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INLAND TRANSPORT COMMITTEE

Working Party on the Transport of
Dangerous Goods

Joint Meeting of the RID Safety Committee
and the Working Party on the Transport of
Dangerous Goods

REPORT OF THE SESSION*

held in Geneva from 13 to 24 March 2000

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REPORT

ATTENDANCE

1. The Joint Meeting of the RID Safety Committee and the Working Party on the Transport of Dangerous Goods of the Economic Commission for Europe held a session in Geneva from 13 to 24 March 2000. Representatives of the following countries took part in the work of the session: Austria; Belgium; Czech Republic; Denmark; Finland; France; Germany; Hungary; Ireland; Italy; Liechtenstein; Netherlands; Norway; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; Switzerland; United Kingdom. The European Commission also took part. The following non-governmental international organizations were represented: International Rail Transport Committee (CIT); International Union of Railways (UIC); International Road Transport Union (IRU); European Liquefied Petroleum Gas Association (AEGPL); European Industrial Gases Association (EIGA); International Union of Private Wagons (UIP); European Chemical Industry Council (CEFIC); European Committee for Standardization (CEN); International Association of the Soap, Detergent and Maintenance Products Industry (AISE).

OPENING OF THE SESSION

2. The Director of the Transport Division, Mr. J. Capel Ferrer, welcomed the participants. He stressed the need for the Joint Meeting to conclude its work on the restructuring of RID and ADR at the present session so as to enable the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods to adopt the final texts for entry into force on the scheduled date of 1 July 2001. He informed the Joint Meeting that the Inland Transport Committee had asked for this objective to be met and had requested the Chairmen of the Joint Meeting and the WP.15 Working Party and the secretariat systematically to leave aside any proposal that might be likely to delay the work. He also informed the Joint Meeting that the International Maritime Organization had agreed on the date of 1 January 2001 for the entry into force of the restructured IMDG Code, with a transitional period of one year. Since the lack of synchronization with the maritime regulations and also the air transport regulations would inevitably cause problems in multimodal traffic, he hoped that every effort could be made to ensure that the gap would not exceed six months.

3. In this context some delegates regretted that no core document had come through normal distribution channels. Some delegates noted that a number of documents had not been available at all prior to the meeting.

ELECTIONS

4. On the proposal of the representative of the United Kingdom, Mr. A. Johansen (Norway) was elected Chairman. On the proposal of the representative of Norway, Mr. H. Rein (Germany) was elected Vice-Chairman.

ADOPTION OF THE AGENDA

Documents: TRANS/WP.15/AC.1/79 (Circular letter A 81-02/501.2000 of the Central Office for International Carriage by Rail) (OCTI)

Informal documents: INF.1 and INF.2

5. The Joint Meeting adopted the agenda as amended by informal documents INF.1 and INF.2.
6. It was agreed to postpone to the second week the study of some informal documents such as those relating to Part 2 and Chapter 5.3.
7. Since 16 March was a holiday for the United Nations, it was agreed to establish an informal working group which would study draft table A of Chapter 3.2 (INF.10) on that day.
8. The representative of IRU proposed that a room should be made available for this group and another for the group which would discuss the question of incident/accident reports. The representative of Germany also offered to host this meeting at the Permanent Mission of Germany.

RESTRUCTURING OF RID/ADR

Part 1

Document: TRANS/WP.15/AC.1/2000/6 (Switzerland)

9. Several delegations considered that the proposals by Switzerland did not belong to the context of the restructuring and should be discussed in the next work cycle as proposals for substantive amendments.

Document: TRANS/WP.15/AC.1/2000/12 (Belgium)

10. This proposal would be discussed during consideration of Chapter 5.3.

Documents: TRANS/WP.15/159/Add.1 (ECE secretariat)
OCTI/RID/CE/36/4 (OCTI)
INF.7 (OCTI)
INF.8 (OCTI)

11. The Joint Meeting considered the texts prepared by the two secretariats for ADR and RID on the basis of previous decisions following consideration by the drafting group established at the last session, and the report of the RID Committee of Experts on its thirty-sixth session (Venice, 31 January-4 February 2000) (INF.7) and the proposals arising out of it (INF.8). The amendments adopted can be found in Addendum 1 to this report.

12. As regards the table in 1.1.3.1 (c) (RID) and 1.1.3.6 (ADR), the representative of Switzerland opposed the addition of a multiplier “20” for the substances of Class 1 and Class 2 mentioned in the footnote to the table, since in the case of ADR this would be tantamount to considerably increasing the quantity of mining explosives which could be carried together with other dangerous goods when normally these explosives should not be carried together with other dangerous goods. The amendment proposed by the RID Committee of Experts, however, was adopted.

13. As proposed verbally by Austria, it was also decided by a small majority to put the maximum quantity for transport category 2 up to 333 from 300.

14. Also as proposed verbally, it was decided to transfer 1.5D substances in the ADR table from category 2 to category 1 to bring it into line with RID.

15. A member of the secretariat pointed out that these decisions concerning the table, based on harmonization with RID, had important practical repercussions which did not only concern ADR since the scope of the table was far wider in ADR than in RID, and that they had not been justified in accordance with the principles adopted by WP.15 for any new substantive changes to ADR (justification in terms of safety, cost and practical implementation).

16. Continuing its consideration of informal document INF.8, the Joint Meeting agreed to take into account only the substantive amendments decided by the RID Committee of Experts, while the rest should be taken as having been adopted, unless there were pertinent contrary opinions (see Addendum 1).

17. Going back on the decision by WP.15 to transfer the provisions of 1.8.5 to 1.1.4.1 (document INF.7, para. 11), the Joint Meeting decided to create a new Chapter 1.9 entitled “Transport restrictions by the competent authorities”. It considered that these provisions had no place in 1.1.4 (Applicability of other regulations) or 1.8 (Checking measures and other measures of support).

1.2.1 Definitions

18. The Joint Meeting agreed to include a general definition for the leakproofness test (application also to packagings and IBCs and to equipment and closing devices) and to adapt accordingly the definition which WP.15 had transferred to Chapter 6.8 (see document INF.7, para. 13).

