanks, for human consumption, and of +6° C for industrial milk and butter, are the maximum temperatures allowed for such carriage.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned



If States, Contracting Parties, were given the possibility of negotiating less stringent bilateral agreements, this notion would disappear. Indeed, as soon as certain States had concluded an agreement of this type, there would be the risk of commercial pressure being exercised vis-à-vis other countries to accept general derogations of the ATP Agreement, to the detriment of the quality of the foodstuffs and the health of the consumer. Furthermore, prejudicial competition would follow.

Finally, article 7 of the Agreement provides for modifications by bilateral agreements only in a more restrictive sense: lower temperatures by reason of special climatic conditions.

Reference is made in this connexion to depositary notification C.N.52.1982.TREATIES-2 of 15 March 1982 concerning an objection by the Government of the Federal Republic of Germany to the same proposed amendments.

17 May 1982

COPY

COPY