

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
(Geneva, 13-23 September 2005)

**REPORT OF THE INFORMAL WORKING GROUP “OVERPACKS“
held in Gotenborg from 16 to 17 June 2005**

Introduction

At the Joint Meeting 7-11 March obligations of the packer with regard to overpacks was discussed. The documents were TRANS/WP.15/AC.1/2005/14 from Austria and INF 25 from Austria/Germany. No conclusion was reached at the meeting and it was felt by the chairman that a working group should be established in order to solve the issues raised at the meeting. The Chairman asked the representative of FIATA if he could prepare and invite interested parties to a working group. The representative from FIATA accepted and it was decided that the group should meet in June 2005 in Gothenburg. The meeting was attended by delegates from the following countries: Austria, Germany, United Kingdom, Sweden and international associations: CEFIC, FIATA and some experts from transport and forwarding companies.

No particular terms of reference was defined at the JOINT meeting, other than the report itself, why FIATA has identified matters for discussion and consideration in addition to those in the report from the meeting.

Matters to be discussed in accordance with paragraph 11 to 15 of the report and in accordance with issues identified by FIATA:

- Should the definition of overpack be changed? Consideration to:
 - responsibility for package marking/labelling when an overpack is prepared;
 - should “used by a single consignor” be changed so all participants can prepare an overpack;
 - should the text indicate that only overpacks with a “cover” of any kind be regarded as overpack and not when only strapping (secured by a plastic strip) is used which basically is securing of cargo.
- Should an overpack be marked and labeled even if the package marking/labelling is visible from the outside? Should the overpack be marked with “OVERPACK” in all cases?
- Should an “overpacker” be defined or should existing definitions of participants e.g. packer/loader be used? If the latter, should definition(s) be changed?
- Should a confidence clause “he may rely on information and data made available to him by other participants” be inserted for the responsible entity?
- Should use of an overpack be indicated on the transport document?

Excerpt from the report of the meeting:

11. The text of document INF.25, containing a proposal for an addition to 1.4.3.2 and an addition to the definition of the packer in 1.2.1, was the subject of a very lengthy debate. It was pointed out that these additions were necessary in the wake of the new requirement that had entered into force for 5.1.2.2 in 2005 and had created a new obligation.
12. It was also considered that the definition of the “overpack” would have to be modified since it currently only concerned the consignor and there was speculation as to whether it might not be necessary to include a new definition for the “overpacker”. It was also noted that the definition of the overpack did not cover all possibilities and that it was not clear whether the marking “overpack” should always be applied, as the IMDG Code provided.
13. It was also proposed that the confidence clause, “he may rely on information and data made available to him by other participants,” the consignor in particular, should be included in the obligations.
14. It was further noted that if only 1.4.3.2 was amended and not the definition of the packer, only the participant who both packed and loaded the packages into the overpack would be concerned. It would be appropriate to settle the case of the participant who only loaded packages into the overpack. In this context it was observed that the overpacker’s obligations must resemble those of the loader.

Recommended actions by the Joint Meeting

At the result of the discussions during the meeting it was realized that changes in chapter 1.2.1 (Definitions), and 5.1 (general provisions – consignment procedures) are necessary to remove the existing problems. The Group could not agree on the need to make changes to 1.4 (obligations), however there is a draft proposal to the “loader” obligations in square brackets. Some small changes has to be made in the UN Model Regulations too to make a full harmonization between the different modes of transport possible. As a first step, the Joint Meeting is kindly requested to consider the proposals below from the RID/ADR working group on overpacks which, if accepted, should be seen in conjunction with a proposal from the Joint Meeting to the UN Sub Committee for corresponding changes to the UN Model Regulations, see appendix 1

Gray-coloured fields indicate changes to be made proposed by the working group.

