

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods
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PROPOSALS OF AMENDMENTS TO ANNEXES A AND B OF ADR

Comments on TRANS/WP.15/2005/17 (FIATA-IRU) – Instructions in writing

Transmitted by the European Chemical Industry Council (CEFIC)

CEFIC welcomes the proposal of FIATA and IRU but has a number of questions and concerns, expressed below.

1. Concerns about the principle

The FIATA-IRU proposal claims that the driver will read more attentively and will understand more easily the proposed concise single instruction. However the information needed may vary from journey to journey depending on the danger labels of the goods carried on board.

A substantial number of substances carry more than 1 danger label, which means that the driver will often need to combine different sets of hazard information. Moreover also these combinations may vary from journey to journey. In an emergency, the driver will need to look first to the transport document (unless he has confidence in having kept in mind the right combination of labels), in order to find out the applicable hazard(s) and appropriate risk-specific actions.

The current format (ADR 5.4.3.8) on the other hand immediately informs the driver on the hazards involved and on the actions, which are appropriate for the product, carried on board, paying due respect to the driver's safety. The availability of directly applicable information is crucially important in an emergency, which often leads to stressful conditions. The FIATA-IRU proposal to use different sets of information may lead to loss of time or to taking wrong decisions in certain situations, and thus could actually decrease the level of safety.

The FIATA-IRU proposal implies that these instructions are to be provided by the carrier. CEFIC is of the opinion that only the consignor has the product knowledge needed to provide the necessary product specific information.

2. Need for additional information

Although it is true that the same instructions could apply to a large number of products, Cefic is of the opinion that there is definite need for additional information from the consignor for certain products.

On top of the very general information in the proposed single set of instructions, additional information is required for e.g. products which react dangerously with water (with “X” in front of the hazard identification number) or which have a risk of spontaneous violent reaction (with “9” at the end of the hazard identification number), products of PG I such as hydrofluoric acid, cyanides, etc. Actually products with the same danger label do not inevitably represent exactly the same risk. Therefore ADR makes use of the concept of Packing Group and of classification code in order to group, within a class, substances with similar properties/risks more adequately.

The current FIATA-IRU proposal may therefore lead to the fact that no actions will be taken (although perhaps for PG III goods, these could have been taken) or even worse that the driver puts his live into danger by taking (apparently) harmless actions. Having the consignor provide the driver with a separate piece of paper with additional information is not desirable and may lead to confusion. In this case one should rather keep the current format.

In terms of ADR and Responsible Care, the consignor has in any case safety obligations for its products such as: take appropriate measures according to the nature and the extent of foreseeable dangers, furnish the carrier with information and data, etc. The consignor must have the opportunity to provide additional information, if he deems it essential to meet his obligations.

Finally, the identification of those products, which require additional information, or those, which require no additional information, may be considered an option – but this looks to be a difficult task. Who will identify these products? Forming a WG representing industry, carriers and administrations will probably lead to a very controversial discussion and it is doubtful whether agreement can be reached at all!

3. Multilanguage aspects

Although not intended by ADR for the Emergency Services anymore, much information on the instructions in writing, can be useful for them, such as “heavier than water” (helping to define the method for fighting a spillage) or “pungent odour” (helping to detect the product) or “coloured liquid” (helping to distinguish a product leak from rain or water condensate).

Additionally many companies, on a voluntary basis and without being required by ADR, still provide on the current instructions in writing, specific information for the

operational Emergency Services. In this way the Emergency Services benefit from the multilanguage requirement of ADR instructions in writing.

Even though the FIATA-IRU proposal claims that there are sufficient alternative sources for information for the Emergency Services, this is most probably not yet the case for all of the 40 Contracting Parties of ADR. It would therefore be interesting to know the point of view of the operational Emergency Services (e.g. CTIF) as well as of untrained responders e.g. Police, who are often first at the scene of an incident. The input from these responders will help to identify the need for maintaining multilanguage instructions in writing and will help to clarify who should be the addressee according to ADR 5.4.3

4. Specific case of mixed loads of packaged goods

Nearly all arguments, put on the table by FIATA-IRU, relate to the transport of mixed load of packaged goods. It should be noted however that the current subsection 5.4.3.7 already allows the use of 1 instruction per class, even if it covers dangerous goods which do not present the same dangers (e.g. toxic- flammable and toxic-corrosive). If, as is being claimed by FIATA-IRU, such transports involve goods with many different danger labels, it would become even more difficult for the driver to consult the different sets of information (given per label).

Perhaps the extension of the use of mixed load cards across a number of classes could be envisaged, without having to change the whole system.

5. Protective equipment

The initiative to harmonise as much as possible the protective equipment requirements is being welcomed as it will help carriers to guarantee its presence on board of trucks.

The proposed list is a good start but more discussion is required to reflect adequately the actual requirement. The following detailed comments are already put forward:

- The use of an emergency escape mask should not be limited to gases of class 2. There are numerous substances of other classes such as 6.1 (in addition to the 10 new Toxic by Inhalation entries UN 3381-3390, there are other substances that are not formally identified in ADR!), 6.2 and 8 that require this as well. Consignors (who know their products best) may identify such substances and provide adequate protection instructions to drivers/carriers;
- The use of such a big “equipment” table can be questioned because the equipment required is nearly identical for all danger labels. Except for the drain seal (why should it not be generally required, also for solids and also for liquids of class 6.1), only danger labels 2 and 7 make an exception. A standard set of equipment

could be envisaged (but note that consignors may require additional equipment for their specific product!);

- Latex and leather gloves are not suitable in all cases.

CEFIC is looking forward to the discussion in WP.15 and would be prepared to participate in a WG meeting that would review the whole concept of instructions in writing.