19. The Committee of Experts had not kept the definition of “EC Directive” for the reasons mentioned in document INF.7, paragraph 16.

1.4 Safety obligations of the participants

20. Since the RID Committee of Experts had already considered document TRANS/WP.15/AC.1/2000/3, the representative of the United Kingdom withdrew his proposal

and intimated that he would submit the part concerning the consignee to the next session of WP.15, the Committee of Experts having accepted that the obligation contained in 1.4.2.3.1 (b) might possibly be assessed differently for road traffic (see document INF.7, para. 21).

1.8.3 Safety adviser

21. With reference to 1.8.6, the Committee of Experts had requested the ad hoc working group on the definition of accidents and incidents to give its attention to the English version which differed from the German and French texts.

22. Since the text of the Directive concerning the examination for safety advisers had been published officially, the Joint Meeting decided to remove the square brackets round the relevant sections.

23. The text of the Directive had been amended by the drafting group to take RID/ADR terminology into consideration. It had been agreed, however, to take account as far as possible of the basic text of the Directive, particularly with reference to the certificate, so as to avoid having two types of certificate - an EU certificate and a RID/ADR certificate. It was suggested that these amendments should be submitted to the European Commission so that they could be taken into consideration if necessary.

24. For the time being the Joint Meeting did not agree to the addition of UN Nos. 1268 and 1863 to 1.8.3.13. It considered that it would be preferable to amend the Directive itself to begin with or to wait for the European Commission to annul it once the texts had entered into force in RID/ADR. RID/ADR could then legitimately supplement the text.

25. The Joint Meeting supported the decision of the RID Committee of Experts (document INF.7, para. 32) to replace “considérablement” by “de manière démesurée” in 1.8.1.4, at least in the French and German versions of RID/ADR. The English terminology would be considered at a later date.

Document: INF.11 (CIT)

26. The suggestion by CIT concerning 1.1.4.2 (marginal 14/2007) was adopted by the Joint Meeting with the deletion of the phrase “from start to finish” (see Addendum 1).

Definitions of accidents and incidents (INF.35)

27. The chairman of the ad hoc working group on this subject (and Vice-Chairman of the Joint Meeting) reported on the results and conclusions reached by the working group (INF.35 and annex 1 to this report). The Joint Meeting adopted the drafting amendments proposed in 1.8.6 and the mandate which would be given to the future working group which would meet in Germany.

Paragraph 1.1.4.5.3: INF.39, INF.8 and CRP.2/Add.1

28. The Joint Meeting was confronted with three different texts for this paragraph, namely, that of INF.8 from the RID Committee of Experts which was intended to clarify the situation, a text reformulated by the ECE secretariat and the “compromise” text submitted by the representative of France. It emerged from the discussion that there was no disagreement on the material content in itself but on how it should be formulated correctly and precisely. It was agreed to come back to the basic text (TRANS/WP.15/159/Add.1 -OCTI/RID/CE/36/4) and to resubmit it in square brackets to WP.15 and the RID Committee of Experts for a final decision. Any new proposals concerning the wording should be submitted simultaneously to WP.15 and the RID Committee of Experts.

Chapters 4.2 and 6.7

Documents: TRANS/WP.15/AC.1/2000/10 (Netherlands)
TRANS/WP.15/AC.1/2000/11 (ECE secretariat)

29. In view of the proposal by the Netherlands and the explanations of the secretariat on the incorporation of the provisions of Chapters 4.2 and 6.7 of the United Nations Model Regulations into the IMDG Code, the Joint Meeting decided to reproduce these provisions in full in the restructured RID and ADR rather than reproduce them partially as in documents TRANS/WP.15/AC.1/1999/38 and TRANS/WP.15/AC.1/1999/39, prepared in accordance with the Joint Meeting’s earlier instructions.

30. The Joint Meeting also adopted paragraph 1.1.4.3 proposed by the ECE secretariat in section 7 of document TRANS/WP.15/AC.1/2000/11 concerning the use of portable tanks meeting the present requirements of the IMDG Code, on the understanding that any portable tank the use of which was permitted under the IMDG Code would also be permitted in road or rail transport for a segment preceding or following a sea leg.

Chapter 4.3

Document: TRANS/WP.15/AC.1/1999/4/Rev.1 (Secretariat)

Informal documents: INF.9 (OCTI secretariat)
INF.19 (OCTI secretariat)
INF.22 (Netherlands)
INF.23 (ECE secretariat)

31. The Joint Meeting considered the text of Chapter 4.3, as revised by the drafting group, paragraph by paragraph. The amendments can be found in Addendum 1.

32. In paragraph 4.3.2.1.6, it was noted that special provision TU 15 already made provision for cases in which foodstuffs should not be carried in tanks. Some delegations considered that there was no need to include such provisions since they concerned the carriage of foodstuffs

rather than dangerous goods. The texts were kept as they stood, however, since they already appeared in RID and ADR, 4.3.2.1.6 containing the general provision and special provision TU 15 specifying particularly dangerous instances.

Informal document: INF.31 (Czech Republic)

33. The representative of the Czech Republic proposed that a provision should be added to paragraph 4.3.2.3.3 to the effect that tanks should only be used if they were designed to avoid any release of volatile organic compounds into the atmosphere so as to take account of Directive 94/63/EC of 20 December 1994.

34. The representative of Austria suggested that a reference should be made to the Directive in a footnote.

35. Most delegations considered that the new proposal did not concern the restructuring and referred to environmental protection requirements rather than transport safety. The proposal was not therefore adopted.

Document: TRANS/WP.15/AC.1/2000/14 (Germany)

36. The proposal to add a paragraph 4.3.2.4.3 concerning the transport of damaged, uncleaned, empty tanks was adopted in principle subject to drafting changes (see Addendum 1).

37. The Joint Meeting also adopted the proposed and amended texts for 7.5.8.1 and 5.4.1.1.6 (see Addendum 1).

Informal document: INF.22 (Netherlands)

38. The proposed amendments to the classification codes were adopted with some corrections.

4.3.4.1.4

39. An ad hoc working group was given the task of rewording this text to comply with the comments put forward by certain delegates, concerning in particular the creation of special provisions for these “dedicated” tanks the code for which did not differentiate them from other tanks.