Definitions

ADR/RID 2007 version

"Overpack" means an enclosure *(in the case of class 7 used by a single consignor)* to contain one or more packages, consolidated into a single unit easier to handle and stow during carriage:

Examples of overpacks:

- (a) a loading tray such as a pallet, on which several packages are placed or stacked and secured by a plastic strip, shrink or stretch wrapping or other appropriate means; or
- (b) an outer protective packaging such as a box or a crate;

[ADR/RID chapter 1.4 - Loader

1.4.3.1 Loader

1.4.3.1.1 In the context of 1.4.1, the loader has the following obligations in particular:

- (a) he shall hand the dangerous goods over to the carrier only if they are authorized for carriage in accordance with ADR/RID;
 - (b) he shall, when handing over for carriage packed dangerous goods ~~for uncleaned empty packagings~~, check whether the packaging is damaged. He shall not hand over a package the packaging of which is damaged, especially if it is not leakproof, and there are leakages or the possibility of leakages of the dangerous substance, until the damage has been repaired. *[These ~~the~~ obligations also apply to empty uncleaned packagings and to overpacks;]*
 - (c) he shall, when loading dangerous goods in a vehicle, or a large or small container, comply with the special requirements concerning loading and handling;
 - (d) he shall, after loading dangerous goods into a container comply with the requirements concerning danger markings conforming to Chapter 5.3;
 - (e) he shall, when loading packages, comply with the prohibitions on mixed loading taking into account dangerous goods already in the vehicle or large container and requirements concerning the separation of foodstuffs, other articles of consumption or animal feedstuffs.
- [(f) he shall, when preparing an overpack, comply with the requirements concerning overpacks conforming to 5.1.2 and 5.2.2.1.11]*

1.4.3.1.2 The loader may, however, in the case of 1.4.3.1.1 (a), (d) and (e) *[and (f)]*, rely on information and data made available to him by other participants.]

Marking and labelling

ADR/RID 2007 version

5.1.2 Use of overpacks

(a) **(5.1.2.1)** An overpack shall be:

- marked with the word "OVERPACK" and
- marked with the UN number preceded by the letters "UN", and shall be *[marked and]* labelled as required for packages in 5.2[.2,] for each item of dangerous goods contained in the overpack,

unless the markings and the labels representative of all dangerous goods contained in the overpack are visible. If the same marking or the same label is required for different packages, it only needs to be applied once. *[The marking of the word "OVERPACK", which shall be readily visible and legible, shall be in an official language of the country of origin and also, if that language is not English, French or German, in English, French or German.]*

(b) Label conforming to model No. 11 illustrated in 5.2.2.2.2 shall be displayed on two opposite sides of the following overpacks:

- overpacks containing packages which shall be labelled in accordance with 5.2.2.1.12, unless the labels remain visible, and
- overpacks containing liquids in packages which need not be labelled in accordance with 5.2.2.1.12, unless the closures remain visible.

(5.1.2.2) Each package of dangerous goods contained in an overpack shall comply with all applicable provisions of ADR/RID. ~~The "overpack" marking is an indication of compliance with this requirement.~~ The intended function of each package shall not be impaired by the overpack.

(5.1.2.3) The prohibitions on mixed loading also apply to these overpacks.

Appendix 1

Corresponding changes to the UN Model regulations considered necessary by the working group on “Overpacks”.

DEFINITIONS

UN Model Regulations, 15th Edition

Overpack means an enclosure (in the case of class 7 used by a single consignor) to contain one or more packages and to form one unit for convenience of handling and stowage during transport. Examples of overpacks are a number of packages either:

- (a) Placed or stacked on to a load board such as a pallet and secured by strapping, shrink wrapping, stretch wrapping, or other suitable means; or
- (b) Placed in a protective outer packaging such as a box or crate;

MARKING AND LABELLING

UN Model Regulations, 15th Edition

5.1.2 Use of overpacks

(5.1.2.1) An overpack shall be:

- marked with the word "OVERPACK";
- marked with the proper shipping name and the UN Number and marked and labelled as required for packages by Chapter 5.2, for each item of dangerous goods contained in the overpack,

unless markings and labels representative of all dangerous goods in the overpack are visible.

(5.1.2.2) Each package of dangerous goods contained in the overpack shall comply with all applicable provisions of these Regulations. ~~The "overpack" marking is an indication of compliance with this requirement.~~ The intended function of each package shall not be impaired by the overpack.
