

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2012 Nr. 144**

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A. TITEL

*Overeenkomst inzake het internationale vervoer van aan bederf  
onderhevige levensmiddelen en het gebruik van speciale  
vervoermiddelen bij dit vervoer (ATP);  
(met Bijlagen)  
Genève, 1 september 1970*

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst, met Bijlagen, zijn geplaatst in *Trb.* 1972, 112.

Voor wijzigingen van de Overeenkomst zie rubriek J van *Trb.* 1998, 71 en *Trb.* 2000, 114.

In *Trb.* 1972, 112 dienen in de Engelse en de Franse tekst de volgende correcties te worden aangebracht.

Op blz. 2, in artikel 2, zesde en zevende regel, dient „paragraf 4” te worden vervangen door „paragraf 3”.

Op blz. 3, in artikel 2, zesde regel, dient „paragraphe 4” te worden vervangen door „paragraphe 3”.

Voor wijzigingen in Bijlage 1 zie rubriek J van *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1997, 229, *Trb.* 2000, 114 en rubriek B van *Trb.* 2005, 87, *Trb.* 2009, 112 en *Trb.* 2010, 325.

Voor een correctie in de Franse tekst van Bijlage 1 zie *Trb.* 2010, 325.

In *Trb.* 2010, 325 dienen in de Engelse en de Franse tekst van Bijlage 1 opnieuw correcties te worden aangebracht.

Op blz. 57, in Aanhangsel 3, in modelformulier A, dient zowel onder 6.1.1 als onder 6.1.2 het woord „FUEL” te worden vervangen door „REFRIGERANT”.

Op blz. 80, in Bijlage 1, Aanhangsel 2, lid 4.3.1, onderdeel b, in de op een na laatste alinea, dient in de zin „Si le compresseur frigorifique

est entraîné par le déplacement du véhicule, l'essai sera effectué aux vitesses minimale et nominale de rotation du compresseur indiquées par le constructeur” het woord „déplacement” te worden vervangen door „moteur”.

Op blz. 117, in Aanhangsel 3, in modelformulier A, dient zowel onder 6.1.1 als onder 6.1.2 het woord „CARBURANT” te worden vervangen door „FRIGORIGÈNE”.

Voor wijzigingen in Bijlage 2 zie rubriek J van *Trb.* 1991, 52, *Trb.* 1996, 52, *Trb.* 1996, 219 en rubriek B van *Trb.* 2009, 112.

Voor wijzigingen in Bijlage 3 zie rubriek J van *Trb.* 1981, 47, *Trb.* 1985, 83, *Trb.* 1996, 219, *Trb.* 2000, 114 en rubriek B van *Trb.* 2005, 87.

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Bijlage 1, 2 en 3 zijn nogmaals gewijzigd. De Engelse en de Franse tekst<sup>1)</sup> van de op 12 november 2010 ter kennis gebrachte wijzigingen luiden als volgt:

1.

*Annex 1, Appendix 2, paragraph 2.2.4*

Insert a new indent (b) to read as follows:

“(b) If the tank has two compartments, the measurements shall be made at least at the following points:

Near the bottom of the first compartment and near the partition with the second compartment, at the extremities of three radiuses forming 120° angles, one of the radiuses being directed vertically upwards.

Near the bottom of the second compartment and near the partition with the first compartment, at the extremities of three radiuses forming 120° angles, one of the radiuses being directed vertically downwards.”

The existing indent (b) becomes (c).

Amend the last paragraph of the existing 2.2.4 (b) to read as follows:

“(d) The mean inside temperature and the mean outside temperature of the tank shall respectively be the arithmetic mean of all the measurements taken inside and all the measurements taken outside the tank. In the case of tanks having at least two compartments, the mean inside temperature of each compartment shall be the arithmetic mean of the measurements made in the compartment, and the number of those measurements in each compartment shall be no less than four and the total number of measurements in all compartments of the tank shall be no less than twelve.”

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<sup>1)</sup> De Russische tekst is niet afgedrukt.

2.

*Annex 1, Appendix 2, paragraph 4.3.4 (ii)*

Insert “AMCA 210-07,” after “AMCA 210-85,”.

3.

*Annex 1, Appendix 2, paragraph 6.2*

In 6.2 (i) replace:

“(i) Equipment constructed one year after the entry into force of these provisions [02/01/2012]”.

by

“(i) Equipment constructed from 2 January 2012”.