40. The Joint Meeting also decided to keep the existing difference between RID/ADR and the Model Regulations with regard to UN No. 2447, namely, that it also concerned molten yellow phosphorus.

4.3.5 Special provisions

41. TU 9 was reworded to take account of the present text which stipulates that this is petrol (gasoline) with a vapour pressure greater than 1.1 bar but not more than 1.5 bar at 50°C.

Document: INF.32

42. The text proposed by the small ad hoc working group (see paragraph 39) to replace the first sentence of 4.3.4.1.4 was adopted by the Joint Meeting together with the amendment to (e) for Class 5.2 (see Addendum 1). The ad hoc working group on Class 7 should reconsider the amendment proposed in (g) for Class 7 (see Addendum 1).

43. The Joint Meeting also decided to keep this list of substances for the dedicated tanks, in particular for the needs of those entitled and the approval authorities.

44. The question of keeping UN No. 2426 was the subject of a lengthy debate. Since this type of tank was authorized for the alternative use of carrying inorganic substances (see TU 12), it would contradict the introductory sentence to keep it. This UN number was therefore struck off this list and the tank code L4BV assigned to this substance was added to the rationalized approach in 4.3.4.1.2. Since this type of tank with a venting device (V) did not exist for tanks with more stringent requirements, the ranking was not relevant. In order to take the alternative use into account, however, this type of tank could be authorized for substances or groups of substances assigned to the LGBV tank type, for which requirements were less stringent, especially for substances of classification code 01. The L4BV tank type was therefore added to the LGBV list (see Addendum 1).

Document: TRANS/WP.15/AC.1/1999/32 (Italy)

45. The proposals contained in this document concerning UN Nos. 1959, 1965 (Mixture B1), 3220, 3337, 3339 and 3340 were adopted (P200 of Chapter 4 was also concerned). The representative of Italy was requested to submit equivalent proposals to the United Nations and to the International Maritime Organization (IMO).

Chapters 4.4 and 6.9

Document: INF.13

46. This document would be redrafted by the secretariat in order to replace the old references and specify in 4.4.1 (c) that the substances permitted were those referred to in 4.3.2.1.1.

Informal documents: INF.13/Rev.1 and INF.7

47. The text already approved by the Joint Meeting (TRANS/WP.15/AC.1/74, annex and TRANS/WP.15/AC.1/74/Add.3; OCTI/RID/GT-III/1998-B, annex and Add.3), as corrected by the secretariat to take account of amendments to Chapter 4.3 (INF.13/Rev.1), was adopted.

48. The Joint Meeting noted that in the case of RID this text would only apply to tank-containers since the RID Committee of Experts had not yet approved the principle of using tank-wagons with reinforced plastics tanks. Tests of dynamic stresses on such wagons should first of all be effected.

Chapter 4.5

Document: INF.12

49. Since this Chapter applied only to ADR, it would be considered by WP.15. A member of the secretariat requested delegates to send him any comments and corrections so that they could be taken into account in the final consolidated text to be submitted to WP.15.

50. Although for the moment only fixed and demountable tanks were concerned here, the RID Committee of Experts might envisage rail transport in tank-containers if they were built in the future.

Chapter 6.8

Documents: TRANS/WP.15/AC.1/2000/2 (France/Germany) TRANS/WP.15/AC.1/2000/4 (EIGA)

Informal documents: INF.4 (Belgium) INF.5 (Belgium) INF.9 (OCTI) INF.21 (OCTI) INF.24 (ECE) INF.28 (CEN) INF.29 (EIGA)

51. The representative of Belgium proposed, in document INF.4, that the underlined text in 6.8.2.1.2 should be transferred to the end of 6.8.2.1.15 so that these stresses could be taken into account in calculating the thickness. This proposal was adopted.

52. An explanation of “e” in the formula was added to the text of 6.8.2.1.17, to read: “e = minimum thickness of the shell in mm”.

53. In document INF.4 the representative of Belgium disagreed with the transfer of the values of the lambda coefficient from 6.8.2.1.17 to 6.8.2.1.23. Since this transfer reflected the present situation, the Joint Meeting rejected this proposal.

54. The Joint Meeting accepted the proposal by Belgium (INF.5) to add a definition e_1 to the footnote on page 4 (minimum thickness of the shell in mm for the metal selected) to 6.8.2.1.18.

55. The Joint Meeting considered that the proposal by Belgium to relocate paragraph 6.8.2.1.22 concerning surge-plates under the heading “Other rules of construction for shells” instead of under the heading “Minimum thicknesses” should preferably be submitted to the WP.15 Working Party since it concerned ADR only.

56. In 6.8.2.2.2, the Joint Meeting confirmed that the term “obturateur externe” (external stop-valve) also covered closing devices known as “dry break couplings” (German “Trockenkupplungen”).

Informal document: INF.28 (CEN)

57. Several delegations were not in favour of the proposal by CEN which permitted the approval of tanks designed slightly differently from the design type, since the permitted differences were not clearly defined and misuse could therefore occur.

58. It was clarified that permitted variants would be clearly defined in standard EN 12972.

59. The Joint Meeting finally adopted a text permitting variants provided that they were clearly defined in the certificate of approval of the design type.

60. The Joint Meeting agreed to include a reference to standard prEN 12972 in the new 6.8.2.6 on the model of 6.8.3.6 and to include in the new 6.8.2.7 a similar provision to 6.8.3.7. The Vice-Chairman of the thirty-sixth session of the RID Committee of Experts (Venice) (see document INF.7, paras. 93 to 112) reported that following this session CEN had amended its draft standard to take account of the specific aspects of RID/ADR and that there need no longer be any reservations in referring to this standard.

61. The provision of 6.8.2.4.1 and 6.8.2.4.3 concerning the leakproofness test for compartmented shells was extended to tank-containers but was not made applicable to RID. The RID Committee of Experts should address this problem because of multimodal transport operations.

62. The addition in 6.8.2.5.1 of the phrase (last dash) “and reference to materials standards, if available” became the subject of a discussion on the need for a pertinent transitional measure, for cases in which the future 1.6.3.18 did not apply. The RID Committee of Experts and WP.15 should come back to this question.

