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Reference: C.N.1065.2007.TREATIES-6 (Depositary Notification)

**Reissued**

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

GENEVA, 1 SEPTEMBER 1970

GERMANY: OBJECTION TO THE PROPOSAL OF AMENDMENTS TO THE AGREEMENT<sup>1</sup>

The Secretary-General of the United Nations, acting in his capacity as depositary,  
communicates the following:

The above action was effected on 29 October 2007.

(Original: English)

The Federal Republic of Germany objects to the following amendments:

TRANS/WP.11/214/Add.1:

Annex 1 Paragraph 3

The proposed new wording in brackets "fitted with" should be deleted as they are already  
mentioned in the text.

Annex 1 Paragraph 4

- The new paragraph should read  
"- 10°C in the case of class A heated equipment;  
- 20°C in the case of class B heated equipment."
- The reference made in the second indent refers to the numbering of the amended ATP,  
but should refer to the ATP text in force for reasons of clarity.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned.  
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Annex 1 Appendix 1 Paragraph 2

- lit. (a): The second sentence should not be amended, as the current text (fulfils the requirements) is more precise than the new proposal (meets class specification).
- lit. (d): The new wording is not acceptable as it is ambiguous for manufacturers.

Annex 1 Appendix 1 Paragraph 4

- The term "certificate of compliance" is not correct. The correct term is "ATP certificate" and should be used instead of "certificate of compliance" throughout the entire paragraph.
- lit. (c): The amendment no longer includes the last part of the current text. But there should be a regulation regarding languages and it should therefore be reinserted: "and must be drawn up in at least one of the three official languages."

Annex 1 Appendix 2 Paragraph 8

- The reference "in compliance with paragraph 1.7 of this appendix" is unclear. There is no paragraph 1.7 in Annex 1 Appendix 2.
- With regard to the recognition of existing ATP test reports the second indent should not be deleted.

Annex 1 Appendix 2 Paragraph 18

- With regard to the recognition of existing ATP test reports the second indent should not be deleted.

Annex 1 Appendix 2 Paragraph 52

- The new wording of the first sentence is unclear and vague ("fitted to a unit of transport equipment"). The wording of the text in force is more explicit and should therefore not be amended.
- The 4th indent should read Ti instead of Ti.

Annex 1 Appendix 2 Paragraph 53

The accuracy indicated in the new amendment is incorrect. Instead of an accuracy of  $\pm 5\%$  it should read  $\pm 3\%$ .

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Annex 1 Appendix 2 Paragraph 56 lit. (b) 6th indent

The replacement of "for each" by "accordingly" is not acceptable as there is no apparent added value. The expression "accordingly" is ambiguous in this context, whereas "for each" clearly relates to the number of forms of energy.

Annex 1 Appendix 3 A and B

The new proposals show no added value compared to the existing text.

Annex 1 Appendix 4

- First indent: The amendment is rejected, as reference should be made to Appendix 1, paragraph 5 as this paragraph deals with the distinguishing marks.
- Last indent: Replace "2" with "02" (02 = month (February)).

TRANS/WP.11/214/Add.2:

Annex 1 Appendix 1 new paragraph 7

The ATP test stations are approved or designated by the competent authorities in each member state. There is no necessity to include such a regulation in the ATP. We propose that this clause be included as a recommendation in the ATP Handbook."

**In accordance with the provisions of paragraphs 2 and 4 of article 18 of the Agreement, the proposal of amendments to the ATP is deemed not to have been accepted and is of no effect, the objection by the Government of Germany having been received by the Secretary-General before the expiry of the six-month period provided for in article 18 (2), i.e. before 1 November 2007.**

29 February 2008



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<sup>1</sup> Refer to depositary notification C.N.525.2007.TREATIES-2 of 1 May 2007 (Proposal of Amendments to the ATP).

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