

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

16 June 2016

Forty-ninth session

Geneva, 27 June – 6 July 2016

Item 2 (e) of the provisional agenda

Explosives and related matters: globally Harmonized standard for explosives security markings

Globally harmonized standard for explosives security markings

Transmitted by the Institute of Makers of Explosives

Introduction

1. The Institute of Makers of Explosives provides this informal document as an update to the Sub-Committee on the progress of the work to develop a globally harmonized standard for explosives security markings.

Background

2. At the forty-third session, IME brought to the attention of this Sub-Committee a need for a globally harmonized format for explosives security markings. IME observed that:

- Countries including the USA, China, Brazil, Russia, and those within the European Union have implemented (and others are considering implementing) product traceability requirements utilizing varying marking formats.
- Without a globally harmonized format we will have multiple formats which will make the task of identification by relevant authorities considerably more difficult.
- Products for illicit use are transferred across country borders.
- The varied formats can become confusing to law enforcement and anti-terrorism bodies, defeats the intent of traceability, and delays criminal and terrorist investigations.
- The varied formats place a difficult burden on industry to ensure that the markings applied to their products are compliant with the requirements of the destination country. In some instances, markings have to be replaced with new markings as destinations change.
- This could all be solved with a globally harmonized format for the explosives security markings.
- All explosives must, at some point in their life cycle, be transported; therefore, a logical home for a marking harmonization recommendation is this Sub-committee and its Recommendations (Model Regulations).

Experts have acknowledged the need for a globally harmonized format and have encouraged IME to work on a solution for consideration by the Sub-committee, which

primarily focuses on safety in transportation, and preferably to be included in Chapter 1.4, Security Provisions, of the Model Recommendations.

3. At the 44th Session, IME presented a proposal describing a globally harmonized format for explosives security markings. This format was based upon that used within the European Union (as mandated in Directive 2008/43/EC) as it was the format currently in use by the largest bloc of countries.

Discussion

4. IME's sole intent has always been to add a recommendation for global harmonization of the format used for explosives security markings in an appropriate place within the Model Regulations. It was never IME's intention to establish a "track-and-trace" requirement within the Model Regulations. Further, IME never intended to get into implementation issues such as the requirement to mark, what to mark and what not to mark, and so forth. Due to very specific needs of implementing nations, IME has taken the position that this aspect of security marking should be left to the responsible authorities and that **this Sub-committee should only recommend that the format** of explosives security markings **be globally harmonized**.

5. At the 47th Session, some experts suggested that there might be a way to include the proposal by note or some other form that might be acceptable. Since IME is seeking only a recommendation of this Sub-committee, it agrees that a note may be the best course of action.

6. The Sub-committee is invited to consider the following issues:

(a) Would inclusion of a note in the Model Regulations stating this Sub-Committee's recommendation that, when used, the format for explosives security markings should follow a single, globally harmonized format.

IME is of the opinion that since all explosives must be transported, inclusion of a note providing such a recommendation is appropriate.

(b) Is the format used within the European Union, and proposed by IME (see Figure 1 on the following page), the appropriate format?

IME notes that there are various formats already in use; however, the format used with the EU is used by more individual countries and has been accepted for use in other countries such as the USA and Brazil. Therefore, IME is of the opinion that this format is the most appropriate upon which to base a globally harmonized format.