Document: TRANS/WP.15/AC.1/2000/4 (EIGA)

Informal document: INF.29 (EIGA)

63. The proposals submitted by EIGA for initial and periodic inspections of battery-vehicles and multiple element gas containers were adopted with some amendments (see Addendum 1).

64. The Joint Meeting went on to consider the special provisions of section 6.8.4. The new provision of TE1 concerning pressure gauges brought up once more the problem of a relevant transitional measure. It would be discussed again at a later stage (WP.15 and the Committee of Experts).

65. The Joint Meeting was not unanimously satisfied as to the location of provisions concerning the test pressure in relation to the design pressure which appeared as a Note with a

table in the special provisions for tests. The representative of Germany mentioned that this situation was a consequence of the rejection of a German proposal concerning tank codes of which the test pressure was a parameter. In the absence of a replacement solution, the Joint Meeting left the situation as it was.

66. The Joint Meeting finally also adopted the last section 6.8.5 of Chapter 6.8.

Chapter 6.2

Documents: OCTI/RID/CE/36/76 (OCTI)
INF.8 (OCTI)
INF.9 (OCTI)
INF.20 (OCTI)
INF.25 (ECE)
TRANS/WP.15/AC.1/2000/9 (CEN)

Document: TRANS/WP.15/AC.1/2000/9 (CEN)

67. The representative of CEN introduced his document containing a proposal to include in Chapter 6.2 references to seven CEN standards or draft standards. He reported that standard EN 1252-1 had already been published, that publication of draft standards prEN 1251-1 to 3 was imminent and that draft standards prEN ISO 11114-2 and prEN 1964-3 would also be published in the near future, probably before the WP.15 meeting in May and the RID Committee of Experts meeting in June. It was not, however, certain that draft standard prEn 12205 would be published in time. He invited the Joint Meeting to include references to these standards in square brackets pending their publication and announced that he would inform WP.15 and the Committee of Experts of the publication situation. Lastly, he mentioned that in previous documents he had announced these standards and drawn attention to them and said that he was prepared to consider observations submitted to him before the above-mentioned meetings took place.

68. During the ensuing discussion, it was pointed out that it was not a satisfactory situation if the Joint Meeting was “obliged” to include references to standards which had not yet been published. It was considered that WP.15 and the Committee of Experts should agree mutually to accept or refuse these references but that such a procedure should not constitute a precedent. It was to be regretted that some standards were based on regulations which had evolved in the meantime or contained texts which differed from the regulations on which they were based, rendering them irrelevant. The representative of France expressed the hope that the TC 296 standards concerning equipment could be included in the list.

69. The representative of CEN agreed that the standards should not concern what had to be done, since that was the province of the regulations, but rather how it was to be done.

70. The representative of Switzerland recalled the proposal he had submitted verbally to the RID Committee of Experts (see document INF.7), of mandating a group of experts of the Joint Meeting to consider the draft standards.

71. The Joint Meeting finally agreed to include references to these standards, but to put the first three in square brackets.

Informal documents: INF.7, INF.8, INF.9, INF.20 and INF.25

72. The text prepared by the drafting group of the Joint Meeting (INF.25) was adopted with some amendments (see Addendum 1).

Chapters 6.1 and 6.5

Informal documents: INF.7, INF.8 and INF.33

73. The amendments made by the RID Committee of Experts to texts already approved were adopted along with those proposed by the Netherlands.

Chapter 6.6

Document: ST/SG/AC.10/25/Add.1

74. The text of Chapter 6.6 (large packagings) of the United Nations Model Regulations was adopted for RID/ADR with an amendment in paragraph 6.6.5.1.1 specifying, as in paragraphs 6.1.5.1.1 and 6.5.4.1.1 of Chapters 6.1 and 6.5, that the design type must be approved by the competent authority.

Chapter 6.10

Informal document: INF.12

75. The chapter on waste tanks concerned ADR only.

Chapter 4.1

Mixed packing

Documents: TRANS/WP.15/AC.1/1999/9/Add.1 and Corr.1 (Belgium)
TRANS/WP.15/AC.1/1999/41 (United Kingdom)

76. The representative of Belgium proposed that the present provisions concerning mixed packing should be included in full in a restructured form, while the representative of the United Kingdom proposed a new approach, avoiding detailed requirements and leaving to the shipper the responsibility of deciding whether the dangerous goods could be packed together or not, by applying the general conditions of 4.1.1.5 and 4.1.1.6.

77. After a general discussion in which several delegations considered that the proposal by the United Kingdom, supported by several other delegations, was too far removed from the

substance of the requirements currently in force, the representative of the United Kingdom withdrew his proposal and said that he would come back to the question in the course of the next biennium.

78. The proposal by Belgium was used as a basis for discussion.

79. The Joint Meeting considered that provisions MP1 and MP2 had already been taken into account generally in Chapter 4.1 (paragraph 4.1.1.5) and in Chapters 5.1 (paragraph 5.1.4) and 5.4 (paragraphs 5.4.1.1.1 and 5.4.1.2.1 (b)).

80. For the same reasons mentioned previously (provision of a general nature), MP3 was also deleted.

81. The Joint Meeting noted that as from MP4 the MP provisions concerned exceptions to the general rules of 4.1.1.5 and 4.1.1.6 and therefore agreed that they could be kept.

82. Where MP4 was concerned, however, the Joint Meeting decided to create a separate MP for articles of compatibility group L of Class 1 (see Addendum 1).

83. The other MP (5 to 27) were adopted with the exception of MP26 in accordance with Corr.1. These MP would also have to be renumbered as a result of the deletions.

84. The representative of Germany postponed consideration of his document (TRANS/WP.15/AC.1/2000/13) until the next session on the grounds that it did not concern the restructuring but an amendment to the present text.

85. In the general context of Chapter 4.1, the representative of France requested the deletion of instruction P110 (a), following a decision at the previous session of the Joint Meeting. As the London drafting group had noted, the provisions of marginal (2) 906 (3) for used lithium batteries had not been included and this should be rectified (for example, by an addition to instruction P903).

