

WORLD TRADE ORGANIZATION

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Committee on Technical Barriers to Trade

Original: French

AGREEMENT REACHED BY A MEMBER WITH ANOTHER COUNTRY OR COUNTRIES ON ISSUES RELATED TO TECHNICAL REGULATIONS, STANDARDS OR CONFORMITY ASSESSMENT PROCEDURES

Notification

Under Article 10.7 of the Agreement "Whenever a Member has reached an agreement with any other country or countries on issues related to technical regulations, standards or conformity assessment procedures which may have a significant effect on trade, at least one Member party to the agreement shall notify other Members through the Secretariat of the products to be covered by the agreement and include a brief description of the agreement." The following notification under Article 10.7 has been received.

1. Member notifying: <u>FRANCE</u>
2. Title of the bilateral or plurilateral Agreement: Agreement between the Governments of the French Republic, the Kingdom of Spain, the Italian Republic and the Portuguese Republic on Recognition of the Test Protocol Applicable to Multi-Temperature Equipment Used in the Framework of the Issuance of ATP Certificates.
3. Parties to the Agreement: Spain, Italy, Portugal
4. Date of entry into force of the Agreement: Second half of 2010
5. Products covered (HS or CCCN where applicable, otherwise national tariff heading): Multi-temperature equipment for use in the carriage of perishable foodstuffs.
6. Subject matter covered by the Agreement (technical regulations, standards or conformity assessment procedures): This multilateral agreement was concluded under Article 7 of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP). Forty-five countries (25 of which are members of the EU) are currently contracting parties to the ATP, which applies to the carriage of perishable foodstuffs in the territories of at least two of the contracting parties. Certain of these countries, such as France, have adopted the ATP as the basis for their domestic legislation on the subject. The technical definitions and standards of the equipment are set out in ATP Annex 1. The equipment's conformity with the standards is established by a certificate, the model form of which is established in Annex 1, Appendix 3. The certificate, which applies to multi-temperature equipment, <i>inter alia</i> , nonetheless indicates in footnote 7 that the test procedure for such equipment is not yet determined within the ATP Agreement. That is the purpose of the present multilateral agreement, which sets out such a test protocol in its annexes.

- 7. Brief description of the Agreement:** Multi-temperature equipment for the carriage of perishable foodstuffs has been manufactured in France since 1990 where it accounts for 30 per cent of new equipment and 20 per cent of equipment in service. It also accounts for a significant part of the overall stock of equipment in the other three countries concerned by this draft multilateral agreement.

In October 2009, France submitted a proposal for an amendment to the ATP Agreement at the annual meeting of the Working Party on Transport of Perishable Foodstuffs (WP.11) of the Economic Commission for Europe, in order to incorporate the present test protocol. Since the proposal was not endorsed by all contracting parties to the general ATP Agreement, France took the initiative, on the basis of Article 7 of that Agreement, of establishing a multilateral agreement with other interested neighbouring countries (Spain, Italy, Portugal) with a view to facilitating the movement of foodstuffs between these countries.

8. Further information available from:

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Text available at: http://members.wto.org/crnattachments/2010/tbt/FRA/10_2066_00_f.pdf