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**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-ninth session
Geneva, 3-12 (a.m.) July 2006
Item 7 of the provisional agenda

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

Overpacks

Transmitted by the International Federation of Freight Forwarders Associations (FIATA)

Introduction

1. The provisions governing overpacks as well as the definition of an overpack were dealt with at the September 2005 session of the Joint Meeting of the RID Safety Committee and the UNECE Working Party on the Transport of Dangerous Goods. Information paper Inf. 26 was submitted by an informal working group, which was given the task to study the provisions of the ADR/RID/ADN in order to propose changes for improvement. The working group comprised representatives from Austria, Germany, United Kingdom, Sweden, CEFIC and FIATA. The working group identified that the definition as well as the text of paragraph 5.1.2.1 of RID/ADR/ADN needed to be changed to better reflect the reality in the supply chain and to remove unjustified demands on the carrier.
2. Amendments to the definition and to the text in 5.1.2.1 were adopted. Since the provisions of ADR/RID/ADN are basically the same as those of the Model Regulations, the same changes would be justified for the UN Model Regulations as well.

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Definition of overpack

3. A major problem with the current definition in 1.2.1 is that an “*Overpack means an enclosure used by a single consignor*” which causes major problems for the freight-forwarder and the carrier. It is common that set of packages are confined by shrink-wrapping or secured by strapping in order to secure packages on a vehicle or in a container. The procedure is not aiming at producing an overpack but to secure the load although an overpack is created due to the correspondence with the examples in 1.2.1 (a). Moreover, an overpack can only be produced by a “*single consignor*”, which makes it illegal for a freight-forwarder or a carrier to actually secure packages by appropriate means in line with the examples in 1.2.1 (a) of overpacks. This is the reason why a change of the definition was necessary and adopted by the Joint Meeting. The new definition of overpack, apart from the examples in (a) and (b), for ADR/RID/ADN from 1 January 2007 is:

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

4. The definition of overpack in the 14th revised Edition of the UN Model Regulations is basically the same as that of the 2005 version of ADR/RID/ADN and contains the words “*use by a single consignor*” as well. The phrase should be expanded to contain the words “*in the case of Class 7*” in order to solve the same problem worldwide as has been done in Europe.

Use of overpacks

5. If the amendment to the definition were adopted by Sub-Committee, paragraph 5.1.2.2 would need to be amended accordingly. The addition of the words “*in the case of Class 7*” will have an effect on the wording “*The “overpack” marking is an indication of compliance with this requirement.*” This text means that all relevant provisions related to the selection of packaging, mixed packing, marking and labelling of a package must be complied with by the person who prepares an overpack.
6. Broadening the definition would allow a freight-forwarder or a carrier to properly secure a set of packages in line with the examples following the definition of overpack. To require the freight forwarder or the carrier to also be responsible for all applicable requirements for packages in conjunction with securing a load (a set of packages) is neither justified nor relevant when the preparation of a package is the task of the consignor who has all relevant knowledge of the product.
7. The Sub-Committee is kindly requested to consider the following proposals and take appropriate actions.

Proposal

8. Amend the definition of “Overpack” in para. 1.2.1 to read:

“*Overpack* means an enclosure (**by a single consignor in the case of Class 7**) to contain one or more packages and to form one unit for convenience of handling and stowage during transport.

Examples of overpacks:

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

9. Re-arrange the text of 5.1.2.1 to read as follows:

“An overpack shall be:

- (a) marked with the word "OVERPACK"; and
- (b) marked with the UN number preceded by the letters "UN", 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”.

10. Delete the second sentence in paragraph 5.1.2.2 for the paragraph to read:

“5.1.2.2 Each package of dangerous goods contained in the overpack shall comply with all applicable provisions of these Regulations. The intended function of each package shall not be impaired by the overpack”.