Chapters 5.1, 5.2, 5.4 and 5.5

Document: TRANS/WP.15/159/Add.4

86. The representatives of Belgium and the Netherlands commented on these chapters, and particularly on a reference to the transitional measures of 1.6.1.2 with regard to 5.2.2.1 and 5.4.1.1.3 where the present text had not been included in full.

Chapter 5.5

87. The Joint Meeting asked the secretariat to check whether the phrase in square brackets in the heading, “in risk groups 3 and 4”, was correct; this addition had been made by the Paris drafting group. It considered that it would be for the RID Committee of Experts to take a

decision on the question of “the quickest possible routing” in 5.5.1.2 (c). The problem of the “flight or train number(s)” should be considered both by the RID Committee of Experts and by WP.15.

88. The Joint Meeting did not keep the new 5.5.1.3 with footnote 2 referring to Directive 90/219/EEC, added by the Paris drafting group. It considered that this Directive was not applicable in the circumstances.

89. With reference to 5.5.2 (fumigation), the Joint Meeting agreed that the warning sign had its place in this chapter. It also agreed in principle to adding a reference to languages, for example along the lines of 5.2.1.5 or its equivalent for RID, since a similar text appeared elsewhere in RID/ADR.

90. With reference to the transport of containers of vehicles which had undergone fumigation treatment, the Joint Meeting considered that it was necessary to include a text specifying the language to be used for particulars in the transport document/consignment note. The traditional RID/ADR formula was adopted (see Addendum 1).

91. For the language of the warning sign, bearing in mind that this was mainly a shipping problem and that the IMDG Code did not require any particular language, the Joint Meeting adopted the proposal by the ECE secretariat to leave to the shipper the choice of the language of the warning sign, thus going back on its previous decision (see para. 89).

Chapter 5.4

92. In 5.4.2, the Joint Meeting supported the proposal by the ECE secretariat as presented in document TRANS/WP.15/159/Add.4 to include the text of the IMDG Code concerning the packing certificate as a footnote. Several delegations agreed that this was not contrary to the decision taken at the last session to keep the existing text of ADR and that this solution would be user-friendly.

93. The representative of UIC noted that in 5.4.1.1.1 letters (f) to (j) concerned ADR only, since for RID the matter was settled by COTIF’s CIM Uniform Rules.

94. In 5.4.1.1.2, with reference to the carriage of wastes it was decided to use only the term “waste” (and therefore to delete “[containing]”) in the particulars to appear in the transport document/consignment note. It was agreed that this term would not be repeated if it was already included in the proper shipping name (see Addendum 1).

95. It was similarly decided that, in accordance with the existing RID/ADR, the term would be followed by the UN number and the proper shipping name.

96. The Joint Meeting considered it necessary to include in this paragraph two examples of particulars which should appear in the transport document/consignment note, including one example for n.o.s. substances (see Addendum 1).

97. The representative of Belgium pointed out that, despite the decision adopted at the last Joint Meeting, paragraphs 5.4.1.2.1 (c) and (d) had not been moved to 5.4.3. The Chairman and the OCTI secretariat explained that this decision had been reconsidered by the drafting group established by the Joint Meeting which had found the structure presented in document TRANS/WP.15/159/Add.4 preferable because it grouped the provisions concerning Class 1 and lent itself better to the structure of RID.

98. The structure presented in document TRANS/WP.15/159/Add.4 was kept. As a result, the heading of 5.4.1 was amended to take account of the other information relating to the transport document/consignment note prescribed in this section (see Addendum 1).

99. With reference to the proposal not to apply the packing certificate requirement to radioactive material, the Joint Meeting was informed that rule 5 of Chapter VII of the SOLAS Convention required a packing certificate for all containers and vehicles carrying dangerous goods, whatever the class, and specified that vehicles or containers without a certificate should not be accepted for embarkation.

Chapter 5.3

Document: INF.27 (ECE)

100. A member of the secretariat (ECE) introduced his document and explained that, where section 5.3.1 was concerned, he had endeavoured to keep in line to some extent with the Model Regulations (placarding) as the Joint Meeting had requested, for the purposes of multimodal transport and more particularly for containers. Generally speaking, the terminology had also been harmonized, as in Chapter 5.2, particularly with reference to placarding and the orange plate marking. Section 5.3.2 for its part came from RID/ADR (Appendix VIII/B.5) except for the provisions of 5.3.1.3.3 and 5.4.1.4.2.

101. It was noted that an addition would be required to the heading of Chapter 5.3 concerning the orange plate marking and that the provisions relating to the mark for elevated temperature substances (marginal 1910 RID/Appendix B.7 ADR) had not been included. The representative of UIC also pointed out that the provisions of RID in marginal 1901 (1)/3901 (1) on indelible danger markings did not appear either. He further noted that in RID labels for wagons and tank-wagons, but not for tank-containers, measured 150 x 150 mm and not 250 x 250 mm as in ADR.

Document: TRANS/WP.15/AC.1/2000/12 (Belgium) (see para. 10)

102. In the context of terminology, the representative of Belgium introduced his document in which he noted the inconsistencies in Part 1 of the restructured text in relation to the new terminology adopted for Part 5 and proposed a new definition for the term "marking" which did not, however, take account of the new situation for labelling (labelling in 5.2 and placarding in 5.3).

103. Several delegations noted that the term “marking”, or “marquage” in French, was used in different contexts, particularly in the marking of tanks, and it would not necessarily be advisable to limit its use by too restrictive a definition.

104. The proposal by Belgium was not adopted.

105. The Joint Meeting adopted the ECE secretariat’s proposal to bring the terminology of Chapter 5.3 into line with that of the United Nations Model Regulations, i.e. to adopt the terms “placarding/placards” (in French “placardage/plaques-étiquettes”) instead of “label” so as to create a difference with the labelling of packages. The appropriate terminology for the German text would need to be determined.

106. Several delegations expressed support for the structure of Chapter 5.3 proposed by the secretariat in that the new structure clarified the various requirements applicable to the different types of transport equipment and revealed certain differences in the various regulations which it might be necessary to rectify.

107. In paragraph 5.3.1.1.2 it was noted that the provisions for Class 1 only concerned carriage in packages and that they should therefore be moved elsewhere. The present text of ADR for Class 1 also only applied to transport units and not to vehicles as for the other classes.

