



**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-eighth session**

Geneva, 29 November–7 December 2010

Item 4 of the provisional agenda

Listing, classification and packing**Comments on toxic subsidiary risk for mercury****Transmitted by the International Civil Aviation Organization (ICAO)¹****Background**

1. Following the decision by the Sub-Committee at the thirty-seventh session to provisionally adopt the proposal by Germany to add subsidiary risk 6.1 to Mercury, UN 2809, ICAO wishes to provide the following comments.

Segregation requirements for air transport

2. If this decision be ratified, it should be noted that due to segregation requirements contained in Part 7 of the ICAO *Technical Instructions for the Safe Transport of Dangerous Goods by Air*, it will no longer be possible to load mercury in the same compartment of an aircraft which contain animals or substances marked as or known to be foodstuffs, feeds or other edible substances unless it is loaded in a separate, non-adjacent unit load device.

3. This will necessitate air operators having to introduce a new procedure for transporting mercury, with consequential costs.

¹ In accordance with the programme of work of the Sub-Committee for 2009–2010 approved by the Committee at its fourth session (refer to ST/SG/AC.10/C.3/68, para. 118 (b) and ST/SG/AC.10/36, para. 14).

Additional restrictions

4. It should be noted that this decision could have a significant impact in one large state where aircraft operators carrying passengers have filed variations signifying their refusal to carry dangerous goods of division 6.1, either primary or subsidiary.

Proposal

5. The Sub-Committee is invited to note the information provided indicating the potential difficulties which will be caused should the provisional decision be ratified.
