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

Geneva, 13–23 September 2011

Item 4 of the provisional agenda

Harmonization with the United Nations Recommendations on the Transport of Dangerous Goods

Report of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods

Note by the secretariat^{1, 2}

I. General

1. The Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods met in Geneva, Palais des Nations, from 17 to 19 May 2011 under the chairmanship of Mr. C. Pfauvadel (France).

2. Representatives of Austria, France, Germany, Netherlands, Romania, Sweden, Switzerland, United Kingdom, the European Union, the Intergovernmental Organisation for International Carriage by Rail (OTIF), Central Commission for the Navigation of the Rhine (CCNR), International Association for Soaps, Detergents and Maintenance Products (AISE), Federation of European Aerosol Associations (FEA), European Cosmetic, Toiletry and Perfumery Association (COLIPA), European Chemical Industry Council (CEFIC) participated in the session.

¹ In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para 106, ECE/TRANS/2010/8, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2011/30.

3. The session was held in English, without interpretation. The documentation prepared by the secretariat, including the agenda, was issued as informal documents which were made available on the website of the UNECE Transport Division as follows:

ECE/TRANS/WP.15/AC.1/HAR/5:	Provisional agenda
ECE/TRANS/WP.15/AC.1/HAR/2011/1:	Proposals for harmonization (Secretariat)
ECE/TRANS/WP.15/AC.1/HAR/2011/2:	Section 5.3.3 (Finland)
ECE/TRANS/WP.15/AC.1/HAR/2011/3:	Special provision 363 (Finland)

Informal document: INF.5 submitted at the eighty-ninth session of the Working Party on the Transport of Dangerous Goods: Definition of bag (Romania).

Informal document: INF.28 submitted at the Spring 2011 session of the RID/ADR/ADN Joint Meeting: Definition of the maximum permissible gross mass for FIBCs (France).

4. The background documents were the report of the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals and annexes thereto, circulated by the secretariat as documents ST/SG/AC.10/38 and -Add.1-3.

5. The Ad Hoc Working Group adopted the provisional agenda prepared by the secretariat.

II. Harmonization of RID/ADR/ADN with the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations

6. The draft amendments to RID/ADR/ADN proposed by the Ad Hoc Working Group are reproduced in the addendum to this report (ECE/TRANS/WP.15/AC.1/2011/30/Add.1). The Working Group agreed that the comments below should be brought to the attention of the Joint Meeting and some texts were placed between square brackets pending a decision by the Joint Meeting.

Alphabetical index (Table B of Chapter 3.2)

7. The representative of the Netherlands said that it would have been useful to provide a list of changes to the alphabetical index, even though Table B of Chapter 3.2 is not official part of ADR or ADN.

8. A member of the UNECE secretariat said that preparing such a list of changes would be an additional burden for the secretariat which would be likely to delay the whole process of preparing the list of amendments, unnecessarily since this list of changes was not necessary from the legal standpoint. Moreover the alphabetical index is prepared by the secretariat at the last stage of the preparation of a new version of ADR and ADN. The secretariat understood that such a list may be of interest to governments which prepare their own consolidated version in their own national language, but it underlined that there is not necessarily full correspondence between the various linguistic versions of the indexes, in particular in relation to synonyms used. Nevertheless, when preparing the alphabetical indexes of the English and French versions of ADR and ADN, the secretariat prepares also track changes versions of the texts including the alphabetical index, which may be communicated to governments upon request for reference purposes.

These track-change versions of the alphabetical index may be made available in its final form at the date when the amendments are circulated officially (e.g July 2012 for the 2013 version of ADR or ADN).

"Solution or mixture"

9. The Group noted that RID, ADR and ADN use in most of their provisions the phrase "solution or mixture" while the same phrase appears as "mixture or solution" in the equivalent provisions of the Model Regulations. The Joint Meeting may wish to consider whether it would be appropriate to align RID, ADR and ADN with the Model Regulations in this respect.

Exclusion of explosives from Class 1

10. The Group noted that the current provisions of 2.1.3.6 of the Model Regulations concerning the procedure of exclusion of explosive substances or articles from Class 1 were not included in RID, ADR and ADN. The Group considered that there was no need to include 2.1.3.6.2 and 2.1.3.6.3 in ADR, ADN and RID because these provisions were in fact guidance for the competent authorities.

