

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

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LISTING, CLASSIFICATION AND PACKING

Exceptions for certain articles containing Division 2.2 gases

Comments to document ST/SG/AC.10/C.3/2008/53

Transmitted by the European Aerosol Federation (FEA)

Introduction

1. The effort of the expert of the United States of America to simplify and clarify in 2.2.2.4 the exemption of specific articles, which are considered to present a negligible risk in transport, is appreciated and supported by FEA.
2. FEA would like to build on the proposal in document ST/SG/AC.10/C.3/2008/53 in clarifying the status of food aerosols and other foodstuffs.
3. FEA believes that gases of Division 2.2, which are contained in foodstuffs (e.g. as expanding agent or as protection gas), do also present a negligible risk in transport, and could therefore be exempted, too.
4. But FEA has the opinion that food aerosols should be considered as all other aerosol products. This means that food aerosols shall be classified as “flammable aerosols” of Division 2.1 (e.g. pan spray aerosols or olive oil aerosols) or “non-flammable aerosols” of Division 2.2 (whipped cream aerosols) according to the classification procedure set out in section 31 of the UN Manual of Tests and Criteria.
5. Today ADR 1.1.3.2 *Exemptions related to the carriage of gases* states that *the provisions laid down in ADR do not apply to the carriage of: (f) gases contained in foodstuffs or beverages.*

6. This Exemption could be misinterpreted and FEA has the view that there is a need for a harmonised legal clarification to avoid different requirements in different modal or regional regulations. FEA

Proposal

7. Extend the text in 2.2.2.4 as proposed in ST/SG/AC.10/C.3/2008/53 (U.S.A) with ***“Foodstuffs, except for UN 1950 Aerosols”*** to read:

“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;*
- **Foodstuffs, except for UN 1950 Aerosols.**”*
