



**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**

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Item 3 of the provisional agenda

Listing, classification and packing**Proposed new special provisions for the transport of
consumer and pharmaceutical products containing ethyl
alcohol****Transmitted by the Association of Hazmat Shippers (AHS)¹****Background**

1. For many decades, the Committee has provided a conditional exclusion from the Model Regulations for UN 3065, Alcoholic beverages. That exclusion may be found in Special Provisions 145 and 146. In particular, Special Provision 146 states that “Other than for air and sea transport, alcoholic beverages of packing group II, when carried in receptacles of 5 litres or less, are not subject to these Regulations.” Generally speaking, the 5-litre provision accommodates beverages in consumer-sized packaging.
2. Upon examination of the history of this provision, AHS determined that it had been justified on the basis of limited packaging size, value of the contents, control of the ethyl alcohol by non-transportation regulatory bodies, and the intense interest on the part of the consignor to have the packaged product arrive at destination without breakage, damage, or soiling of the product that would preclude the sale of that product.
3. Many other consumer commodities, such as food flavorings, fragrances, cosmetics, and pharmaceutical products contain ethyl alcohol in such quantities as to meet the definition of Class 3, packing groups II and III. These products also are in limited packaging size, have considerable value, are controlled by consumer protection and tax

¹ 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, paragraph 95 and ST/SG/AC.10/42, para. 15).

authorities, and are packaged to ensure not only avoidance of leakage but of damage that would affect or preclude the sale of the product to the consumer.

4. For many years, such products benefitted from ADR Special Provision 601.
5. In addition, for more than 30 years, a State that is a member of this Sub-Committee has maintained an exception for consumer and pharmaceutical products containing ethyl alcohol in certain percentages.
6. The foundation of this exception was the fact that, generally speaking, the higher the percentage of ethyl alcohol in a consumer product, the smaller the inner receptacle for that product would be. An example is perfume, with a higher ethyl alcohol content but offered to consumers in bottles of only a few milliliters capacity. Other products containing less ethyl alcohol were provided to consumers in receptacles of 1 to 5 litres capacity.
7. Based upon more than 30 years' successful experience in all modes of transport, the United States Department of Transportation has adopted that ethyl alcohol exception into its general transport regulations, at title 49 CFR Section 173.150 (g).
8. Based upon that experience, and converted to standard international units of measurement, AHS proposes two new Special Provisions XXX and YYY for UN 1170, Ethyl alcohol, depending upon whether the contents contain less or more than 70% ethyl alcohol. References to these new Special Provisions also could be applied to other entries such as UN 1993 Flammable liquids, n.o.s., UN 1266 Perfumery products, as well as ID 8000 Consumer commodity.
9. The proposed marking indicating the presence of ethyl alcohol in larger packages is based upon the requirements of the new United States regulation.

Proposal

10. Adopt two new Special Provisions XXX and YYY for the entry for UN 1170, Ethyl alcohol, reading as follows:

XXX Beverages, foods, cosmetics, medicines, medical screening solutions, and concentrates used therein containing ethyl alcohol classed as a flammable liquid or as a flammable solid containing not more than 70% ethyl alcohol by volume for liquids and by mass for solids are not subject to these Regulations provided that:

For non-glass inner receptacles the volume does not exceed 500 mL in capacity for liquids;

For volumes greater than 500 mL but not exceeding 5 litres, the words in any appropriate language, e.g. "Contains Ethyl Alcohol," must be marked on the package;

Solids containing ethyl alcohol may be packaged in non-glass inner receptacles not exceeding 0.5 kg capacity;

For more than 0.5 kg up to 4 kg capacity, the words in any appropriate language, e.g. "Contains Ethyl Alcohol," must be marked on the package.

For glass inner receptacles the volume does not exceed 250 mL in capacity;

For volumes greater than 250 mL to 500 mL, the words in any appropriate language, e.g. "Contains Ethyl Alcohol," must be marked on the package;

Solids containing in ethyl alcohol may be packaged in glass inner receptacles not exceeding 0.25 kg;

For masses greater than 0.25 kg up to 0.5 kg, the words in any appropriate language, e.g. "Contains Ethyl Alcohol," must be marked on the package.

The net liquid contents of all inner receptacles in any single outer package may not exceed 6 litres. The net solid contents of all inner receptacles in any single outer package may not exceed 15 kg. The gross mass of any single outer package may not exceed 30 kg. Inner receptacles must be secured within the outer package to prevent breakage, leakage, and movement.

YYY Beverages, foods, cosmetics, medicines, medical screening solutions, and concentrates used therein containing ethyl alcohol classed as a flammable liquid or as a flammable solid containing 70% or more ethyl alcohol by volume for liquids and by mass for solids are not subject to these Regulations provided that:

For inner receptacles containing liquids the volume does not exceed 250 mL capacity;

Solids containing ethyl alcohol are packed in inner receptacles not exceeding 0.25 kg net mass.

The net liquid contents of all inner receptacles in any single outer package may not exceed 6 litres. The net solid contents of all inner receptacles in any single outer package may not exceed 15 kg. The gross mass of any single outer package may not exceed 30 kg. Inner receptacles must be secured and cushioned within the outer package to prevent breakage, leakage, and movement.