In 6.2 (ii) replace:

“For equipment constructed prior to the entry into force of these provisions [02/01/2011], the following provisions shall apply:”.

by

“For equipment constructed prior to the date given in 6.2 (i), the following provisions shall apply:”.

4.

*Annex 1, Appendix 3 A*

Introduce the following text after the heading:

“Certificates of compliance of equipment issued before 2 January 2011 in accordance with the requirements regarding the model of the certificate in Annex 1, Appendix 3 in force until 1 January 2011 shall remain valid until their original date of expiry.”

5.

*Annex 2, paragraph 4*

For “All frozen foodstuffs (except butter)” read “All other frozen foodstuffs (except butter)”.

6.

*Annex 2, Appendix 1*

Amend the first three paragraphs to read as follows:

“The transport equipment shall be fitted with an instrument capable of measuring and recording air temperatures and storing the data obtained

(hereinafter referred to as the instrument) to monitor the air temperatures to which quick-frozen foodstuffs intended for human consumption are subjected.

The instrument shall be verified in accordance with EN 13486 (Temperature recorders and thermometers for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream – Periodic verification) by an accredited body and the documentation shall be available for the approval of ATP competent authorities.

The instrument shall comply with standard EN 12830 (Temperature recorders for the transport, storage and distribution of chilled, frozen, deep-frozen/quick-frozen food and ice cream – Tests, performance, suitability).”

## 7.

*Annex 3*

Amend III to read “Meat products<sup>3</sup>, pasteurized milk, butter, fresh dairy products (yoghurt, kefir, cream and fresh cheese<sup>4</sup>), ready cooked foodstuffs (meat, fish, vegetables), ready to eat prepared raw vegetables and vegetable products<sup>5</sup>, concentrated fruit juice and fish products<sup>3</sup> not listed below”.

## 1.

*Annexe 1, appendice 2, paragraphe 2.2.4*

Insérer un nouvel alinéa *b*, libellé comme suit:

«b) Si la citerne comporte deux compartiments, les mesures sont faites au minimum:

Près du fond du premier compartiment et à proximité de la cloison avec le deuxième compartiment, aux extrémités de trois rayons formant des angles de 120°, l'un des rayons étant orienté verticalement vers le haut;

Près du fond du deuxième compartiment et à proximité de la cloison avec le premier compartiment, aux extrémités de trois rayons formant des angles de 120°, l'un des rayons étant orienté verticalement vers le bas.».

L'alinéa *b* actuel devient l'alinéa *c*.

Modifier le dernier paragraphe du 2.2.4 b) actuel pour lire comme suit:

«d) La température moyenne intérieure et la température moyenne extérieure, pour la citerne, seront la moyenne arithmétique de toutes les déterminations faites respectivement à l'intérieur et à l'extérieur. Pour

les citernes à au moins deux compartiments, la température moyenne intérieure de chaque compartiment sera la moyenne arithmétique des déterminations relatives au compartiment, ces déterminations étant au minimum de 4 (quatre) pour chaque compartiment et de 12 (douze) pour l'ensemble des compartiments.».

2.

*Annexe 1, appendice 2, paragraphe 4.3.4 ii)*

Insérer «AMCA 210-07,» après «AMCA 210-85,».

3.

*Annexe 1, appendice 2, paragraphe 6.2*

À l'alinéa i) de la section 6.2, remplacer:

«i) Engin construit un an après l'entrée en vigueur des présentes dispositions [02/01/2012]».

par

«i) Engin construit à compter du 2 janvier 2012».

À l'alinéa ii) de la section 6.2, remplacer:

«Dans le cas des engins construits avant l'entrée en vigueur des présentes dispositions [02/01/2011], ce sont les dispositions ci-après qui s'appliquent:»

par

«Dans le cas des engins construits avant la date indiquée à l'alinéa i) de la section 6.2, ce sont les dispositions ci-après qui s'appliquent:».

4.

*Annexe 1, appendice 3A*

Ajouter le texte ci-après à la suite du titre:

«Les attestations de conformité des engins, délivrées avant le 2 janvier 2011 conformément aux prescriptions relatives au modèle d'attestation à l'appendice 3 de l'annexe 1, en vigueur jusqu'au 1<sup>er</sup> janvier 2011, resteront valables jusqu'à la date d'expiration initialement prévue.».

5.

*Annexe 2, paragraphe 4*

Au lieu de «Toutes denrées congelées (à l'exception du beurre)» lire «Toutes autres denrées congelées (à l'exception du beurre)».

