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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the  
Working Party on the Transport of Dangerous Goods

**REPORT OF THE SESSION\***

**Held in Bern from 26 to 30 March 2007**

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## REPORT

### I. ATTENDANCE

1. The Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe (ECE) held its spring session in Bern from 26 to 30 March 2007 with Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman. Representatives of the following countries took part in the work of the session: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Liechtenstein, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, and United States of America. The European Commission was also represented. The following international non-governmental organizations were represented: Association of European Railway Industries (UNIFE); European Aerosol Federation (FEA); European Battery Recycling Association (EBRA); European Chemical Industry Council (CEFIC); European Committee for Standardization (CEN); European Cosmetic, Toiletry and Perfumery Association (COLIPA); European Council of the Paint, Painting Ink and Artists' Colours Industry (CEPE); European Federation of Waste Management and Environmental Services (FEAD); European Industrial Gases Association (EIGA); European Liquefied Petroleum Gas Association (AEGPL); European Portable Battery Association (EPBA); International Association for Soaps, Detergents and Maintenance Products (AISE); International Federation of Freight Forwarders Associations (FIATA); International Road Transport Union (IRU); International Union of Combined Road-Rail Transport Companies (UIRR); International Union of Private Wagons (UIP); International Union of Railways (UIC); and Liaison Committee of Coachwork and Trailer Builders (CLCCR).

### II. ADOPTION OF THE AGENDA (agenda item 1)

2. The Joint Meeting adopted the agenda proposed by the secretariat in documents ECE/TRANS/WP.15/AC.1/105 and Add.1 (letter A 81-02/501.2007 of OTIF), as updated by informal documents INF.2 and INF.13.

### III. THANKS (agenda item 2)

Documents: ECE/TRANS/WP.15/AC.1/2007/8 (Netherlands)  
ECE/TRANS/WP.15/AC.1/2007/10 (Netherlands)  
ECE/TRANS/WP.15/AC.1/2007/20 (France)  
ECE/TRANS/WP.15/AC.1/2007/23 (Portugal)

Informal documents: INF.3 (Switzerland)  
INF.8 (Germany)  
INF.10 (Switzerland)  
INF.15 (Belgium)  
INF.16 (Belgium)  
INF.25 (CLCCR)

INF.34 (Netherlands)

INF.35 (France)

INF.38 (Bulgaria)

INF.40 (AEGPL)

3. Following a brief discussion in plenary meeting, consideration of these documents was entrusted to the working group on tanks, which met concurrently on 27 and 28 March 2007 with Mr. J. Ludwig (Germany) as Chairman.

### **Report of the working group on tanks**

Informal document: INF. 49 (Germany)

4. This report is reproduced in annex 1 (ECE/TRANS/WP.15/AC.1/106/Add.1). The Joint Meeting decided to take up in plenary only the sections dealing with texts adopted or deleted by the working group, in order to approve them.

#### ***Section 1***

5. The amended text of 4.3.2.2.4 was adopted in square brackets pending submission of a proposal by AEGPL concerning the capacity of the sections (7,500 litres) (see annex 2).

#### ***Section 2***

6. The text proposed in 6.8.2.1.4 was adopted (see annex 2).

#### ***Section 3***

7. The amendments made to 6.8.2.6 and 6.8.2.7 were adopted (see annex 2). However, the proposed addition after the table in 6.8.2.6 was rejected. It was agreed to provide a transitional measure instead; this measure, to be drafted by the secretariat, would stipulate that application of a new standard would only become mandatory two years after its inclusion in the text and that, during the transitional period, the new standard could be applied, or the previous version, provided it was referred to in the text, or any other requirement applicable prior to the inclusion of the reference to the new standard.

#### ***Section 6***

8. The proposal to delete TM5 in column (13) of table A in Chapter 3.2 in respect of UN No. 1052 and the first entry in UN No. 1790 was adopted (see annex 2).

#### ***Section 9***

9. The proposal relating to 6.8.3.2.3 was adopted with an amendment (see annex 2).

#### ***Section 11***

10. The proposed correction to 4.3.4.1.1 was adopted (see annex 2).

#### **IV. STANDARDS** (agenda item 3)

Documents: ECE/TRANS/WP.15/AC.1/2007/12 (Reference to CEN standards for chemical compatibility of plastics) (CEN)  
ECE/TRANS/WP.15/AC.1/2007/19 (Work in progress at CEN) (CEN)

Informal document: INF.18/Rev.1 (Standards in preparation or under revision) (CEN)

11. Following a discussion in plenary meeting, it was agreed to entrust consideration of these documents to the working group on standards; the working group met during the lunch breaks.