11. The Group agreed however to include a paragraph 2.2.1.1.9.1, corresponding to paragraph 2.1.3.6.1 of the Model Regulations, stating that an article or substance may be excluded from Class 1 by virtue of test results and of the Class 1 definition. However, according to the Model Regulations, the exclusion is done by the competent authority, whilst the current philosophy of Chapter 2.2 of RID/ADR/ADN is not to request competent authority approval for classification of explosives, except for assignment to N.O.S entries or UN 0190 SAMPLES, EXPLOSIVE. Therefore the Joint Meeting may wish to decide whether or not competent authority approval should be required for exclusion from Class 1.

12. The Group agreed to reflect the new paragraph 2.1.3.6.4 of the Model Regulations, concerning an additional specific procedure for exclusion of articles from Class 1, in a new paragraph 2.2.1.1.9.2 but in this case the Group considered that this exclusion should require competent authority approval.

Glossary of Class 1 names

13. The Group proposes that the Glossary of names in 2.2.1.1.8 should be transferred in a new sub-section 2.2.1.4 at the end of the Chapter.

14. The Group noted that the definition for "EXPLOSIVE, EXTREMELY INSENSITIVE SUBSTANCE (EIS)" of the Model Regulations does not appear in the RID/ADR/ADN Glossary. It was explained that this definition had not been included because there is no UN number assigned to these substances. The RID/ADR/ADN Glossary includes only names to which UN numbers have been assigned, and does not include definitions for terms which appear in lower case in the Glossary of the Model Regulations.

15. For these reasons, it seems that (a) the new definition for "AUXILIARY EXPLOSIVE COMPONENT ISOLATED" should not appear in the RID/ADR/ADN Glossary since there is no UN number corresponding to such a name; (b) this name, as well as the name "EXPLOSIVE, EXTREMELY INSENSITIVE SUBSTANCES (EIS)" should appear in lower case in the Model Regulations Glossary.

Definition of the maximum permissible gross mass for FIBCs (1.2.1)

16. The Group agreed that, for the purpose of harmonization with the Model Regulations, the definition of "maximum permissible load" in 1.2.1 should be deleted, and that the definition of maximum permissible gross mass should apply to all IBCs and not only to categories other than flexible IBCs (as proposed by France in informal document INF.28).

Definition of bag (1.2.1)

17. There was no support for the proposal by Romania in informal document INF.5 to reword the definitions of "bag", "packaging" and "receptacle". Most delegations were not convinced that there was a problem with these definitions and, in any case, should there be a need to reword them, the proposal should first be submitted to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods.

Medical equipment (Note to 2.2.62.1.5.3/UN: Note to 2.6.3.2.3.3)

18. It was noted that the new NOTE added to 2.6.3.2.3.3 of the Model Regulations was not necessary, because medical equipment, whether or not drained of free liquid, is not subject to the requirements of RID/ADR/ADN if the conditions of 2.2.62.1.5.3 (UN 2.6.3.2.3.3) are met.

19. It was suggested that the intent of the NOTE was to state that when medical equipment has been drained from free liquid, the conditions of 2.2.62.1.5.3 (UN 2.6.3.2.3.3) are deemed to be met. However the Group felt that this interpretation did not correspond to the text of the NOTE and the views of the United Nations Sub-Committee should be sought first before validating such an interpretation by a different text in RID/ADR/ADN.

20. It was also noted that the carriage of medical equipment could not be exempted under 1.1.3.1 (b) because medical equipment is specified in new 2.2.62.1.5.7.

New entry for capacitors (UN No. 3499)

21. Some delegations expressed the view that the carriage of capacitors should not be regulated under RID/ADR/ADN. However, it was recalled that these capacitors contain dangerous goods and that carrying them as limited quantities might not be more convenient. Furthermore they can develop internal pressure up to 20 bar.

Transitional measures for the carriage of lithium batteries

22. The Group agreed that a new transitional measure 1.6.1.23 should be added for lithium cells and batteries manufactured before 1 July 2013 which have not been tested in accordance with the new test provisions. The United Nations Sub-Committee of Experts should be consulted for determining the transitional period.