*Annexe 2, appendice 1*

Modifier les trois premiers paragraphes comme suit:

«L'engin de transport doit être équipé d'un appareil permettant de mesurer la température ambiante, de l'enregistrer et de conserver les données correspondantes (ci-après l'appareil) aux fins du contrôle de la température à laquelle sont soumises les denrées surgelées destinées à la consommation humaine durant leur transport.

L'appareil doit être vérifié conformément à la norme EN 13486 (Enregistreurs de température et thermomètres pour le transport, l'entreposage et la distribution de denrées alimentaires réfrigérées, congelées, surgelées et des crèmes glacées – Vérification périodique) par un organisme accrédité et la documentation doit être disponible pour l'approbation des autorités ATP compétentes.

L'appareil doit être conformes aux normes EN 12830 (Enregistreurs de température pour le transport, l'entreposage et la distribution de denrées alimentaires réfrigérées, congelées, surgelées et des crèmes glacées – Essais, performance, aptitude à l'emploi).».

*Annexe 3*

Modifier la section III comme suit: «Produits carnés<sup>3</sup> lait pasteurisé, beurre, produits laitiers frais (yaourts, kéfirs, crème et fromage frais<sup>4</sup>), plats cuisinés (viande, poisson, légumes), légumes crus préparés prêts à être consommés et préparations de légumes<sup>5</sup>, jus de fruits concentrés et produits à base de poisson<sup>3</sup> non mentionnés ci-dessous.».

C. VERTALING

Zie *Trb.* 1972, 112.

D. PARLEMENT

Zie *Trb.* 1979, 103, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219 en *Trb.* 1997, 229, rubriek J van *Trb.* 2000, 114 en rubriek D van *Trb.* 2005, 87, *Trb.* 2009, 112 en *Trb.* 2010, 325.

De wijzigingen van 12 november 2010 van Bijlagen 1, 2 en 3 behoeven ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

#### E. PARTIJGEGEVENS

Zie *Trb.* 2009, 112.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Albanië		26-01-05	T	26-01-06		
Andorra		14-07-08	T	14-07-09		
Azerbeidzjan		08-05-00	T	08-05-01		
Belarus		03-08-01	T	03-08-02		
België		01-10-79	T	01-10-80		
Bosnië en Herzegovina		12-01-94	VG	06-03-92		
Bulgarije		26-01-78	T	26-01-79		
Denemarken		22-11-76	T	22-11-77		
Duitsland	04-02-71	08-10-74	R	21-11-76		
Estland		06-02-98	T	06-02-99		
Finland		15-05-80	T	15-05-81		
Frankrijk		20-01-71	O	21-11-76		
Georgië		30-11-98	T	30-11-99		
Griekenland		01-04-92	T	01-04-93		
Hongarije		04-12-87	T	04-12-88		
Ierland		22-03-88	T	22-03-89		
Italië	28-05-71	30-09-77	R	30-09-78		
Joegoslavië (< 25-06-1991)		21-11-75	T	21-11-76		
Kazachstan		17-07-95	T	17-07-96		
Kroatië		03-08-92	VG	08-10-91		
Letland		06-02-03	T	06-02-04		
Litouwen		28-04-00	T	28-04-01		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Luxemburg	25-05-71	09-05-78	R	09-05-79		
Macedonië, de voormalige Joegoslavische Republiek		20-12-99	VG	17-11-91		
Marokko		05-03-81	T	05-03-82		
Moldavië		11-09-07	T	11-09-08		
Monaco		24-10-01	T	24-10-02		
Montenegro		23-10-06	VG	03-06-06		
<b>Nederlanden, het Koninkrijk der</b> – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	28-05-71	30-11-78 – – – –	R	30-11-79 – – – –		
Noorwegen		14-07-79	T	14-07-80		
Oekraïne		25-07-07	T	25-07-08		
Oezbekistan		11-01-99	T	11-01-00		
Oostenrijk	28-05-71	01-03-77	R	01-03-78		
Polen		05-05-83	T	05-05-84		
Portugal	28-05-71	15-08-88	R	15-08-89		
Roemenië		22-04-99	T	22-04-00		
Russische Federatie		10-09-71	T	21-11-76		
Servië		12-03-01	VG	27-04-92		
Slovenië		06-08-93	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Spanje		24-04-72	T	21-11-76		
Tadzjikistan		28-12-11	T	28-12-12		
Tsjechië		02-06-93	VG	01-01-93		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Tsjechoslowakije (<01-01-1993)		13-04-82	T	13-04-83		
Tunesië		03-04-07	T	03-04-08		
Verenigd Koninkrijk		05-10-79	T	05-10-80		
Verenigde Staten van Amerika		20-01-83	T	20-01-84		
Zweden		13-12-78	T	13-12-79		
Zwitserland	28-05-71					