108. Some delegations pointed out that while the general rule for the placarding of containers carrying packages was to affix placards to all four sides of the container, this was not the case for containers intended for the carriage of bulk solids nor for tank-containers (two sides for carriage by rail and two sides and the rear of the vehicle for road transport). The secretariat’s proposal made placarding on all four sides obligatory in the case of carriage which included a section by sea, air or inland waterway, while providing for placarding corresponding to current usage for carriage by road or rail only.

109. After a lengthy discussion of the question, the Joint Meeting decided that, since the transport equipment in question was by nature intended for multimodal transport, it would be timely to harmonize the requirements of RID/ADR with those applicable to the other transport modes, and therefore to prescribe the systematic placarding of all containers and tank-containers on all four sides, without the exception for which 5.3.1.2.4 provided.

110. The Joint Meeting noted that there were differences between RID and ADR for small containers which, where labelling was concerned, were treated as packages in RID and as large containers in ADR.

111. The detailed study of informal document INF.27 was entrusted to a drafting group, chaired by the Vice-Chairman of the Joint Meeting, which prepared a revised version (INF.27/Rev.1).

112. The Vice-Chairman explained that the drafting group had concentrated on reflecting the present requirements of RID/ADR with some changes to take account of the United Nations

Model Regulations, and that because of this some divergences between the present versions of RID and ADR had been kept; this did not, however, mean that the drafting group considered that they should not be resolved.

113. He noted, for example, that the present texts of ADR concerning swap-bodies had been placed in square brackets; it would be for the WP.15 Working Party to decide whether the present divergences between ADR and RID should be left in view of ongoing work on the subject at the present time.

114. Similarly, the texts of RID and ADR diverged with reference to small containers; this question should be studied during the next work cycle.

115. Lastly, some suggestions by the ECE secretariat, concerning ADR only, to take account of requirements applicable to shipping, had been placed in square brackets in the form of a Note and should be considered by the WP.15 Working Party.

116. The representative of the Netherlands was of the opinion that the dimensions 150 mm x 150 mm in paragraph 5.3.1.7.3 (RID) were the general rule for placards for wagons, and that this paragraph should not therefore be presented as an exception to the general rule of 5.3.1.7.1. The Joint Meeting did not share this opinion. The discussion should be continued in the RID Committee of Experts in order to determine the best position for placards.

117. The Joint Meeting did not adopt paragraphs 5.3.1.2.2 and 5.3.1.4.2 (RID and ADR) in which, in accordance with the United Nations Model Regulations and the IMDG Code the appropriate placards should be affixed on each tank compartment in multi-compartment tanks. The Joint Meeting considered that in such cases the identity of the various substances contained in each compartment was already given by the orange plate, and that it was not helpful to multiply placards on the sides of tanks, especially when the hazard class was the same. Delegations wishing to propose an amendment to the present requirements in this regard should submit a written proposal with an assessment of the practical consequences.

118. Chapter 5.3, as adopted by the Joint Meeting, is reproduced in Addendum 6.

Chapter 3.2

Document: INF.10 (UIC)

119. The Chairman, who also chaired the ad hoc working group on Table A, submitted an interim report on the progress of work in the working group. After pointing out the “new” content of the columns (see Addendum 3), he specified that column 2 would also include, where necessary, particulars such as the flash-point, high viscosity, vapour pressures and the technical name of mixtures for gases. He added that the column would include the proper shipping name but not the synonyms or different names used in RID/ADR which would appear in the

alphabetical table. He also said that special provision 223 had been deleted and that reinforced plastics tanks would also be mentioned. It was agreed that the classes would be checked as follows:

Class 1: Norway

Class 2: Netherlands

Classes 3 and 6.1: France

Classes 4, 5 and 6.2: Germany

Class 7: Italy

Classes 8 and 9: United Kingdom

Tank coding: Netherlands and Germany

The table overall would be reviewed by the chemical industry.

Consideration of Chapter 3.1 would continue in this working group (see para. 125).

120. The representative of Italy said that he very much regretted that some representatives of ECE and OTIF member States, who had taken part in the drafting of the United Nations Model Regulations for the Transport of Dangerous Goods, and had adopted it in the Committee of Experts on the Transport of Dangerous Goods of the United Nations Economic and Social Council, were currently endeavouring to draft texts that were different in form but did not significantly modify the substance. He considered that this attitude was contrary to the mandate of the Joint Meeting which in principle called for harmonization, as far as possible, with the United Nations Model Regulations. It was also a quite considerable waste of time for all the delegates taking part in the work of the Joint Meeting and a squandering of ECE's and OTIF's resources, despite the direct instructions of the ECE Inland Transport Committee which the Director of ECE's Transport Division had recalled clearly at the start of the session.

121. It was noted that the alphabetical table, which should have constituted Table B, would, for ADR at least, appear at the end of the restructured text as a non-official section. The RID Committee of Experts would decide whether or not to maintain the status quo, since this alphabetical table was currently an integral part of RID.

122. The Joint Meeting considered overall that an alphabetical list of dangerous goods, referring to the applicable UN number, should be included in RID/ADR.

123. A member of the ECE secretariat said that for ADR, because of the complicated legal procedures for amendments and corrections to international treaties, it would be desirable if only the numerical list were deemed authentic from the legal point of view, in accordance with the present ADR, thus making it possible to avoid legal problems of contradictions between two lists and problems of concordance of the alphabetical indices in the various languages.

124. This proposal by the secretariat for ADR gave rise to a lengthy discussion in which opinions were divided. The Joint Meeting, noting that the RID alphabetical list was officially part of RID, finally decided, following a vote, that it should be an official part of RID and ADR.

Chapter 3.1

Informal documents: INF.3 and INF.3/Rev.1

125. The Joint Meeting adopted a text on the basis of a proposal by Belgium (INF.3) as revised by a drafting group (INF.3/Rev.1) (see para. 119 and Addendum 3).