##### **Report of the working group on standards**

Informal documents: INF.50 and INF.51

12. The Joint Meeting took note of the report of the working group on standards (INF.51) and of the status of the discussions on ways of dealing with chemical compatibility of plastics packagings (INF.50). It adopted the proposed amendment to the table in 6.2.2 as presented in annex 1 to informal document INF.51 (see annex 2).

##### **CEN programme of work**

Informal document: INF.26 (CEN programme of work)

13. The Joint Meeting took note of the items in the programme of work of the various CEN technical committees relating to standards to which RID, ADR or ADN might refer in the future.

#### **V. INTERPRETATION OF RID/ADR/ADN** (agenda item 4)

##### **Interpretation of paragraph 1.7.3: Quality assurance**

Document: ECE/TRANS/WP.15/AC.1/2007/13 (United Kingdom)

14. The Joint Meeting was unable to validate the interpretation of the term “user” proposed by the United Kingdom, noting that this term is employed and defined in the IAEA publication “Quality Assurance for the Safe Transport of Radioactive Material, Safety Series No. 113” (IAEA, Vienna, 1994). The term “consignor”, too, is defined differently there than in RID and ADR. The representative of the United Kingdom was requested to submit a specific proposal for a definition of “user” under Class 7, with the associated obligations.

#### **VI. PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN** (agenda item 5)

##### **Carriage of used lithium batteries**

Document: ECE/TRANS/WP.15/AC.1/2007/21 (EBRA)

Informal documents: INF.48 and INF.48/Rev.1 (EBRA)

15. The Joint Meeting made numerous amendments to the texts proposed by EBRA for special provision 636 and packing instruction P903b before adopting them (see annex 2).

### **Application of exemptions under ADR 1.1.3.6 in combined road/rail transport**

Document: ECE/TRANS/WP.15/AC.1/2007/1 (UIRR)

16. The Joint Meeting was of the view that the proposal by UIRR should be considered by the RID Committee of Experts.

### **Orientation arrows for dangerous goods packed in limited quantities**

Document: ECE/TRANS/WP.15/AC.1/2007/2 (Austria)

17. The Joint Meeting considered that the proposal by Austria concerned all modes of transport and therefore should first be submitted to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods. It was also noted that the provisions of paragraph 4.1.1.5 were applicable to the carriage of limited quantities.

### **Securing of orange-coloured plates**

Document: ECE/TRANS/WP.15/AC.1/2007/3 (Belgium)

18. The proposed amendments to 5.3.1.1.6 and new paragraph 5.3.2.2.5 concerning the securing of folding panels were adopted with minor editorial changes (see annex 2).

Informal documents: INF.24 and INF.24/Rev.1 (Sweden)

19. The Joint Meeting adopted amendments to 5.3.2.2.1 and 5.3.2.2.2 on the basis of the proposal by Sweden, which sought to require that the orange-coloured plates and any numbers on the plates should not become detached (see annex 2).

### **Special provision 274**

Document: ECE/TRANS/WP.15/AC.1/2007/15 (CEFIC)

20. Opinions were divided on the proposal to bring RID/ADR/ADN into line with the UN Recommendations with regard to the assignment of special provision 274 to generic and N.O.S entries.

21. The representative of CEFIC agreed to coordinate the work of a correspondence group that would verify, on a case-by-case basis, whether there were grounds for retaining special provision 274 in RID/ADR/ADN for entries to which it was not assigned in the UN Model Regulations. Governments wishing to retain the special provision should provide the necessary justifications; that would enable the issue to be brought to the attention of the United Nations Sub-Committee of Experts. If necessary, CEFIC would organize an informal working group subsequently.

Document: ECE/TRANS/WP.15/AC.1/2007/4 (OTIF secretariat)

22. It was decided to assign special provision 274 to the pesticide entries referred to in alternative 1 of the proposal (see annex 2).

23. Special provision 61 is not required for UN No. 3048, as the toxic substance (aluminium phosphide) is already referred to in the name of the entry.

