



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

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Item 3 of the provisional agenda

Listing, classification and packing

Scope of special provision 274

Transmitted by the expert from Switzerland*

Summary

Executive summary: The purpose is to clarify the scope of special provision 274 by amending the text of 3.1.2.8.1.2 to remove the ambiguity relating to its application in the case of components that are not dangerous goods.

Action to be taken: Amend the text of 3.1.2.8.1.2.

Introduction

1. A problem of interpretation concerning the information to be included in the transport document has been communicated to us in the case of n.o.s. or generic entries where the constituents themselves are not dangerous goods.
2. These compositions may contain one or more powders that are non-flammable according to the test in the Manual of Tests and Criteria and other liquid organic substances. The proportions mean that the final mixture remains in powder form. However, neither the powders present nor the other substances separated from these powders cause any ignition that would make it possible to give a technical name to a dangerous good according to special provision 274. On the other hand, the mixture as a whole is flammable because of the particle size and the presence of organic substances.
3. For a mixture covered by an n.o.s. or generic entry, the assignment of a technical name according to 3.1.2.8 is mandatory when special provision 274 is assigned to it. As the

* 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).



components are not dangerous goods, the consignor provides technical names of substances that are not dangerous goods. During controls, for example in maritime transport, this anomaly leads to delays because of questions asked by control officers about the information required under special provision 274 concerning goods that are not dangerous goods and the appropriateness of the classification of the final product as dangerous goods.

4. The case of our example involves powders but it can apply to any type of product and we are convinced that it must affect many companies. For this reason, we are introducing this subject in this document.

5. The matter could be easily resolved, because a closer look at the texts shows that 3.1.2.8.1.2 refers to a mixture of dangerous goods or articles containing dangerous goods. It could therefore be concluded that if the mixture is not a mixture of dangerous goods, 3.1.2.8.1.2 is not applicable. We would like to know if the experts share this interpretation.

6. If so, then an amendment to the text of 3.1.2.8.1.2 as presented below would make it clearer to participants that the components of the mixture are not themselves dangerous substances.

Proposal

7. Amend the first sentence of 3.1.2.8.1.2 as follows (added text underlined in bold):

“3.1.2.8.1.2 When a mixture of dangerous goods or articles containing dangerous goods are described by one of the ‘N.O.S.’ or ‘generic’ entries to which special provision 274 has been allocated in the Dangerous Goods List, not more than the two constituents which most predominantly contribute to the hazard or hazards of the mixture or of the articles need to be shown, excluding constituents that are not dangerous goods or controlled substances when their disclosure is prohibited by national law or international convention.”
