

**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

2 September 2016

Fiftieth session

Geneva, 28 November – 6 December 2016

Item 7 of the provisional agenda

**Issues relating to the Globally Harmonized System of
Classification and Labelling of Chemicals:**

**Differences as related to UN 1386 in the IMSBC and IMDG
Codes and the Model Regulations**

Submitted by the expert from Spain

SUB-COMMITTEE ON CARRIAGE OF
CARGOES AND CONTAINERS
3rd session
Agenda item 6

CCC 3/6/2
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AMENDMENTS TO THE IMDG CODE AND SUPPLEMENTS

Differentiation of UN 1386 in the IMSBC and IMDG Codes and UN Model Regulations

Submitted by Spain

SUMMARY

Executive summary: This document provides some differences identified between the UN Model Regulations and the IMSBC and IMDG Codes, for UN 1386 SEED CAKE, in particular regarding the contents of oil and moisture, and proposes to achieve a common definition of UN 1386 by amending the IMDG Code, considering possible consequential amendments to the individual schedule for SEED CAKE in the IMSBC Code

Strategic direction: 5.2

High-level action: 5.2.3

Output: 5.2.3.4 and 5.2.3.3

Action to be taken: Paragraph 14

Related documents: DSC 18/6/23; CCC 1/5/4; CCC 3/5/11, CCC 3/6/3; E&T 25/3, E&T 25/3/1 and E&T 25/3/7

Introduction

1 During the twenty-fifth session of the Editorial and Technical Group (E&T), it was emphasized that there is a lack of alignment between the scope of properties covered by UN 1386 in the UN Model Regulations and both the IMDG and IMSBC Codes, with respect to the described oil and moisture content. It was noted that this lack of alignment leads to an inconsistency that would need to be addressed by UNTDG. This course of action may, consequentially, exclude some dangerous goods cargoes also contained in individual schedules in the IMSBC Code.

2 It was also noted that there is a need to harmonize some of the dangerous goods related individual schedules in the IMSBC Code and the entries in the IMDG Code with the UN Model Regulations, but it is recognized that harmonization between the IMDG Code

entries and the UN Model Regulations is a first step. Therefore, amendments to the IMSBC Code with regard to these schedules are contingent to this proposal.

3 The unified classification of all dangerous goods is one of the basic principles of the related regulations, since it permits the intermodal transport of dangerous goods at international level. However, for UN 1386, a different approach and description of the goods has been introduced in the IMO instruments, therefore, harmonization would need to be carried out at IMO level.

4 While Spain supports document CCC 3/5/11 (Australia, Canada, China, Italy, Spain, the United States and BIMCO) as a possible way forward to amend the IMSBC Code, it is envisaged that, with regards to UN 1386, an amendment is needed for both the IMDG and the IMSBC Codes. Therefore, at this moment, the solution for the IMSBC Code would need to be compatible. Nevertheless, it might need to be modified in the future, as the entry related to UN 1386 has significant differences in the IMDG and IMSBC Codes and the UN Model Regulations and, by extension, other model regulations.

Current description of UN 1386 SEED CAKE

5 In the Model Regulations, the name and description of UN 1386 are "UN 1386 SEED CAKE with more than 1.5% oil and not more than 11% moisture". The seed cakes included are those with more than 1.5% of oil, and with less than 11% of moisture (see figure 1).

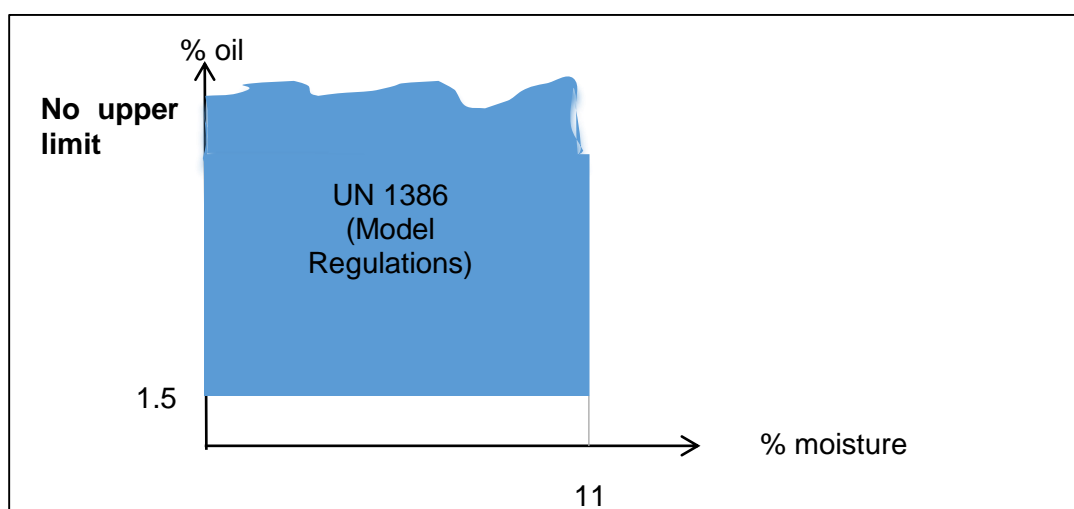


Figure 1: Oil and moisture content for UN 1386 according to the Model Regulations

6 In the IMDG and IMSBC Codes, UN 1386 has been split up into (a) and (b), and the names and descriptions for this UN number are:

1. "SEED CAKE, containing vegetable oil (a) mechanically expelled seeds, containing more than 10% oil or more than 20% oil and moisture combined"; and
2. "SEED CAKE, containing vegetable oil (b) solvent extractions and expelled seeds, containing not more than 10% of oil and when the amount of moisture is higher than 10%, not more than 20% of oil and moisture combined".