### **Safety obligations of unloaders**

Documents: ECE/TRANS/WP.15/AC.1/2006/32 (Spain, Germany and Austria)

Informal documents: INF.23, INF.27 and INF.31 from the previous session  
INF.4, INF.4/Rev.1 and INF.4/Rev.2 (Spain)  
INF.27 (Austria)

24. An ad hoc working group considered these documents and submitted a revised text in informal document INF.4/Rev.2, presented by Spain. After a lengthy and contentious discussion concerning, in particular, the addition to paragraph 1.4.2.3.2 proposed by France (INF.27 from the previous session), the Joint Meeting decided to defer a decision. The representative of Spain eventually agreed to submit a new proposal to the next session. Delegations were requested to transmit appropriate comments to her.

## **VII. REPORTS OF THE INFORMAL WORKING GROUPS** (agenda item 6)

### **Report of the informal working group on the revision of Chapter 6.2**

Document: ECE/TRANS/WP.15/AC.1/2007/18 (EIGA)

Informal documents: INF.23 (United Kingdom)  
INF.32 (OTIF secretariat)  
INF.36 (Sweden)

25. The Joint Meeting first considered the proposals for the revision of Chapter 6.2 aimed at improving harmonization with the provisions of the UN Model Regulations.

26. It was emphasized that the word “entirely”, currently used in 6.2.1.1.2 in relation to the filling of acetylene receptacles with a porous mass, does not figure in 6.2.1.1.9 of the UN Model Regulations or in the proposed 6.2.1.1.9 of RID/ADR. It was noted, however, that the word is not in RID/ADR 4.1.6.2 either, or in special packing provision (10) p of packing instruction P200. It was further noted that the requirement for the receptacle to be filled with a uniformly distributed porous material means that the receptacle must be entirely filled in accordance with industry rules of best practice, which are set out very specifically in the appropriate standards. It was therefore decided to maintain the text of the UN Model Regulations.

27. The Joint Meeting adopted the proposal for a revised Chapter 6.2 with a number of amendments (see annex 2).

28. Various amendments were made to 1.2.1; 4.1.6.8; packing instruction P200, paragraphs (2) and (8); packing instruction P203, paragraph (3); 4.1.6.4; and 4.1.6.10 (see annex 2).

29. Following the adoption of a new NOTE 3 to 6.2.1.5.3, the representative of Belgium agreed to submit a corresponding proposal to the United Nations Sub-Committee of Experts.

30. The proposal to insert a new footnote to 6.2.2 indicating the equivalence of EN ISO standards and ISO standards caused some confusion, and there appeared to be an inconsistency with NOTE 1 to 6.2.4. It was deemed preferable to cite by name the EN ISO standards referred to in the tables, a task entrusted to the working group on standards (see also paragraphs 43 and 44).
31. Paragraph 6.2.3.1.5 was deleted, since it duplicated paragraph 6.2.2.1.9.
32. The Joint Meeting agreed to delete the obsolete texts specific to RID/ADR contained in annex 4 to the document.
33. The Joint Meeting then considered the proposed amendments to Chapters 1.2 and 1.8, which it adopted with a few modifications (see annex 2).
34. The representative of Belgium considered that the new provisions should have been designed to apply in general not only to pressure receptacles, but also to all other kinds of packagings and tanks.
35. The representative of UIP expressed dissatisfaction with the definition of “applicant”. For tank-wagons, operators should be able to request conformity assessments on the same basis as manufacturers. He was requested to submit a written proposal during the session (see paragraph 48).
36. In 1.8.6.2, it was decided to replace the term “verifies” with “notes”; the paragraph should not place a burden of proof on the competent authority with respect to the withdrawal of approval, as the powers of the competent authority and the legal means for contesting its decisions were governed by national law.
37. The last two sentences of 1.8.6.2 were deleted, as the notification duties of the authorities and bodies designated as competent under national law were already set out in 1.8.4. It was noted in this connection that many States still failed to fulfil their notification obligation.
38. With regard to the amendments to Chapter 6.2 resulting from the introduction of paragraphs 1.8.6 and 1.8.7, in informal document INF.36 the representative of Sweden questioned whether 6.2.2.9 and 6.2.3.6 should authorize “type C” bodies to carry out periodic inspections, as this was not foreseen in the European transportable pressure equipment directive (TPED). She also expressed reservations about allowing manufacturers to undertake type approval under 1.8.7.1.1 (the “IS(1)” procedure), as manufacturers could not meet the impartiality criteria set out in 1.8.6.4.
39. The representative of the European Commission pointed out that TPED would be revised on the basis of the decisions taken at the current session.
40. Several delegations considered that, even if the proposed text had some contradictions with TPED, it was in keeping with the practices currently authorized by RID and ADR. They said that no action should be taken on the Swedish proposal, presented in an informal document, as it would result in substantive changes to the current requirements. It was therefore decided to leave the requirements in question in square brackets. The Joint Meeting would revert to them at the next session, on the basis of an official proposal.



