

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

Sub-Committee of Experts on the Transport of Dangerous Goods

13 November 2014

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Item 2 (e) of the provisional agenda

**Recommendations made by the Sub-Committee on its forty-third, forty-fourth
and forty-fifth sessions and pending issues: miscellaneous pending issues**

Marking of the overpack with the mark “overpack”, comments on document ST/SG/AC.10/C.3/2014/65

Transmitted by the expert from Spain

1. A similar question as the one raised by informal document INF.43 (45th session) in the Sub-Committee of Experts on the Transport of Dangerous Goods was raised by document ECE/TRANS/WP15/AC.1/2014/42 in the Joint Meeting for European land transport.
2. The relevant paragraphs of the report (ECE/TRANS/WP.15/AC.1/136) read as follows:

“A. Marking of the overpack with the mark “OVERPACK”

Document: ECE/TRANS/WP.15/AC.1/2014/42 (Spain)

Informal document: INF.39 (FEA)

16. The Joint Meeting noted that the request for an interpretation of 5.1.2.1 (a) had also been submitted to the United Nations Sub-Committee of Experts, as the corresponding paragraphs of the IMDG Code and the ICAO Technical Instructions were worded differently. It considered that the texts should be worded so as not to pose problems of interpretation and so that the interpretation would be the same for all modes of transport.

17. In general, the Joint Meeting considered that when all the required marks and labels were visible on all packages within an overpack, the mark “OVERPACK” and the other marks and labels did not have to be placed on the overpack. The question remained, however, as to how to deal with cases where only a few marks or labels were visible. Several delegations were of the opinion that in such cases the mark “OVERPACK” and all the marks and labels related to the substances contained in the packages should be placed on the overpack. Another question was posed as to whether also the packaging approval marks should be visible through the overpack to be able to omit the overpacks mark.

18. Some delegations considered that it would also be useful to define what was meant by “visible” and to compare the wording of RID/ADR/ADN, the IMDG Code and the ICAO Technical Instructions.

3. The expert from Spain considers that it would be useful to study the questions posed by the Joint Meeting together with its formal proposal ST/SG/AC.10/C.3/2014/65, in order to be able to have a clear interpretation for all modes of transport.

All three questions are addressed separately.

Question 1: How to deal with cases where only a few marks and labels are visible

4. Paragraph 5.1.2.1, as well as the corresponding paragraphs in ADR/RID/ADN, IMDG Code and the ICAO Technical Instructions (see paragraph 12) all make reference to “unless markings and labels representative of all dangerous goods...”.

Therefore, it seems quite clear that the condition to be fulfilled is for all dangerous goods; if the condition is not fulfilled for all dangerous goods, the exception is not valid, and the overpack has to be marked and labelled for each item of dangerous goods contained in the overpack.

5. The expert from Spain asks the Sub-Committee to confirm this interpretation.

Question 2: Should packaging approval marks be visible through the overpack to be able to omit the “OVERPACK” mark

6. Paragraph 5.1.2.1, as well as the corresponding paragraphs in ADR/RID/ADN, IMDG Code and the ICAO Technical Instructions (see paragraph 12) all make reference to “unless markings and labels representative of all dangerous goods...”.

7. Reference is always made to marks and labels representative of the dangerous goods; nowhere reference is made to the marks representative of the packaging themselves.

8. A similar provision was already in place in the 12th Revision (2001 text), oldest version of the UN Model Regulations on the UN website.

9. During the discussions in the Joint Meeting it was said that the original intention of putting an “OVERPACK” mark on the overpack was precisely to ensure that on the overpack itself no UN packaging approval mark had to be placed.

10. If additionally it was intended to be able to see through the overpack and be able to see the package approval marks, this intention has, at least since 2001, not shown in the text. Inspections on overpacks have also not taken into account these criteria.

11. Nevertheless, it seems that part of the air transport sector interprets that, to be able to omit the “OVERPACK” mark, the packaging approval marks must be visible through the overpack. The text in the Technical Instructions is the only one which includes an explicit reference to the packaging approval marks, saying that they need not be seen.

If it would be intended that the packaging approval marks must be visible through the overpack to be able to omit the “OVERPACK” mark, Spain would ask to explicitly mention this fact in the proposed text, and to ensure that this is done in all transport modes, by introducing “(including packaging approval marks, when applicable, for all packages)” in the introductory sentence in 5.1.2.1.

12. The expert from Spain asks the Sub-Committee to confirm that to be able to omit the “OVERPACK” mark, the packaging approval marks must not necessarily be seen through the overpack (Alternative 1). Nevertheless, if this interpretation is not confirmed, Spain would ask to amend the proposal presented in ST/SG/AC.10/C.3/2014/65 as suggested in the Alternative 2 presented in paragraph 14.

Question 3: Comparison of the wording of ADR/RID/ADN, IMDG Code and the ICAO Technical Instructions for this paragraph

13. To be able to compare the texts in the different modes, these are reproduced here. These texts were already taken into account when writing 2014/65.

UN Model regulations 18th edition

5.1.2 Use of overpacks

5.1.2.1 An overpack shall be marked with the Word “OVERPACK”, with the proper shipping name and the UN number and labelled, as required for packages by Chapter 5.2, for each item of dangerous goods contained in the overpack unless markings and labels representative of all dangerous goods in the overpack are visible, except as required in 5.2.2.1.12. The lettering of the “OVERPACK” marking shall be at least 12 mm high.

