



**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-ninth session**

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Item 8 of the provisional agenda

**Global harmonization of transport of dangerous goods regulations
with the Model Regulations****Proposal of harmonization for the transport of dangerous
goods by sea and by road****Transmitted by the expert from Spain¹****Introduction**

1. Current chapter 7.1 (General Provisions) of ADR defines “structurally serviceable” for a large container. The same definition is used in paragraph 7.4.6.4.2 of the International Maritime Dangerous Goods (IMDG) code for freight containers. These definitions, however, differ from one another in some words – underlined in the text.

Current paragraph 7.1.4 in ADR and RID says:

“Structurally serviceable” means that the container is free from major defects in its structural components, e.g. top and bottom side rails, doorsill and header, floor cross members, corner posts, and corner fittings. “Major defects” are dents or bends in structural members greater than 19 mm in depth, regardless of length; cracks or breaks in structural members; more than one splice or an improper splice (e.g. a lapped splice) in top or bottom end rails or door headers or more than two splices in any one top or bottom side rail or any splice in a door sill or corner post; door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative; non-closing gaskets and seals; any distortion of the overall

¹ In accordance with the programme of work of the Sub-Committee for 2011–2012 approved by the Committee at its fifth session (refer to ST/SG/AC.10/C.3/76, para. 116 and ST/SG/AC.10/38, para. 16).

configuration sufficient to prevent proper alignment of handling equipment, mounting and securing on a chassis or vehicle (wagon).

In addition, deterioration in any component of the container, such as rusted metal in side walls or disintegrated fibreglass is unacceptable, regardless of the material of construction. Normal wear, including oxidization (rust), slight dents and scratches and other damage that do not affect serviceability or weather-tightness are, however, acceptable.”

Current paragraph 7.4.6.4.2 in the IMDG code says:

“.2 "Structurally serviceable" means the freight container or vehicle shall not have major defects in its structural components, e.g. top and bottom side rails, door sill and header, floor cross members, corner posts, and corner fittings in a freight container. Major defects are dents or bends in structural members greater than 19 mm in depth, regardless of length; cracks or breaks in structural members; more than one splice (e.g. a lapped splice) in top or bottom end rail or door headers; more than two splices in any one top or bottom side rail or any splice in a door sill or corner post; door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative; gaskets and seals that do not seal; or, for freight containers any distortion of the overall configuration great enough to prevent proper alignment of handling equipment, mounting and securing on a chassis or vehicle, or insertion into ship's cells.

“.3 In addition, deterioration in any component of the freight container or vehicle, regardless of the material of construction, such as rusted metal in sidewalls or disintegrated fibreglass, is unacceptable. Normal wear, including oxidization (rust), slight dents and scratches and other damage that does not affect serviceability or the weathertight integrity of the unit are, however, acceptable.”.

2. These requirements in ADR shall be applied for all large containers transporting dangerous goods but, in the IMDG code, these requirements only apply to the goods of Class 1 other than the ones assigned to division 1.4.

3. In both cases, ADR (for all classes of dangerous goods) and the IMDG code (for Class 1 excepting division 1.4), it is required that if the container (large or freight) is not “structurally serviceable”, it shall not be offered or presented for carriage or transport.

Proposal

4. The following text is proposed for 7.1.3.3.1:

“~~Freight containers, road vehicles and rail wagon shall not be offered for the transport of explosive substances and articles of dangerous goods, excepting the goods of Class 1, Division 1.4, unless the freight container, road vehicle or rail wagon is structurally serviceable as witnessed by a current International Convention (...)~~”.

Consequently, the title in 7.1.3.3 shall also be amended to say:

“~~Transport of explosives~~ dangerous goods in freight containers, road vehicles and rail wagons”.

Justification

5. It is not possible, in our opinion, to accept differences that can affect the transport of large or freight containers loaded with dangerous goods, depending on the regulation used for the mode of transport.