41. Regarding the application of special provisions TA4 and TT9 (6.8.4) to UN No. 1790, it was specified that only the first of the three entries was concerned (hydrofluoric acid with more than 85% hydrogen fluoride).

42. It was noted that 6.2.1.8 was not strictly necessary, as the provisions relating to the competence of inspection bodies and their independence from manufacturers were already set out in new paragraph 1.8.6. It was decided to maintain the paragraph, however, out of concern for harmonization with the UN Model Regulations.

Informal document: INF.44 (CEN)

43. The Joint Meeting adopted the text and the amendments to the tables concerning standards in 6.2.2, 6.2.2.1.1, 6.2.2.1.2, 6.2.2.1.3, 6.2.2.1.4, 6.2.2.2, 6.2.2.3 and 6.2.2.2.4, as well as paragraphs 4.2 and 4.3 of the document, after revising the wording of the notes concerning the equivalence of the EN ISO standards to be inserted in the tables (see annex 2) (see also paragraph 30 above).

44. On the other hand, the NOTE to 6.2.2 was deleted because it called into question the procedure for verifying conformity with RID/ADR initiated within the Joint Meeting and the working group on standards. The reference in the NOTE to the authority competent to authorize more recent versions of the standards could be understood in the context of the UN Model Regulations. In international carriage, however, unless this authority is specified to be the competent authority of the country of origin, the agreement of all the competent authorities of the countries concerned by the carriage is required. In the context of RID and ADR, this is normally resolved within the Joint Meeting or through multilateral agreements.

Informal document: INF.45 (Germany)

45. The addition of a new NOTE to 6.2.2.7.1 (c) was rejected by the Joint Meeting, which considered that it would be preferable to reproduce the boxed text in document ECE/TRANS/WP.15/AC.1/2007/18 concerning the “country of approval” (see annex 2).

46. The text of NOTE 3 to 6.2.3.5.1 was adopted with minor modifications (see annex 2).

47. The representative of Germany withdrew his proposal with regard to 6.2.3.9.6 and indicated that he would submit a new proposal. In this context, it was noted that the proposal concerned millions of cylinders and that an interim measure would be necessary.

Informal document: INF.46 (Germany, UIP)

48. The proposed NOTE to the definition of “applicant” in 1.2.1 was adopted (see annex 2) (see also paragraph 35 above).

Informal document: INF.47 (United Kingdom, CEN)

49. The Joint Meeting adopted the amendment to the NOTE to 1.8.7 and, following a request for clarification by the representative of Switzerland, proposed new paragraph 6.2.3.6.2

concerning the non-applicability of 6.2.1.7.2 (see annex 2). This decision followed a lengthy discussion on 1.8.7.3.1 in relation to 6.2.1.7.2, 6.2.2.9 and 6.2.3.6 concerning the term “relevant body” (see annex 2).

1.8.7.6.2 (b)

50. Following a statement on the paragraph, the representative of Austria indicated that he would revert to the issue he had raised, submitting an official proposal.

1.8.7.7.5 (g)

51. The Joint Meeting decided to place this provision between square brackets and to revert to it at the next session.

6.2.2.9

52. The Joint Meeting finally adopted this crucial paragraph. It was noted, however, that the requirements of 6.2.2.5 and 6.2.2.6 were not relevant in the context of RID/ADR and that the issue would have to be revisited in the future.

53. The Joint Meeting also agreed to consider all the text placed between square brackets at the next session.

Informal document: INF.42 (Belgium)

54. The informal document was the subject of very lengthy debate. The representative of Belgium had proposed broadening the scope of application of RID and ADR by changing the definition of “carriage” to include loading, unloading, filling and emptying of receptacles. The reason for the proposal was that, in practice, the filling of gas receptacles in a country other than the country of approval of such receptacles was not always authorized, notwithstanding the fact that it would not be against the provisions of RID and ADR.

