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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**

**Fifty-fifth session**

Geneva, 1–5 July 2019

Item 3 of the provisional agenda

**Listing, classification and packing**

**Special provision 363**

**Transmitted by the expert from Switzerland\***

*Summary*

**Executive summary:** Allow for the maintenance of marking for engines and machinery with a capacity exceeding 60 litres but containing liquid fuel not exceeding 60 litres.

**Action to be taken:** Amend Chapter 3.3, special provision 363, letter (j).

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\* In accordance with the programme of work of the Sub-Committee for the biennium 2019–2020 approved by the Committee at its ninth session (see ST/SG/AC.10/C.3/108, para. 141, and ST/SG/AC.10/46, para. 14).



## Introduction

1. Users of the exemption under special provision 363 have reported problems in the application of letter (j) of the special provision. The text requires labelling indicating the substances contained, with a placard, for engines and machinery under UN Nos. 3528 and 3530 if they contain more than 60 litres of liquid fuel, when their capacity exceeds 3,000 litres. For engines and machinery under UN No. 3529 with a water capacity of more than 1,000 litres, placards must be placed on two opposite sides (letter (k) of special provision 363).
2. The problem faced by users stems from the fact that they do not know what they are supposed to do once, after use, the engines or machinery contain less than 60 litres of fuel. The introductory paragraph of special provision 363 specifies that the entry may be used only when the conditions for special provision 363 are met and adds that no other requirements of the regulation are applicable. In this case, 5.3.1.1.4 is not applicable, and according to special provision 363, contrary to 5.3.1.1.4, machinery containing less than 60 litres does not require placarding. This would oblige the users to remove the placards for the return journey, once the machinery has been used, when the tank contains less than 60 litres. Such a procedure is clearly impractical.
3. The same problem arises in the case of labels for capacities under 3,000 litres or 450 litres, but whose contents vary with the use of the fuel.
4. To avoid changing the markings as the contents of the tanks fluctuate over time, it is necessary to introduce an exemption in special provision 363 itself, to make it possible to maintain the marking even when the contents fall under 60 litres. This should be done without making the marking mandatory for volumes under 60 litres.

## Proposal

5. Amend the text of Chapter 3.3, special provision 363, letter (j), as follows (new text **underlined in bold**):

“(j) For UN No. 3528 and UN No. 3530:

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 450 l but not more than 3,000 l, it shall be labelled on two opposite sides in accordance with 5.2.2.

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 3,000 l, it shall be placarded on two opposite sides. Placards shall correspond to the labels required in Column (5) of Table A of Chapter 3.2 and shall conform to the specifications given in 5.3.1.7. Placards shall be displayed on a background of contrasting colour, or shall have either a dotted or solid outer boundary line.

**Labelling and placarding of engines and machinery with a capacity exceeding 60 litres but containing a quantity of liquid fuel not exceeding 60 litres, is permitted.**

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