



Notification Number: 2009/635/E

DRAFT MINISTERIAL ORDER AMENDING ROYAL DECREE 237/2000 OF 18 FEBRUARY (OFFICIAL STATE GAZETTE OF 16 MARCH 2000).

Date received : 23/11/2009

End of Standstill : 24/02/2010

Message

Message 002

Communication from the Commission - SG(2009) D/52739

Directive 98/34/EC

Translation of the message 001

Notification: 2009/0635/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200902739.EN)

1. Structured Information Line

MSG 002 IND 2009 0635 E EN 24-02-2010 23-11-2009 E NOTIF 24-02-2010

2. Member State

E

3. Department Responsible

SUBDIRECCIÓN GENERAL DE ASUNTOS INDUSTRIALES, ENERGÉTICOS, DE TRANSPORTES, COMUNICACIONES Y MEDIO AMBIENTE.

DIRECCIÓN GENERAL DE COORDINACIÓN DEL MERCADO INTERIOR Y OTRAS POLÍTICAS COMUNITARIAS.

SECRETARIA DE ESTADO DE ASUNTOS EUROPEOS

MINISTERIO DE ASUNTOS EXTERIORES.

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3. Originating Department

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4. Notification Number

2009/0635/E – T40T

5. Title

DRAFT MINISTERIAL ORDER AMENDING ROYAL DECREE 237/2000 OF 18 FEBRUARY (OFFICIAL STATE GAZETTE OF 16 MARCH 2000).

6. Products Concerned

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

7. Notification Under Another Act

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8. Main Content

THE OBJECTIVE OF THE DRAFT IS TO DEVELOP AND CLARIFY THE PROCEDURE FOR ASSEMBLING THE CONTAINERS OR TANKS WHEN THE HOLDER OF A CERTIFICATE OF CONFORMITY-TO-TYPE MANUFACTURES THE VEHICLES, AND THE SAID CONTAINERS OR TANKS ARE SUBSEQUENTLY ASSEMBLED BY A SECOND-STAGE MANUFACTURER ON AN INCOMPLETE VEHICLE, WHICH MUST BE A DIFFERENT MANUFACTURER TO THE HOLDER OF THE CERTIFICATE OF CONFORMITY-TO-TYPE. LIKEWISE, IT IS EXPEDIENT TO UPDATE ANNEX 1 ON SPECIAL CHARACTERISTICS OF THE ABOVEMENTIONED ROYAL DECREE 237/2000, BASED ON THE EXPERIENCE ACQUIRED IN THE FIELD OF NATIONAL ROAD TRANSPORT, TO WHICH THE SAID ANNEX 1 REFERS.

9. Brief Statement of Grounds

THE EXPERIENCE ACQUIRED DURING TESTING OF DIFFERENT PROTOTYPES DEMONSTRATES THE URGENCY OF CLARIFYING POINT 2.C.I OF ANNEX 1, APPENDIX 1 OF THE ATP AGREEMENT. SPECIFICALLY, THIS POINT STATES THAT FOR A VEHICLE TO BE CONSIDERED TO BELONG TO THE SAME SERIES AS A PROTOTYPE, ONE OF THE CONDITIONS IT MUST SATISFY IS THAT "MANUFACTURING IS COMPARABLE". EXPERIENCE SHOWS THAT IN TRUCK OR VAN TYPE VEHICLES, THE IRREGULAR GEOMETRY OF THE INTERIOR MEANS THAT DIFFERENT MODELS WITH A SIMILAR INTERNAL AREA HAVE SIGNIFICANTLY DIFFERENT OVERALL HEAT TRANSMISSION COEFFICIENTS (THE K COEFFICIENT). THIS MAKES IT NECESSARY TO CLARIFY THIS POINT OF THE ATP AGREEMENT IN THE CASE OF MANUFACTURING TRUCKS AND VANS.



10. Reference Documents - Basic Texts

ROYAL DECREE 237/2000 OF 18 FEBRUARY, WHICH LAYS DOWN THE TECHNICAL SPECIFICATIONS WHICH MUST BE SATISFIED BY SPECIAL VEHICLES FOR TRANSPORTING FOODSTUFFS AT A CONTROLLED TEMPERATURE, AND THE PROCEDURES FOR VERIFYING COMPLIANCE WITH THESE SPECIFICATIONS (NOTIFIED TO THE EUROPEAN COMMISSION WITH NUMBER 1999/274/E)

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

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13. Confidentiality

NO

14. Fiscal measures

NO

15. Impact assessment

NOT PERFORMED

16. TBT and SPS aspects

TBT

A) NO

B) NO

III) THE DRAFT WILL HAVE NO PERCEPTIBLE EFFECT ON INTERNATIONAL TRADE.

SPS

A) NO

B) NO

I) THE DRAFT IS NOT A SANITARY OR PHYTOSANITARY MEASURE IN ACCORDANCE WITH ANNEX A OF THE SPS AGREEMENT.

III) THE DRAFT WILL HAVE NO PERCEPTIBLE EFFECT ON INTERNATIONAL TRADE.

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