55. Several delegations referred to the fact that, under article 4, paragraph 1, of ADR, each Contracting Party retained the right to regulate or prohibit, for reasons other than safety during carriage, the entry of dangerous goods into its territory. Numerous reasons could be invoked for the additional regulation: security, environmental protection, labour law, economic considerations, etc. Unlike the legal framework governing the international carriage of dangerous goods, the legal frameworks for other regulations were often a matter for national authorities. The differences between these national requirements could in fact create obstacles to international trade. It did not appear, however, that such problems could be resolved within the legal framework of RID and ADR alone, as the acceptance of RID and ADR requirements for purposes other than carriage should be covered rather by the appropriate legal instruments.

56. The representative of Germany proposed that the Joint Meeting should take a position on the question of principle of whether a country could refuse the filling of a receptacle that was in conformity with RID and ADR (for example, a receptacle approved in another country) for reasons unrelated to regulations dealing with issues other than transport.

57. Several delegations considered that it was inadvisable to put that question to a vote because legal interpretation issues of that kind required appropriate consultations, which had not been possible, as the informal document had only been issued at the beginning of the session.

58. The representative of Belgium asked for his informal document to be placed on the agenda of the next session as an official document. The Chairman noted that, if that were done, it would be difficult to take decisions, as the document did not contain any specific amendment proposals.

### **Report of the informal working group on the carriage of dangerous wastes**

Informal document: INF.21 (Germany)

59. The Joint Meeting took note of the working group's report, which was presented by its Chairman, Mr. I. Döring (Germany). It began by adopting the two proposals concerning dangerous wastes, one of which introduced a new paragraph 2.1.3.5.5 and the other an addition to paragraph 5.4.1.1.3, which was amended accordingly (see annex 2).

60. It was noted in particular that the new provisions called for assignment to a packing group but included no specific provisions on quantity limits. The representative of the United Kingdom said that he would have wanted the new provisions to be applicable in a multimodal context, through the UN Model Regulations.

61. Regarding the transport of used lighters, the Joint Meeting also adopted the new text proposed for a new special provision 6xx, with the exception of the 60-litre capacity for the packagings when not UN certified, which was placed in square brackets (see annex 2).

### **Report of the informal working group on the reduction of the risk of a BLEVE**

Document: ECE/TRANS/WP.15/AC.1/2007/11 (Netherlands)

Informal document: INF.22 (AEGPL)

62. The Joint Meeting accepted the working group's proposal to continue its work at additional sessions. The next session would be held in Norway, from 20 to 22 June 2007. Interested delegations were invited to contact the representative of Norway and to confirm their participation as soon as possible.

### **VIII. FUTURE WORK** (agenda item 7)

63. The autumn session of the Joint Meeting would be held from 11 to 21 September 2007 in Geneva. It would deal in particular with the harmonization of the 15th revised edition of the UN Recommendations on the Transport of Dangerous Goods (Model Regulations). Official documents that could not be dealt with at the spring session would also be included on the agenda. Delegations that had submitted informal documents that were not dealt with were asked to inform the secretariats whether they wished to have them placed on the agenda as official documents.

**IX. MISCELLANEOUS** (agenda item 8)

**Monitoring (tracking and tracing) system for dangerous goods vehicles**

Document: ECE/TRANS/WP.15/AC.1/2007/17 (European Commission)

64. The representative of the European Commission presented the main points of the discussion paper of the Commission's Regulatory Committee on the Transport of Dangerous Goods, drawing particular attention to the establishment within the Commission of an ad hoc working group to consider, among other topics, the role that could be played by the European Union in this area. He also referred to the proposal to establish another ad hoc working group of the Joint Meeting. The Joint Meeting would be kept informed of further developments within the Commission.

**Dangerous goods telematics in intermodal transport**

Informal document: INF.6 (Germany)

65. In this document, the representative of Germany drew attention to the urgent need to address issues relating to telematics, so as to avoid the development of systems that were not suitable for the carriage of dangerous goods. He informed the Joint Meeting that a study had been commissioned in Germany, notably with a view to evaluating the various projects. He proposed that an ad hoc working group should be established to develop a mandate, programme of work and procedures, to be presented to the Joint Meeting.

66. The Joint Meeting agreed in principle.

**X. ADOPTION OF THE REPORT** (agenda item 9)

67. The Joint Meeting adopted the report of its spring 2007 session and its annexes on the basis of a draft prepared by the secretariats.

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