

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Bern, 14. – 18. March 2016

Item 5 (a) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
pending issues**

Comments on ECE/TRANS/WP.15/AC.1/2016/2 -Updating of references to European Union instruments (toxic substances; corrosive substances; substances hazardous to the aquatic environment) - CEFIC

Transmitted by the European Commission

1. The European Commission thanks CEFIC for the effort to update the reference to EU legislation.
2. In order to overcome the issues with non-EU countries on application of GHS versus CLP Regulation, the proposal of CEFIC should be reworded in order to refer both to the national legislation of non-EU Member States and to EU legislation.
3. Therefore, we wish to propose the following amendments to the CEFIC proposal.
4. New text is inserted in track changes.

Proposals of amendments

2.2.61.1.14

2.2.61.1.14 Replace “Directives 67/548/EEC³ or 1999/45/EC⁴ as amended” by “GHS”. Replace “as highly toxic, toxic or harmful according to these directives, as amended” by “in Acute Toxicity category 1, 2 or 3 according to GHS”.

2.2.61.1.14 would read:

“Substances, solutions and mixtures, with the exception of substances and preparations used as pesticides, which do not meet the criteria of GHS as implemented through national or EU¹ legislation and which are not therefore classified in Acute Toxicity category 1, 2 or 3 according to GHS, may be considered as substances not belonging to Class 6.1.”.

¹Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, OJ L 353, 31.12.2008, p. 1–1355

2.2.8.1.9

Amend to read as follows:

“2.2.8.1.9 Substances, solutions and mixtures, which do not meet the criteria of category 1 according to GHS as implemented through national or EU¹ legislation with regard to skin corrosion and, in case they are of liquid state or may become liquid during transport, do not meet the criteria of category 1 with regard to corrosion to steel and aluminium may be considered as substances not belonging to class 8.”.

¹Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, OJ L 353, 31.12.2008, p. 1–1355

The Note at the end of 2.2.8.1.9 remains unchanged.

2.2.9.1.10.5

Amend to read as follows:

“2.2.9.1.10.5 Substances, solutions and mixtures, which do not meet the criteria for hazardous to the aquatic environment, categories Acute 1, Chronic 1 or Chronic 2 according to GHS as implemented through national or EU¹ legislation may be considered as not being ~~an~~ environmentally hazardous substances (aquatic environment), solutions or mixtures.”.

¹Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, OJ L 353, 31.12.2008, p. 1–1355

Consequential amendment: Footnotes 3, 4 and 16 are deleted in Chapter 2.2. Renumber the other footnotes of Chapter 2.2 accordingly.