Chapter 3.3

Documents: TRANS/WP.15/159/Add.2, INF.9, INF.18 and INF.34

126. Contrary to the decision taken at the last Joint Meeting, UN No. 2015 was deleted from special provision 113. It was considered that since the proper shipping name included the word “stabilized”, logically carriage of this unstabilized substance was prohibited; in any case it appeared in Part 2 and harmonization with the Model Regulations was in addition ensured.

127. In accordance with the decision of the last Joint Meeting and the London drafting group, special provision 133 was deleted.

128. Special provision 534 was kept since it concerned classification on the one hand and packaging on the other. It thus did not create redundancy with special provision TU 9 of 4.3.5 which applied to tanks only.

129. It was decided, in accordance with the existing version of RID/ADR, that special provision 274 would not apply to UN No. 3291, clinical waste, unspecified, n.o.s. or (bio) medical waste, n.o.s. or regulated medical waste n.o.s.

Chapter 3.4

Documents: TRANS/WP.15/AC.1/1999/8, TRANS/WP.15/AC.1/2000/5,
TRANS/WP.15/AC.1/2000/7 and TRANS/WP.15/AC.1/2000/8

130. The representative of Switzerland introduced his document TRANS/WP.15/AC.1/2000/5 in which he noted the requirements which in his interpretation still applied to these limited quantities.

131. In document TRANS/WP.15/AC.1/2000/7, the ECE secretariat challenged this interpretation and was supported by several delegations. The proposal by Switzerland was therefore rejected by the Joint Meeting, since the ambiguities noted by the representative of Switzerland could, if necessary, be dealt with at a later stage.

132. The representative of Belgium introduced document TRANS/WP.15/AC.1/2000/8 and proposed a new text for this chapter, which would nevertheless include the table from the core document TRANS/WP.15/AC.1/1999/8, with some amendments. The Joint Meeting adopted this proposal with some structural amendments (see Addendum 1). It was recalled that the right-hand column of the table “Applicable to” would not be included in the final text since it was only used to fill the relevant column of Table A of Chapter 3.2.

Part 7

Documents: TRANS/WP.15/159/Add.10
OCTI/RID/CE/36/6
INF.8 (OCTI)
INF.16 (Germany)
INF.17 (Germany)

133. The Joint Meeting began by considering the amendments decided on by the RID Committee of Experts, which were the subject of INF.8, 16 and 17.

134. With reference to the addition of new substances to V4/W4 of 7.2.4, carriage of which in packages was prohibited, it agreed that this special provision should be deleted, since when no packing instruction appeared in the relevant column, carriage in packages was automatically prohibited. In addition, packing instructions PO99 and IBC099 were provided for UN Nos. 3257 and 3258.

135. Since the working group on Chapter 3.2 had not agreed to create a specific RID/ADR number (INF.17) for genetically modified organisms (Note to marginal (2) 901, 14°), and since this provision appeared in Part 2 and would also appear in the alphabetical table, the Joint Meeting did not keep the addition V/W proposed in 7.2.X.

136. The Joint Meeting agreed to the transfer of V9 to 7.5.11 as CV4. It also agreed to the deletion of paragraph (6) in CV33 of 7.5.11 (a provision already taken into account in the table of 7.5.2.1) and to the deletion of the Xes in square brackets in this table (since this did not reflect the present situation) (see Addendum 1).

137. The other amendments of INF.8 were adopted. The texts in square brackets in VV9 (a) and (b), VV10, VV11 and CV12 in the basic text were also adopted. However, the text in square brackets in CV9 (this provision does not currently apply to ADR) and the application of CV24 to self-reactive substances of Class 4.1 (these substances do not contain oxygen) were not kept (see Addendum 1).

Part 2

Documents: INF.14A and INF.14B (ECE)

138. The ECE secretariat explained that the basic texts for this part had already been adopted by the Joint Meeting and that the new text simply took into account amendments resulting from the eleventh revised edition of the Model Regulations and the new classification codes accepted by the Joint Meeting.

139. The representative of Belgium said that he had not had the time to examine the 126-page document that had been distributed at the start of the meeting, and since numerous other documents had been available only during the meeting he would therefore abstain from any comments.

140. Subsection 2.1.2.5 was amended to take account of the fact that it applied only to classes where this was expressly specified for a given class.

141. Paragraph 2.2.8.1.7 was brought into line with paragraph 2.2.61.1.13 so as to take into consideration the present text concerning solutions and mixtures and not substances.

142. Where paragraph 2.2.3.1.5 was concerned, the Joint Meeting brought the text of ADR into line with that of RID and the IMDG Code, specifying that: “these solutions and mixtures are not subject to the requirements of ADR” instead of “are subject only to the requirements of 5.4.1” (see Addendum 1). A representative of the Netherlands explained that in terms of the precedence of hazards table, these substances could only be assigned to Class 3 and not to Class 9.

143. The representative of the Netherlands transmitted to the secretariat a list of corrections to documents INF.14A and INF.14B which would be taken into account in the final version of the document.

144. The Joint Meeting agreed that if specific prohibitions were mentioned in sections 2.2.X.3, they should also be mentioned in Table A of Chapter 3.2, either by specifying “CARRIAGE PROHIBITED” facing the UN number in question, or in the form of a special provision attached to the UN number(s) concerned.

Class 7

Documents: TRANS/WP.15/AC.1/1999/36, INF.35 and INF.38

145. The small ad hoc working group on Class 7 submitted (INF.38) its proposed amendments to document TRANS/WP.15/AC.1/1999/36. The Joint Meeting adopted points 2 to 6 and point 1 would be submitted to the RID Committee of Experts (placards on the four sides of wagons, in connection with labels 13 and 15) for a decision to be taken on the subject.

146. The proposal by the United Kingdom (INF.37) was also adopted; this proposal was aimed at taking into account the alternative use of tanks for other goods, in accordance with the IAEA Regulations. Their use was already permitted in Belgium and the United Kingdom, although it was prohibited in the present version of RID/ADR. As a result of the European framework directives, such alternative use would no longer be subject to domestic rules in the future. The incorporation of this text in 4.3.4.1.4 (g), however, was in contradiction with the introductory sentence of 4.3.4.1.4. It would be necessary to come back to it at a later stage in order to maintain the systematic order of this paragraph as had been done for ammonium nitrate (see para. 44).

