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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

Thirty-third session
Geneva, 30 June-9 July (a.m) 2008
Item 4 of the provisional agenda

LISTING, CLASSIFICATION AND PACKING

Exceptions for certain articles containing Division 2.2 gases

Transmitted by the expert from the United States of America*

1. At its May 2007 meeting the International Civil Aviation Organization (ICAO) Dangerous Goods Panel Working Group considered a paper submitted by the member nominated by Japan regarding light bulbs containing a pressurized Division 2.2 gas. The paper was submitted in response to industry inquiries relative to whether certain types of pressurized bulbs should be subject to the dangerous goods regulations due to the fact that the internal pressure of several of the bulb designs exceeded 280 kPa at 20 °C. Currently, a number of manufacturers and distributors are uncertain as to the applicability of the dangerous goods regulations to such bulbs. The ICAO Panel was favorable to providing an exception from regulation for such bulbs, on the basis that they pose a minimal risk in transport. However, the Panel concluded that the issue should be addressed by the UN Sub-Committee in order to ensure that an exception, if adopted, would be applicable to all modes of transport.

* In accordance with the programme of work of the Sub-Committee for 2007-2008 approved by the Committee at its third session (refer to ST/SG/AC.10/C.3/60 para. 100 and ST/SG/AC.10/C.3/34, para. 14).

2. In response to the Panel's recommendations, at its previous session, the Sub-Committee considered a proposal from the United States in informal document UN/SCETDG/32/INF.8, "Exceptions for certain articles containing Division 2.2 gases". This paper proposed specific exceptions for light bulbs and certain other articles for inclusion within the Model Regulations. There was general support within the Sub-Committee that the items listed in INF.8, to include light bulbs, should not be subject to the UN Model Regulations. However, several delegations expressed an interest in attempting to address the issue in a more broad manner to help avoid listing specific items that might require updating in the future. As such the expert from the United States agreed to confer with interested experts with the goal of submitting a revised proposal at the present session.

3. After conferring with interested delegates, it has become increasingly clear that addressing the issue in a broad manner is more difficult than envisioned. Defining specific criteria under which articles containing gases may be exempted led to difficult discussions concerning appropriate testing requirements, and packaging and pressure limits. Similarly, attempts to develop broad, non-specific criteria also led to complications as broad text inevitably affects the applicability of current provisions in place for regulated gases. Broad exceptions by nature begin to overlap with provisions for existing regulated articles and lead to questions of applicability, thus placing an unintended burden of interpretation upon competent authorities.

4. As such, the present proposal considers only specific articles which are considered to present a negligible risk in transport.

Proposal

5. Add a new 2.2.2.4 to read as follows:

"2.2.2.4 Gases of Division 2.2 are not subject to these Regulations when contained in the following:

- Carbonated beverages;*
- Balls intended for use in sports;*
- Tyres;*
- Light bulbs provided they are packaged so that the effects of any rupture of the bulb will be contained within the package.*

Note: As a consequence, the existing note to 2.2.1.1 regarding carbonated beverages could be deleted.
