UN/SCETDG/28/INF.38

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

Twenty-eighth session
Geneva, 28 November – 7 December 2005
Item 6 of the provisional agenda

MISCELLANEOUS PROPOSALS FOR AMENDMENTS TO THE MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Infectious substances: Comments on ST/SG/AC. 10/C.3/2005/59

Transmitted by the expert from Germany

Germany generally supports a harmonization of the regulations and therefore welcomes the proposal made by ICAO. However, as regards the proposals 7 and 8, our opinion is as follows:

Ad proposal 7

We cannot agree with the proposal of ICAO to replace the word "should" with "shall" in 2.6.3.2.3.6.

Justification:

From a legal point of view, this special kind of patient specimen as defined in 2.6.3.2.3.6 ("… minimal likelihood that pathogens are present…") does not fall within the criteria for assignment to division 6.2 in accordance with the definition in 2.6.3.1.1 (… "substances which are known or are reasonably expected to contain pathogens"). Therefore, it is neither an absolute necessity nor legally possible to regulate the carriage of these specimens in accordance with the dangerous goods legislation.

However, if reference is made in 2.6.3.2.3.6 to the packaging of a substance which is not subject to the regulations, this can only be a recommendation.

Ad proposal 8

The new wording in the first sentence of the note to 2.6.3.2.3.6 is welcomed since it enhances clarity.

However, we have concerns that the examples of patient specimens given in the note may be regarded, in medical practice, as an exhaustive list of all specimens which may be carried under this paragraph – irrespective of whether a detailed examination has been carried out in each case. Therefore, the following proposal is made in order to enhance clarity:

Proposal 1

In sentence 3 of the note, insert the following words after the word "paragraph":
"if the conditions of sentence 1 are met".

Proposal 2

Deletion of the last example "… and antibody detection in humans or animals".

Currently, it is especially the examinations of patient specimens (blood samples) for HIV, hepatitis B and other infectious diseases (often conducted where a specific disease is suspected) which are, in most cases, carried out in the laboratories using the antibody detection method. For this reason, antibody detections cannot be considered typical examples of patient specimens which, as a rule, have to be exempt from the Regulations.