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

### Verklaringen, voorbehouden en bezwaren

Bulgarije, 26 januari 1978

The People's Republic of Bulgaria declares that article 9, which entitles only States members of the Economic Commission for Europe to become Parties to the Agreement, is discriminatory. The People's Republic of Bulgaria also declares that article 14, pursuant to which a State may declare that the Agreement will also be applicable to territories for the international relations of which that State is responsible, is contrary to the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960.

Hongarije, 4 december 1987

[The Government of the Hungarian People's Republic] does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

Russische Federatie, 10 september 1971

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 15, paragraphs 2 and 3, of the Agreement relating to the mandatory submission to arbitration, at the request of one of the Parties, of any dispute concerning the interpretation or application of the Agreement.

The Union of Soviet Socialist Republics deems it necessary to state that the provisions of article 9 of the Agreement, which limit the circle of possible participants to this Agreement, are of a discriminatory character, and states that, in accordance with the principles of sovereign equality among States, the Agreement should be opened for participation by all European States without any discrimination or restriction;

The provisions of article 14 of the Agreement under which Contracting Parties may extend its applicability to territories for the international relations of which they are responsible, are outmoded and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV) of 14 December 1960).

Slowakije, 28 mei 1993

Slovakia declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

Slovakia declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Tsjechië, 2 juni 1993

The Czech Republic declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

The Czech Republic declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Tsjechoslowakije (<01-01-1993), 13 april 1982

Acceding to this Agreement, the Czechoslovak Socialist Republic declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

The Czechoslovak Socialist Republic declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Verenigde Staten van Amerika, 20 januari 1983

The Agreement does not apply to carriage in the United States of America and its territories.

Bezwaar door Frankrijk, 13 januari 1984

[The French Government] considers that only European States can formulate the declaration provided for in article 10 with respect to carriage performed in territories situated outside Europe.

It therefore raises an objection to the declaration by the Government of the United States of America and, consequently, declares that it will not be bound by the ATP Agreement in its relations with the United States of America.

Bezwaar door Italië, 19 januari 1984

[Italy] considers that only European States can formulate the declaration provided for in article 10 with respect to carriage performed in territories situated outside Europe.

It therefore raises an objection to the declaration by the Government of the United States of America and, consequently, declares that it will not be bound by the ATP Agreement in its relations with the United States of America.

Verenigde Staten van Amerika, 21 september 1984

The United States considers that under the clear language of article 10 [of the Agreement], as confirmed by the negotiating history, any State party to the Agreement may file a declaration under that article. The United States therefore considers that the objections of Italy and France and the declarations that those nations will not be bound by the Agreement in their relations with the United States are unwarranted and regrettable. The United States reserves its rights with regard to this matter and proposes that the parties continue to attempt cooperatively to resolve the issue.

#### G. INWERKINGTREDING

Zie *Trb.* 1979, 103, rubriek J van *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219, *Trb.* 1997, 229 en *Trb.* 2000, 114 en rubriek G van *Trb.* 2005, 87, *Trb.* 2009, 112 en *Trb.* 2010, 325.

De bepalingen van de wijzigingen van 12 november 2010 van Bijlagen 1, 2 en 3 zullen ingevolge artikel 18, zesde lid, van de Overeenkomst op 11 november 2012 in werking treden.

Wat betreft het Koninkrijk der Nederlanden, zullen de wijzigingen alleen voor Nederland (het Europese deel) gelden.

#### J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1972, 112, *Trb.* 1979, 103, *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219, *Trb.* 1997, 229, *Trb.* 1998, 71, *Trb.* 2000, 114, *Trb.* 2005, 87, *Trb.* 2009, 112 en *Trb.* 2010, 325.

Titel : Handvest van de Verenigde Naties;  
San Francisco, 26 juni 1945  
Laatste *Trb.* : *Trb.* 2011, 176

Uitgegeven de *tiende* augustus 2012.

*De Minister van Buitenlandse Zaken,*

U. ROSENTHAL