

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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Guiding principles for the Model Regulations

Classification of substances mentioned by name in the Dangerous Goods List, interpretation of the Model Regulations

Transmitted by the expert from the Netherlands

Introduction

1. The general rule of the Model Regulations is that dangerous goods are assigned to UN numbers and proper shipping names according to their hazard classification and their composition.
2. Substances most commonly carried are mentioned by name in the Dangerous Goods List (DGL), together with their classification and transport requirements.
3. The consignor does not need to classify these substances on the basis of the hazard properties. The classification in the DGL can be used together with the transport conditions listed. Unless specifically indicated, for example by a special provision, it is not allowed to downgrade the classification.
4. When on the basis of data available it becomes evident that the hazards of a substance mentioned by name are not adequately covered by the entry in the DGL, a proposal to the UN Sub-Committee should be made to amend the classification and to align the conditions of transport accordingly. If approved by the Sub-Committee the amended entry will appear in the next edition of the Model Regulations and presented to modal organisations in order to amend their regulation accordingly.

Interim period

5. The question arises what to do in the interim period, the time between the knowledge of the hazards and the amendment in the legal Regulation, as the consignor has the responsibility to communicate the actual hazard of his product. The Model Regulations however, do not provide for the situation to up-grade the hazard of a substance mentioned by name in the DGL.

Options

6. The Sub-Committee is therefore invited to consider the various options to enable the consignor to communicate additional hazards of a substance listed by name in the DGL.

7. Three options are considered:
 - (a) The substance is shipped under its entry in the DGL. As a consequence the actual hazard is not communicated and the transport conditions are not adapted to meet the hazards of the substance.
 - (b) The substance is shipped under its existing entry in the DGL and in order to communicate the hazards it is permitted to add a subsidiary risk label and/or to adapt the documentation to the actual hazards. As a consequence, the classification is not in line with the DGL. Moreover, the transport conditions are not adapted to the hazards of the substance.
 - (c) The substance is shipped under an appropriate N.O.S.-entry which covers the up-graded hazards together with the corresponding transport conditions. As a consequence the hazard communication and the transport conditions are adequately adapted to the actual hazards of the substance.
 8. The subcommittee is further invited to consider whether or not an amendment of the text in the Model Regulations is necessary to clarify the situation and to avoid interpretation differences amongst consignors, enforcement bodies and regulators.
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