UN No. 3497 Krill meal

23. The United Nations Sub-Committee should be consulted to determine whether checking the temperature before loading should be required for the Packing Group III entry, i.e. whether special provision 300 should be assigned to the Packing Group III entry.

UN No. 3506, Mercury contained in manufactured articles

24. MP15 was placed between square brackets because it did not seem likely that manufactured articles would contain more than 3 litres of mercury. CV28/CW28 was also placed between square brackets in column 18 because some delegations felt that the segregation from foodstuff provisions were not relevant for articles.

25. It was agreed to add a new classification code CT3 in 2.2.8.3 for articles containing corrosive and toxic substances. In this respect, it was noted that some classification codes were missing in other classes for articles, e.g. in class 3 and it was agreed to create a new code F3 for articles containing flammable liquids.

Special provision 240

26. To be consistent with RID/ADR systematic, it was agreed that the contents of special provision 240, which deals with classification, should be transferred in a NOTE in Section 2.2.9. The text of special provision 240 should only contain a reference to this NOTE.

Chemicals under pressure (UN Nos. 3500 to 3505)

27. The Group was informed that the European industry did not foresee a need for carriage of chemicals under pressure in RID/ADR tanks, therefore there was no need to introduce RID/ADR tank codes in columns (12) and (13). Should the industry express the wish to make use of RID/ADR tanks, the Working Group on Tanks would be invited to provide the appropriate codes.

28. The Group considered that, as for aerosols, gases identified as pyrophoric in Packing Instruction P200 should not be used as propellants. This is not mentioned in special provisions 63, para (d) and 362, para (b) of the Model Regulations and should be brought to the attention of the United Nations Sub-Committee.

Exemption of fuels (special provision 363)

29. The Group agreed that, to avoid misunderstandings, the text of special provision 363 should be integrated in RID/ADR/ADN as a new 1.1.3.3 (c). The title of 1.1.3.3 should be amended in the French version where the words "carburants liquides" should be replaced by "combustibles liquides". Nevertheless, some delegates felt that fuel contained in means of containment integral to equipment or machinery was currently fully exempted under the provisions of 1.1.3.1 (b) and that the Joint Meeting should consider the more fundamental question whether there is a need to introduce the text of the United Nations Special Provision 363 since this would imply more stringent conditions of exemption.

Mixed loading of dangerous goods packed in limited quantities

30. The Group noted that, according to 7.1.3.2 of the Model Regulations, mixed loading of goods of Class 1 (except 1.4S) with goods of any other class (including those packed in limited quantities) is prohibited. According to 7.5.2 of RID/ADR, mixed loading prohibitions are based on danger labels, therefore they do not apply in the case of limited quantities. As a consequence, the majority view was to add a new 7.5.2.4 prohibiting mixed loading of goods of Class 1 (except 1.4S) with limited quantities, although some participants considered that, as a matter principle and as currently in RID/ADR/ADN, there

should be no segregation requirement for limited quantities, including for mixed loading with any kind of explosives.

Excepted quantities (new paragraph 3.5.1.4)

31. The Group noted that the new paragraph 3.5.1.4, as drafted in the Model Regulations, was not suitably drafted for regulatory purposes in the sense that excepted quantities of dangerous goods assigned to codes E1, E2, E4 and E5 as described in 3.5.1.4 remain subject to certain transport conditions and therefore remain subject to RID/ADR/ADN. The proposed revised wording should be brought to the attention of the United Nations Sub-Committee.

Packing Instructions P1XX

32. It was noted that the heading of columns of packing instructions for explosives did not correspond to that of the Model Regulations since, in RID and ADR, the words "and arrangements" have been added to "Inner packagings", "Intermediate packagings" and "Outer packagings". These words had been added in RID and ADR because some "arrangements", e.g. "Dividing partitions" did not seem to meet the definition of inner packaging. It was agreed that the issue should be brought to the attention of the United Nations Sub-Committee.

Packing Instruction P201, paragraph (i)

33. The Group noted that paragraph (1) of Packing Instruction P201 in the Model Regulations refers to "Compressed gas cylinders and gas receptacles". The Group felt that a reference to "Cylinders, tubes and pressure drums" would be more appropriate and it was agreed to seek the advice of the United Nations Sub-Committee.