147. Since the new provisions of Class 7 would only come into force on 1 July 2001 while those of the IMDG Code and the Technical Instructions of ICAO would already be in force on 1 January 2001, transitional measures were required, particularly as the old and the new UN numbers did not match. The representative of France announced that he would submit a special multilateral agreement for RID and ADR so as to rectify this deficiency.

FUTURE WORK

148. The restructured texts of RID/ADR adopted by the Joint Meeting would be submitted to WP.15 for approval (Geneva, 15-19 May 2000) and to the RID Committee of Experts (Germany) (26-30 June 2000). The next Joint Meeting would be held in Bern from 11 to 15 September 2000. The documents pending from the last few meetings are listed in annex 2 to this report. Their authors are requested to check whether they are still up to date.

ADOPTION OF THE REPORT AND ITS ANNEXES

149. The Joint Meeting adopted the report and its annexes.

Annex 1Report of the working group on subsection 1.8.6
“Reports on accidents or incidents”

The working group began by discussing the amendments to the draft RID/ADR made since the proposal had been submitted. In particular, the incorporation of Directive 96/35/EC concerning the safety adviser and therefore the introduction of the obligation of the dangerous goods agent/safety adviser to furnish a report to the management of the undertaking following an accident had not yet been foreseen when the proposal concerning subsection 1.8.6 was put forward.

In reply to a question, the Chairman explained that the accident report furnished by the dangerous goods agent/safety adviser does not replace the reports by the management of the undertaking in accordance with other national or international requirements (see Directive 96/35/EC, article 7 and 1.8.3.6, second sentence, of RID/ADR). The report of the accident to be requested from or prepared by the dangerous goods agent/safety adviser should be established for all accidents occurring during a transport operation, or loading or unloading by the undertaking, so that the management can take the necessary (organizational) measures.

Reports to be submitted by the undertaking (carrier, infrastructure manager) to the competent authorities of the member States and the secretariats (OCTI/ECE) fulfil another function, particularly in respect of work at the international level, which the working group has defined as follows:

- verification and, where necessary, amendment of the regulations;
- reporting to member States/Contracting Parties as regards:
 - development of national guidelines and requirements for implementation;
 - legal implementation; and, consequently,
 - prevention;
- monitoring of the efficiency of the international legal requirements.

The working group considered it necessary to bring into line the content and scope of the obligation to report on this aspect of the legal requirement. The approach proposed by a UIC working group, that only accidents caused by the dangerous goods carried should be reported, was deemed too restrictive and was rejected as a result.

Since in the majority of cases the accident was not caused by the dangerous goods carried but by technical failures and shortcomings or by erroneous behaviour by participants and that such accidents could reveal deficiencies, e.g. in construction and equipment requirements, the latter should also be given consideration. CEFIC (Ms. Dehaese) and the Swiss association of

chemical industries (Mr. Grieder) presented their reporting system and criteria in the event of an accident to delegates and furnished information. Mr. Molinero Guierrez explained the Spanish reporting system. Ms. Oscarsson said that where Sweden was concerned, all accident reports were centralized by the administration.

The working group discussed the utility of specific or general criteria for an obligation to report in accordance with 1.8.6.1. It decided by a majority in favour of drawing up specific criteria so as to report both on road and rail accidents in accordance with a standard European model. A number of delegates hoped that the work could be done without the time pressures of the restructuring. The present text of 1.8.6 was in principle considered to be suitable for initially introducing the reporting obligation into law. The criteria prepared by CEFIC, Spain and France were also considered to be useful starting points for the follow-up to the debate. Experience in the United States of America should also be taken into consideration. The representative of IRU expressed a fear that the report in question could be used in criminal or civil proceedings against the undertaking required to make the report. The working group was unanimous in considering that this was not the purpose of the requirement and that efforts should be made to ensure that the information transmitted was anonymous.

The working group considered it necessary that the Joint Meeting should give a mandate to another working group to prepare criteria for a reporting obligation in accordance with 1.8.6.1. It noted that the competent authority of the member State/Contracting Party would have to decide whether a report should be addressed to the secretariats or not. Some indications would also need to be given concerning the interpretation of the expression "if necessary" in the text of 1.8.6.1.

The secretariats should prepare standard models of reports which would take account of computerization requirements.

The Chairman proposed that a two-day meeting of the working group should be organized in Germany and that a working document should be prepared for the purpose.

Annex 2Documents pending from recent meetings

TRANS/WP.15/AC.1/... -OCTI/RID/GT-III/...

- /1997/63 (Austria) (Part 2 and Chapter 3.3)
- /1997/69 (Sweden) (Part 2 and Chapter 3.3)
- /1998/43 (France) (Chapter 6.2 or 4.1, P200)
- /1998/45 (France) (Chapter 6.2 or 5.2)
- /1998/46 (France) (Chapter 6.2)
- /1998/48 (AEGPL) (Chapter 6.2)
- /1999/2 (Austria) (Section 1.1.3)
- /1999/14 (Austria) (Chapter 5.2)
- /1999/16 (FIATA) (Part 7)
- /1999/17 (ECE) (General)
- /1999/19 (European Commission) (Chapter 6.2 or Section 1.1.3)
- /1999/22 (EIGA) (Chapter 1.6)
- /1999/23 (CEFIC) (Section 1.1.3)
- /1999/24 (CEFIC) (Chapter 4.1)
- /1999/46 (CEFIC + EIGA) (Chapters 1.2 and 6.8)
- /2000/1 (CEFIC) (Part 2 and Chapter 3.3)
- [-/2000/5 (Switzerland) (Chapter 3.4) see para. 131]
- /2000/6 (Switzerland) (Section 1.1.3)
- /2000/13 (Germany) (Chapter 4.1)
- INF.3 (CTIF) (Joint Meeting May 1999) (Chapter 5.3)
- INF.4 (FIATA) (Joint Meeting May 1999) (Chapter 5.3)
- INF.5 (Austria) (Joint Meeting September 1998) (Chapters 4.1 and 6.5)

NOTE: Documents -/1999/12 (Switzerland), -/1999/21 (United Kingdom) and -/1999/22 (United Kingdom) were discussed in the context of the revision of Class 7.
