

ADR 50th ANNIVERSARY

Geneva, 8 November 2007

ADR in the new millennium: Challenge for the Chemical Industry

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1) The importance of GHS for manufacturers

The Globally Harmonized System for Classification and Labelling of Chemicals (the GHS) developed by the ECOSOC Sub-Committee of Experts on the GHS in close cooperation with the SCETDG for physical hazards and ILO/OECD for health and environment hazards is playing a key role in the classification of chemicals based on the intrinsic properties of chemical substances and their mixtures.

The GHS defines harmonized criteria for the classification of substances and mixtures and harmonized hazard communication elements. Implementation of the GHS leaves some flexibility to the Competent Authorities in the choice of hazard classes and categories.

The implementation around the World has started, the European Commission having sent a Proposal for a Regulation on the Classification, Labelling and Packaging of Chemicals to the European Parliament and the Council, with the hope of having the legislative process finalised in such a way that the Regulation could enter into force by end of 2008.

This Regulation will cover the supply and safe use of chemicals in view of ensuring workers safety, consumer protection and the protection of the environment.

It does not cover the transport of chemicals, which is subject of a consolidated *Directive on the Inland Transport of Dangerous Goods* implementing RID/ADR/ADN.

Transport of Dangerous Goods is one for the target audience to which the GHS is addressed. Although the *UN Recommendations on the Transport of Dangerous Goods, Model Regulations*, cater for a wide range of target audiences of which transport workers and emergency responders are the principal ones.

The scope of the *Model Regulations* encompasses only the most severe hazard categories of the acute toxicity hazard class. They provide label information primarily in a graphic form because of the needs of the target audiences. Therefore the UN Sub-Committee of Experts on the Transport of Dangerous Goods may choose not to include signal words and hazard statements as part of the information provided on the label under the Model Regulations.

As manufacturers are mainly interested in classification issues, it is clear that in future they will pay more attention to GHS and may spend less time on technical transport issues.

2) The need for global harmonization between modes especially in view of increasing imports from the East

The *Model Regulations* covers information concerning general safe practices that are appropriate for all transport situations. For example, a driver will have to know what has to be done in case of an accident irrespective of the substance transported: (e.g. report the accident to authorities, keep the shipping documents in a given place, etc.). Drivers may only require limited information concerning specific hazards, unless they also load and unload packages or fill tanks, etc. Workers who might come into direct contact with dangerous goods, for example on board ships, require more detailed information.

Nevertheless, if the different modes of transport have specific requirements, the common objective should be to look for the maximum harmonisation between modal regulations. The simplification of the regulations and of the information on the goods transported should be another objective while ensuring safe point to point transport of goods over several modes.

A first move to mode harmonisation was taken at the last session of the SCETDG concerning limited quantities. This should be encouraged and “translated” by the other mode regulations around the world.

This is very important to all sectors of the chemical industry. More and more basic chemicals but also specialties are manufactured in the emerging Asian and East European economies and transported to Western Europe by the different modes of transport.

Over the last decade, the international character of trade resulted in an increase in the transport of dangerous goods by road in Europe even if the part of such transport in the global transport of goods by road decreases.

As noted by the European Commission in the introduction of the proposal for a *Directive on the Inland Transport of Dangerous Goods*, the total amount of dangerous goods transport in the Union is about 110 billion tonne-km/year, of which 58% is by road, 25% by rail and 17% by inland waterway. The trend for road and inland waterway transport has been increasing, but decreasing for rail transport. The share of dangerous goods transport in total freight transport is about 8%.

Logistics are becoming an important activity and have a high economic value, and costs impact in trade at all levels. It is therefore important and economically sound that multimodal transport could be made uniformly with one label, one mark and one document containing the relevant safety information for the workers involved in the transport operations and the emergency responders. The language should be simple and easily understood by all operators in a language they understand.

3) The role of WP.15: activities could be reduced

Having recognised the importance and benefit of one classification, labelling and packaging system for all types of transport, specificities of each mode should be considered.

This means that the WP.15 should

- concentrate work on the road specific issues and not reviewing what has been accepted at UN level. This is true for the other land modes. Transposing the basic rules of the UN model regulations is a secretariat work that does not require spending hours in reviewing text and delegates taking the floor to acknowledge what they have agreed on before;
- be consulted by the UN-SCETDG on the impact of proposed changes in the Model Regulations on road transport and reporting back to the UN-SCETDG on the cost/benefit of such new regulations;
- identify new specific road issues and consider their solution in a global and intermodal perspective, with proposals for amending the Model Regulations when necessary.
- consider merging the work in one committee with the other parties on land transport to arrive at one agreement covering road, rail and inland waterways, a merger achieved at the European Union and Economic Area level.

The work programme proposed in document 2007/14 should be adapted to take account of these suggestions. The frequency and future calendar of WP.15, ADN (WP/AC2), and RID Technical Committee should be adapted to meet these objectives.

4) The need for collaboration between industrial organizations

A challenge for the chemical industry is to improve the collaboration between sectors. This is on its way! This is particular necessary as the number of experts in the transport of dangerous goods of companies available for association work and sharing expertise at international organisation is diminishing.

Ten years ago an informal group – INDA – was created by Cefic (European Chemical Industry Council) together with

- other sectors of the chemical industry,
 - AEGPL (European Liquefied Petroleum Gas Association)
 - AISE (International Association of Soap, Detergent and Maintenance Products)
 - CEPE (European Council of Paint, Printing Ink and Artists Colours Industry)
 - EFMA (European Fertilizer Manufacturers Association)
 - FEA (European Aerosol Federation)
 - FECC (European Federation of Chemical Distributors)

- packaging manufacturers trade associations
 - Empac (ex-SEFEL) (European Metal Packaging)
 - EuPC (European Plastics Converters)
 - ITCO (International Tank Container Organisation)
 - SERRED (European Federation of Drum Reconditioners)

- carriers organizations
 - CLECAT (European Organisation for Forwarding and Logistics)/FIATA
 - ECTA (European Chemical Transport Association)
 - GEA (Global Express association)
 - IRU (International Road Transport Union)

Even if this group has no legal status, it is the platform where the different branches of the transport of dangerous goods could exchange views, discuss proposals presented by individual members to the national authorities and UN ECE bodies.

This pro-active aptitude could be seen positive only for industry, but it is also the case for the international organisations and the national authorities who will hear one consolidated voice.

5) The role of voluntary industry programmes

For solving problems, industry often drafts voluntary programmes and guidelines. It is the case in many areas such as the management of waste, the protection of workers, consumers and of the environment.

It is also the case of Cefic and its voluntary actions to enhance transport safety presented on Tuesday or the *Industry Guidelines for the Security of the Transport of Dangerous Goods by Road* drafted by nine INDA organisations in 2005.

Industry pleads for recognition of such guidelines and for support of these activities by national authorities. Being adapted to the needs and the feasibility of the different partners in industry such voluntary agreements usually reach, in a short period of time and without costly burdens, the common objectives of increased safety, protection and security looked at by the legislators and industry.

2007-11-05