
Economic Commission for Europe**Inland Transport Committee**

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Working Party on the Transport of Perishable Foodstuffs**Sixty-sixth session**

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Item 5 (a) of the provisional agenda

Proposals for amendments to the ATP: Pending proposals

Comments on ECE/TRANS/WP.11/2009/13/Rev.1 and alternative amendment proposals**Transmitted by the Government of the Netherlands****Introduction**

During the 65th meeting of the WP.11 the representative of the Netherlands was not in the position to accept the proposed amendment in document 2009/13 of France. It was decided to postpone the decision to the 66th meeting of WP.11. After further considerations the Netherlands can accept the principles behind the proposal but is of the opinion that the text of the proposal as reproduced in document 2009/13/Rev.1 is not completely correct and complete.

The main problem with the proposed amendment is that the scope of “non-independent” equipment as used in the heading for the new text is wider than the group of equipment that is intended in the proposal.

Mechanically refrigerated equipment can be fitted with an independent thermal appliance or a non-independent thermal appliance. In paragraph 2 of Annex 1, Appendix 4 it is stated in which cases equipment can be regarded as non-independent.

These cases are:

- 2.1. Where the compressor is powered by the vehicle engine;
- 2.2. Where the refrigeration unit itself or a part is removable, which could prevent its functioning.

The proposal in 2009/13 is that for all non-independent equipment a different effectiveness test shall be performed. In this test, after the class temperature is reached the vehicle engine shall be able to maintain this temperature for a certain period of time (2 hours in 2009/13 or 1.5 hours in document 2009/13 Rev.1) while the vehicle engine is running at idle speed.

Only the non-independent equipment as described in 2.1 of Annex 1, Appendix 4 is required to have a vehicle with an engine.

Non-independent equipment of 2.2 of Annex 1, Appendix 4 may have an electric motor to drive the compressor of the thermal appliance for which the electrical power is supplied by a separated power pack or a generator set on a towing vehicle which is to be regarded as “removable”. This equipment should be tested in line with the procedure in 6.2 (i) or (ii) of Annex 1, Appendix 2 as appropriate for the time of construction.

Remarks

1. Because the existing relevant non-independent equipment may not have been designed to perform in the intended manner at idle vehicle engine speed we propose a transitional measure for existing equipment to make it possible that the owner/operator has the choice to use the normal effectiveness test of 6.2 (i) or (ii) of Annex 1, Appendix 2 as appropriate or use the exceptional test (see proposal 2).
2. State of the art vehicle engine driven systems are able to start and stop the vehicle engine or increase the engine speed if required by the thermal appliance to maintain the temperature in the equipment. In these cases the proposed text “*..when the engine is maintained at the idle speed set by the manufacturer (where applicable) with a tolerance of about 100 revolutions a minute.*” will cause problems. It can be argued if equipment with these state of the art systems should be allowed to use the exceptional test, they are by definition non-independent equipment; however they behave like independent systems. The available power when the vehicle is standing still will be sufficient (see note proposal 1).
3. A consequential result of including this proposed effectiveness test will be that a new requirement is introduced that even at standstill of the vehicle the equipment shall be able to maintain the class temperature inside the equipment. Although this basic principle is already stated in Article 3 of Annex 1 “*.. , and thereafter maintaining it continuously..*“ , maintaining temperature during standing still of the vehicle was apparently not in mind when allowing thermal appliances driven by vehicle motion. It can be argued whether equipment with thermal appliances driven this way can be defined as non-independent because they will not fit the definition of non-independent of paragraph 2 of Annex 1 Appendix 4, but from the point of functioning they certainly are non-independent. We are of the opinion that by accepting this proposal the option of a thermal appliance driven by vehicle motion is no longer acceptable and should be removed from the regulation. The deletion would require a transitional measure for the equipment of this kind still in use (see proposal 3 and 4).
4. The effectiveness test for independent equipment in 6.2 of Annex 1, Appendix 2 was amended so that the test is equally severe regardless of the outside temperature between +15° C and +30° C during the test. However, for this proposed exceptional check for non-independent equipment this principle of an equally severe test regardless of the outside temperature is abandoned. A test at 15° C is easier to perform than at 30° C. A justification for abandoning this principle for this exceptional test is not included in document 2009/13 but would be helpful for future discussions.

Proposals

Proposal 1

(Below the proposed amendment is based on the proposed text of 2009/13/Rev.1, with new wording in bold and text removed struck through)

- 6.2 Mechanically refrigerated equipment
- (iii) Non-independent ~~Dependent~~ equipment of paragraph 2.1 of Annex 1, Appendix 4

It shall be verified that, when the outside temperature is not lower than 15° C, the inside temperature of the empty equipment can be maintained at the class temperature for a minimum period of one and a half hours when the engine is maintained at the idle speed set by the manufacturer (where applicable) with a tolerance of ~~about~~ **plus or minus** 100 revolutions per minute.

Note: Equipment with a thermal appliance where the compressor is powered by the vehicle engine but where the vehicle engine is controlled by the thermal appliance to automatically start or stop and if necessary automatically adjust the speed of the vehicle engine, should for the effectiveness test be regarded as independent equipment and tested as such.

If the results are favourable, the equipment may be kept in service as mechanically refrigerated equipment of its initial class for a further period of not more than three years.

Proposal 2

Transitional provisions

6.2 Mechanically refrigerated equipment

(iv) Non-independent equipment of paragraph 2.1 of Annex 1, Appendix 4 constructed before [DD MM YYYY] may use the effectiveness test of the thermal appliance as described in paragraph 6.2 (i) or (ii) as appropriate for the date of construction of the equipment.

[DD MM YYYY] = date of entry into force of the amendments + standard half a year.

Proposal 3

Delete the last paragraph of 4.3.1 of Annex 1, Appendix 2.

4.3.1

~~If the compressor is driven by the vehicle motion, the test shall be carried out at the nominal speed of rotation of the compressor as specified by the manufacturer.~~

Proposal 4

Introduce a new article 5 in Annex 1 "Transitional provisions".

Equipment with a thermal appliance driven by the vehicle motion constructed before [DD MM YYYY] in conformity with the regulations in force at that time may continue to be used [until 6 / 9 years after DD MM YYYY].