NOTE: The size requirement for the “OVERPACK” marking shall apply as from 1 January 2016.

5.1.2.2 Each package of dangerous goods contained in the overpack shall comply with all applicable provision of these Regulations. The “overpack” marking is an indication of compliance with this requirement. The intended function of each package shall not be oriented in accordance with

5.1.2.3 Each package bearing package orientation markings as prescribed in 5.2.1.7 of these Regulations and which is overpacked or placed in a large packaging shall be oriented in accordance with such markings.

ADR/RID/ADN (2015)

5.1.2.1

(a) An overpack shall be:

- (i) marked with the word “OVERPACK”; and
- (ii) marked with the UN number preceded by the letters “UN” as required for packages in 5.2.1.1. and 5.2.1.2, labelled as required for packages in 5.2.2 and marked with the environmentally hazardous substance mark if required for packages in 5.2.1.8, for each item of dangerous goods contained in the overpack;

Unless the UN numbers, the labels and the environmentally hazardous substance marks representative of all dangerous goods contained in the overpack are visible, except as required in 5.2.2.1.11. If the same UN number, the same label or the same environmentally hazardous substance mark is required for different packages, it only needs to be applied once.

The lettering of the “OVERPACK” marking shall be at least 12 mm high. The marking of the word “OVERPACK”, which shall be readily visible and legible, shall be in an official language of the country of origin and also, if that language is not English, French or German, in English, French or German, unless agreements, if any, concluded between the countries concerned in the transport operation provide otherwise.”

(b) Orientation arrows illustrated in 5.2.1.9 shall be displayed on two opposite sides of overpacks containing packages which shall be marked in accordance with 5.2.1.9.1, unless the marking remains visible.

5.1.2.2 Each package of dangerous goods contained in an overpack shall comply with all applicable provisions of ADR. The intended function of each package shall not be impaired by the overpack.

5.1.2.3 Each package bearing package orientation markings as prescribe in 5.2.1.9 and which is overpacked or placed in a large packaging shall be oriented in accordance with such marking.

5.1.2.4 The prohibitions on mixed loading also apply to these overpacks.

IMDG 36/12

5.1.2 Use of overpacks and unit loads

5.1.2.1 An overpack and unit load shall be marked with the Proper Shipping Name and the UN Number and marked and labelled, as required for packages by chapter 5.2, for each item of dangerous goods contained in the overpack or unit load unless markings and labels representative of all dangerous goods in the overpack or unit load are visible. An overpack, in addition, shall be marked with the word "OVERPACK" unless markings and labels representative of all dangerous goods, as required by chapter 5.2, in the overpack are visible, except as required in 5.2.2.1.12.

5.1.2.2 The individual packages comprising a unit load or an overpack shall be marked and labelled in accordance with chapter 5.2. Each package of dangerous goods contained in the unit load or overpack shall comply with all applicable provisions of the Code. The "OVERPACK" marking on an overpack is an indication of compliance with this provision. The intended function of each package shall not be impaired by the unit load or overpack.

5.1.2.3 Each package bearing package orientation markings as prescribed in 5.2.1.7 of this Code and which is overpacked, placed in a unit load or used as an inner packaging in a large packaging shall be oriented in accordance with such markings

Technical Instructions 2015-2016

Part 5;1.1 i) Each package contained within an overpack is properly packed, marked, labelled and is free of any indication that its integrity has been compromised and in all respects is properly prepared as required in these Instructions. The "overpack" marking described in 2.4.10 is an indication of compliance with this requirement. The intended function of each package must not be impaired by the overpack;

Part 5;2.4.10 Marking of overpacks

An overpack must be marked with the word "Overpack", with the proper shipping name, UN number, and special handling instructions appearing on interior packages for each item of dangerous goods contained in the overpack, unless markings and labels representative of all dangerous goods in the overpack are visible, except as required in 3.2.6 and 3.5.1.1 h) to i). Packaging specifications markings must not be reproduced on the overpack. When packages containing dangerous goods in limited quantities are placed in an overpack, the overpack must also be marked with the limited quantity marking shown in Figure 3-1 unless the markings representative of all dangerous goods in the overpack are visible. The lettering of the "Overpack" marking must be at least 12 mm high.

Note: The size requirement for the "Overpack" marking applies as from 1. January 2016.

Conclusion

14. Depending on the interpretation done by the Sub-Committee, two different alternatives are presented.

Alternative 1

If the interpretations proposed by Spain at the end of Question 1 and Question 2 (paragraphs 5 and 12) are confirmed by the Subcommittee, no changes have to be made to the formal proposal in document ST/SG/AC.10/C.3/2014/65.

Alternative 2

If the Sub-Committee decides that the packaging approval marks must be visible through the overpack to be able to omit the “OVERPACK” mark, the following amendment would be proposed to amend the proposal in ST/SG/AC.10/C.3/2014/65, paragraph 10 to read (new text underlined):

Amend 5.1.2.1 to read:

“Unless markings and labels representative of all dangerous goods (including packaging approval marks, when applicable, for all packages) in the overpack are visible, the overpack shall be:

Marked with the word “OVERPACK”. The lettering of the “OVERPACK” marking shall be at least 12 mm high;

Marked with the proper shipping name and the UN number and labelled, as required for packages by chapter 5.2, for each item of dangerous goods contained in the overpack.