Packing Instructions P902 and LP902 (Additional requirements)

34. The Group felt that the words "Pressure vessel" in the Model Regulations should be replaced by "Pressure receptacle" since there is no definition of "pressure vessel" in Section 1.2.1. The United Nations Sub-Committee should be informed accordingly.

Packing Instruction P903, paragraph (4)

35. The Group recommends the deletion of the last sentence which states that "when active, these devices shall meet defined standards for electromagnetic radiation to ensure that the operation of the device does not interfere with aircraft systems". It did not seem that such a requirement was a packing requirement and that it was relevant for inland transport. Should the carriage of such active devices be prohibited, the prohibition should rather appear in 2.2.9.2.

Portable tank instruction T50

36. The Group considered that the words "Maximum filling ratio" in the heading of the last column of portable tank instruction T50 was not appropriate in the Model Regulations since the figures given in that column express a filling density in kg per litre of capacity

rather than a filling ratio. This should be brought to the attention of the United Nations Sub-Committee.

Section 5.5.3

37. The Group considered that 5.5.3.1.3 should refer to "tanks or MEGCs" rather than to portable tanks only. The United Nations Sub-Committee should be invited to consider inserting the words "or MEGCs" after "portable tanks" in the Model Regulations, unless these words had been omitted on purpose.

38. For 5.5.3.4.1, it was agreed to replace "proper shipping name" by "the name mentioned in column (2) of table A of Chapter 3.2", because dry ice is not subject to RID/ADR/ADN as a load. It was also agreed to add a note in 2.2.9.1.14 and in the line for UN No. 1845 in table A of chapter 3.2 referring to 5.5.3 when UN No. 1845 is used as a coolant.

39. In 5.5.3.4.2, the word "packaging" was replaced by "package". This should be brought to the attention of the United Nations Sub-Committee.

Symbols on large packagings (6.6.3.3)

40. The Group noted that the NOTE to 6.6.3.3 in the Model Regulations (proposed 1.6.1.25 for RID/ADR/ADN) refers to "large packagings manufactured, repaired or remanufactured". However there is currently no definition for repaired large packagings and no provision for such repaired packagings. This should be brought to the attention of the United Nations Sub-Committee.

Salvage pressure receptacles (6.2.3.11)

41. In 6.2.3.11.2 and 6.2.3.11.4, the words "of the country of approval" were inserted in square brackets after "competent authority". The Joint Meeting should clarify, in the context of RID and ADR, which competent authority(ies) is (are) concerned.

42. For the reference to 6.2.2.7 in 6.2.3.11.4, certain delegations felt that it would be more appropriate, in RID/ADR, to refer to 6.2.3.9, since 6.2.3.9 refers to 6.2.2.7 and indicates the variations. Therefore the two alternatives were placed between square brackets. Rather than to refer to the competent authority for determining the marking, the Joint Meeting may also wish to specify exactly the marking required for carriage under RID/ADR/ADN. The link with the Transportable Pressure Equipment Directive (TPED) should also be checked.

Flexible bulk containers

43. The Group noted that the acronym "FBC" was used only in the definition of "Bulk container" in 1.2.1 and in 6.8.5.5.1 of the Model Regulations. Therefore it was agreed not to introduce this acronym in RID, ADR and ADN.

44. For 6.11.5.4.2 (6.8.5.4.2 of the Model Regulations), it was agreed to replace the words "packaging methods" by "containment methods" since a bulk container is not deemed to be a packaging.

RID/ADR tank provisions

45. The Working Group on Tanks is invited to check the RID/ADR tank codes to be assigned to UN No. 1792 which now applies only to the solid form of iodine monochloride, and to UN No 2381 (Dimethyl disulphide) to which a subsidiary risk of Class 6.1 has been assigned.

46. For UN No. 2381, special provision 354 was placed between square brackets. The United Nations Sub-Committee should be invited to check whether it is appropriate to assign this special provision (which draws attention to the danger of toxicity by inhalation) for a packing group II substance.

Adoption of the report

47. The Ad hoc Working Group adopted the report on its session by correspondence on the basis of a draft prepared by the secretariat.
