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**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****Forty-seventh session**

Geneva, 22–26 June 2015

Item 6 (f) of the provisional agenda

**Miscellaneous proposals for amendments to the Model Regulations on  
the Transport of Dangerous Goods: Other miscellaneous proposals****Application of the exemption contained in 1.1.1.9 to lamps  
containing mercury****Transmitted by the expert from Switzerland<sup>1</sup>****Introduction**

1. The introduction to subsection 1.1.1.9 establishing the conditions of exemption for lamps containing dangerous goods raises questions concerning the transport of lamps containing mercury.
2. Special provision 366 in Chapter 3.3 exempts all manufactured instruments and articles containing not more than 1 kg of mercury (land and sea transport) or 15 g of mercury (air transport). In the light of this provision, subsection 1.1.1.9 is not applicable to lamps containing levels of mercury below those limits.
3. However, several factors suggest that the intention was for lamps containing mercury to be included within the scope of 1.1.1.9:
  - The introduction leads to confusion because it refers to special provision 366: “The following lamps are not subject to these Regulations provided that they do not contain radioactive material and do not contain mercury in quantities above those specified in special provision 366 of Chapter 3.3.”;

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<sup>1</sup> In accordance with the programme of work of the Sub-Committee for 2015–2016 approved by the Committee at its seventh session (see ST/SG/AC.10/C.3/92, para. 95 and ST/SG/AC.10/42, para. 15).



- Subsection 1.1.1.9 (b) establishes an upper limit of 1 g of dangerous goods for the exemption to apply to new lamps. Assuming that this paragraph addresses dangerous goods other than mercury, it would seem strange to impose a limit for other dangerous goods, but not for mercury;
  - Subsection 1.1.1.9 (c) establishing the conditions of exemption for used, damaged or defective lamps should, for safety reasons, also apply to lamps containing mercury. In other words, we believe that special provision 366 should not be applicable to damaged lamps containing mercury.
4. The Sub-Committee is invited to take a decision on the application of 1.1.1.9 to lamps containing mercury. If it agrees with the expert from Switzerland that subsections 1.1.1.9 (a), (b) and (c) are applicable to lamps containing mercury, then the contradiction between the text of 1.1.1.9 and special provision 366 should be removed.
5. We propose that special provision 366 be amended as follows.

## Proposal

6. In Chapter 3.3, amend special provision 366 as follows:
- “366 For land and sea transport, manufactured instruments and articles, **with the exception of lamps,** containing not more than 1 kg of mercury are not subject to these Regulations. For air transport, articles, **with the exception of lamps,** containing not more than 15 g of mercury are not subject to these Regulations. **For lamps containing mercury, see 1.1.1.9.**”
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