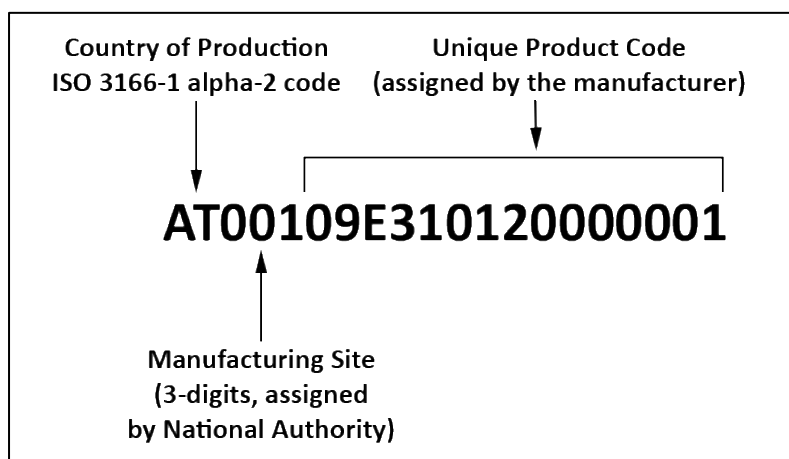


Figure 1
Proposed Globally Harmonized Format
for Explosives Security Markings

(c) *Should the 2-digit country code be the “Country of Production” (as indicated in Figure 1) or some other designation?*

Recognizing that, where a country code is used in explosives security markings, it most often refers to the country of production (or manufacture), IME supports this type of designation. In some instances, for example within the European Union, the code may refer either to the country of production within the EU or the country of first import into the EU; therefore, there may need to be some flexibility in what this code means. Primarily, it, along with the 3-digit manufacturing site code, is used to direct law enforcement officials to the correct initial contact point when beginning a trace of explosives for investigative purposes.

(d) *Who should assign the 5-digit country/manufacturing site code?*

As suggested to IME by the United Kingdom during the 47th Session, we believe that this should be “a relevant authorizing agency”. Some examples are:

- United States of America – Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) of the U.S. Department of Justice
- United Kingdom – Export Licensing, Explosives Inspectorate, Health Safety Executive (HSE)
- Canada – Explosives Regulatory Division (ERD) of Natural Resources Canada
- Brazil – Office of Controlled Products, Brazilian Army, Ministry of Defense

Conclusion

7. When IME first introduced this issue to the Sub-committee, it was only seeking to obtain a recommendation by the Sub-committee that, if security markings are required, those who require said markings adopt a globally harmonized format for the marking. Input from the past few sessions have made the issue more complex and less within the scope of the Sub-committee and its Model Regulations; therefore, IME believes that the

best course of action is to return to the original concept: a note recommending that a globally harmonized format be used.

8. Submitted below, for the consideration and comment of the Sub-committee, is a draft proposal that IME believes best accomplishes this goal. Should it appear that the Sub-committee is supportive of such a proposal, IME will return at the 50th Session with a formal proposal for final consideration by the Sub-committee.

Proposal

9. Insert the following note immediately after paragraph 1.4.3.2.1 of the Model Regulations:

Note: In addition to the security provisions of these Regulations, competent authorities may implement further security provisions for reasons other than safety of dangerous goods during transport. These provisions should be framed so as to not impede international and multimodal transport by different explosives security markings. It is recommended that, when explosives security markings are required, they be formatted as shown in Figure 1.4.1.

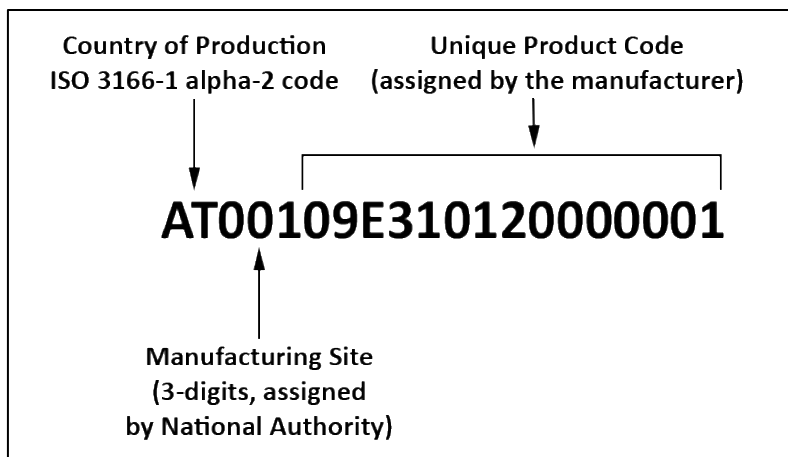


Figure 1.4.1
Recommended Format
for Explosives Security Markings