

Working Party on the transport of dangerous goods

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

(Bern, 18-22 March 2002)

CHAPTER 6.2

Comments on document TRANS/WP.15/AC.1/2002/4

Transmitted by the European Industrial Gases Association (EIGA)

EIGA is grateful to Switzerland for studying the new text in 6.2.5 and raising the problems they find in it. The industry is keen to make the UN system work, while at the same time, minimising the differences between the ADR/RID receptacles and those receptacles bearing UN marking. Consequently, the document TRANS/WP.15/AC.1/2001/33 was written to maximise the number of UN requirements within the text for ADR/RID receptacles. This has admittedly lead to some of the problems that Switzerland has identified and EIGA makes the following comments on each of the numbered points raised in TRANS/WP.15/AC.1/2002/4.

1. EIGA has scrutinised the text of the RID/ADR 6.2.1 and agrees that not all of 6.2.1 is applicable to UN receptacles. The whole of 6.2.1.4 and 6.2.1.7 do not apply since 6.2.5 has its own prescriptions on the appointment of inspection bodies, the approval of manufacture of receptacles and on marking. On the other hand 6.2.5 has no text to cover the points made in 6.2.1.1, 6.2.1.2, 6.2.1.3, 6.2.1.5 and 6.2.1.6.

The case of 6.2.1.6 is of particular note because it covers the appointment of bodies supervising periodic inspection. The UN text is so far incomplete on this subject and further discussions are planned at the July meeting of the Gases Working Group. On balance therefore, EIGA recommends using the text of RID/ADR to cover this gap until such time as new UN text is available.

EIGA therefore suggests the following amendment.

Proposal 1

The opening sentence of 6.2.5 should be amended to read (*new text underlined*)

“In addition to the general requirements of 6.2.1.1, 6.2.1.2, 6.2.1.3, 6.2.1.5 and 6.2.1.6, UN certified receptacles shall comply with . . . . .”

2. With the above amendment, 6.2.1.4 no longer applies to UN receptacles and the arrangements for RID/ADR receptacles are unchanged. In the UN text, the competent authority is that belonging to the country of approval, this may be a different country from that in which the receptacle is manufactured.

Since the text appears in the RID/ADR, the competent authority giving approval under these regulations would belong to a Contracting Party. For intercontinental transport of dangerous goods to work, however, the competent authorities will need to recognise the approvals of

receptacles carried out by competent authorities working under other legislative instruments or international agreements. This consideration prompts the need to insert into the RID/ADR text similar to that existing in 4.1.1.16 to cover the recognition of UN receptacles of Class 2.

Proposal 2

Insert new text as follows in section 4.1.6

“4.1.6.7 Receptacles marked in accordance with 6.2.5.7 but which were approved in a State which is not a COTIF Member State/Contracting Party to ADR may nevertheless be used for carriage under RID/ADR.”

*Renumber existing 4.1.6.7 as 4.1.6.8.*

3. The test laboratory must be able to conduct tests to the satisfaction of the inspection body. Therefore, whilst the manufacturer may choose to use his own or a preferred contractor’s laboratory, he can only do so if the inspection body agrees that the laboratory has the necessary facilities and skills.

There is no need to define test laboratory in 1.2.1; the meaning is clear and the requirements are isolated to the text on conformity assessment of UN receptacle in 6.2.5.6

4. The English text specifies a “Design Type Approval Certificate”. This terminology comes from the specific UN definition of “Design Type” in 6.2.5.6.1. The short answer to Switzerland’s question 4 is yes, but the Secretariats of RID and ADR are best placed to decide how this translates best into French.
  5. This requirement was agreed in the UN Gases Working Group based on the recommendations of an ISO Technical Report. It is, as Switzerland states, always difficult to prove a negative, i.e. that the manufacturer has not withheld refusals that may prejudice a new application. On the other hand, since the regulations specifically require refusals to be presented, any manufacturer found to be withholding a refusal knows he is putting at risk some of or all his approvals if he is found to be lying. Refusals are of greater interest than successful approvals because they offer an opportunity for the manufacturer to identify what has been changed afterwards in his Quality Management system to meet the reasons for the refusal. The Working Group did not see the presentation of approvals as being an essential requirement.
  6. The English text states “Following approval, changes to the information submitted under 6.2.5.6.4.2 relating to the initial approval shall be provided to the competent authority.” Eliminating the words “to the information” would render the English meaningless, so this suggestion of Switzerland appears to be a problem of the translation into French.
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