UN 1386 has been split up according to the extraction method (only mechanically expelled in (a), or solvent extraction and mechanically expelled in (b)), but also the percentages of oil and moisture considered are different (see figure 2).

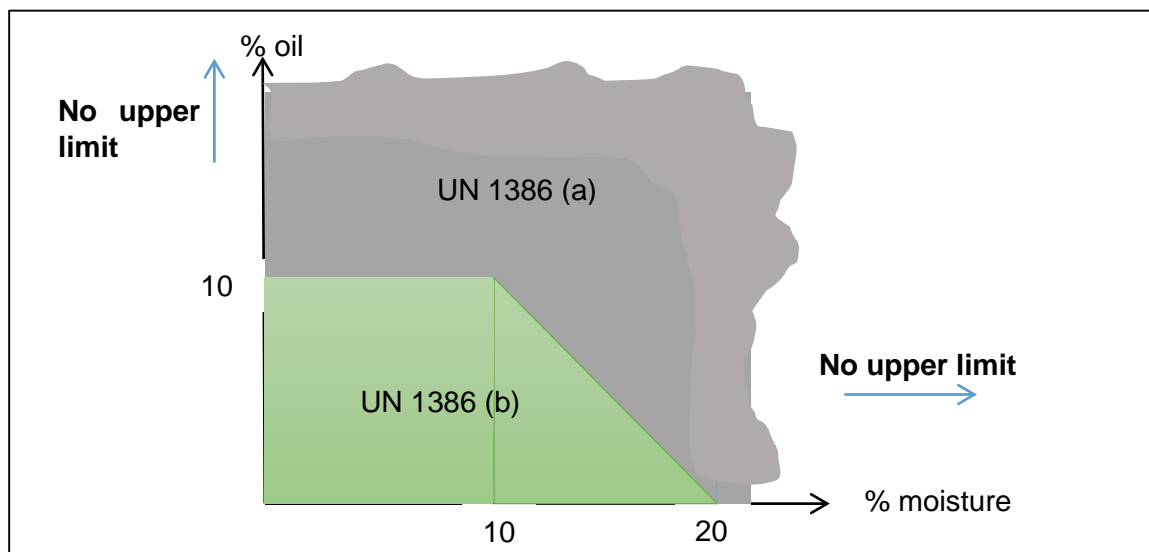


Figure 2: Oil and moisture content for UN 1386 according to IMDG and IMSBC Codes

7 As set out in figure 2, all combinations of oil and moisture contents are covered either by UN 1386 (a) or by UN 1386 (b), while only some combinations of oil and moisture are covered by UN 1386 (in Model Regulations) as indicated in figure 1. Therefore, while seed cakes are currently transported by sea under UN 1386, they cannot be transported as UN 1386 in other transport modes.

Distinction between UN 1386 and UN 2217

8 There are two entries corresponding to seed cakes as dangerous goods: UN 1386 and UN 2217. In the case of UN 1386, the above-mentioned differences between IMDG and IMSBC Codes and the Model Regulations exist, while the name and description for UN 2217, i.e. UN 2217 SEED CAKE with not more than 1.5% oil and not more than 11% moisture, are the same for maritime transport and other regulations. This description is compatible with the description of UN 1386 in the Model Regulations (see figure 3), however, it partially overlaps the description of UN 1386 (b) (see figure 4).

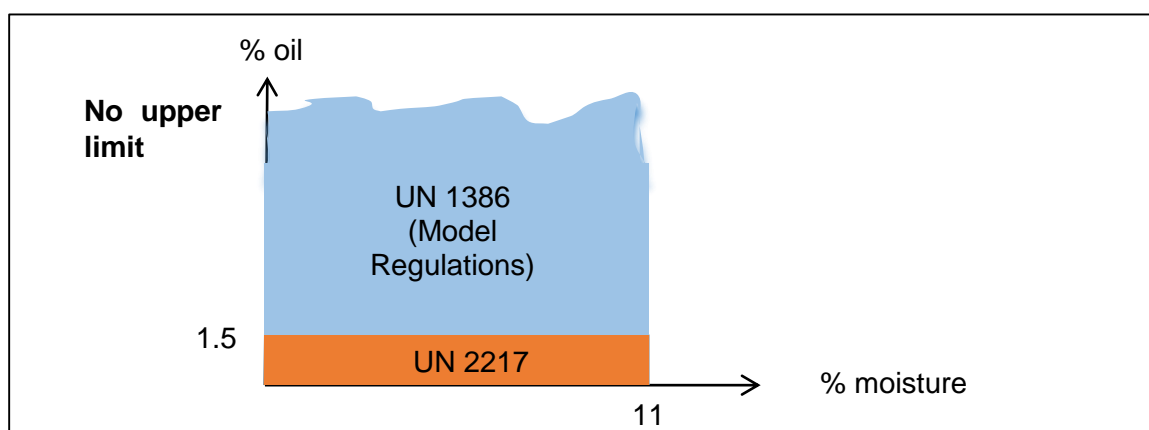


Figure 3: Oil and moisture content for UN 1386 according to the Model Regulations and for UN 2217. UN 2217 covers the percentages of oil below those of UN 1386, with the same upper limit for moisture

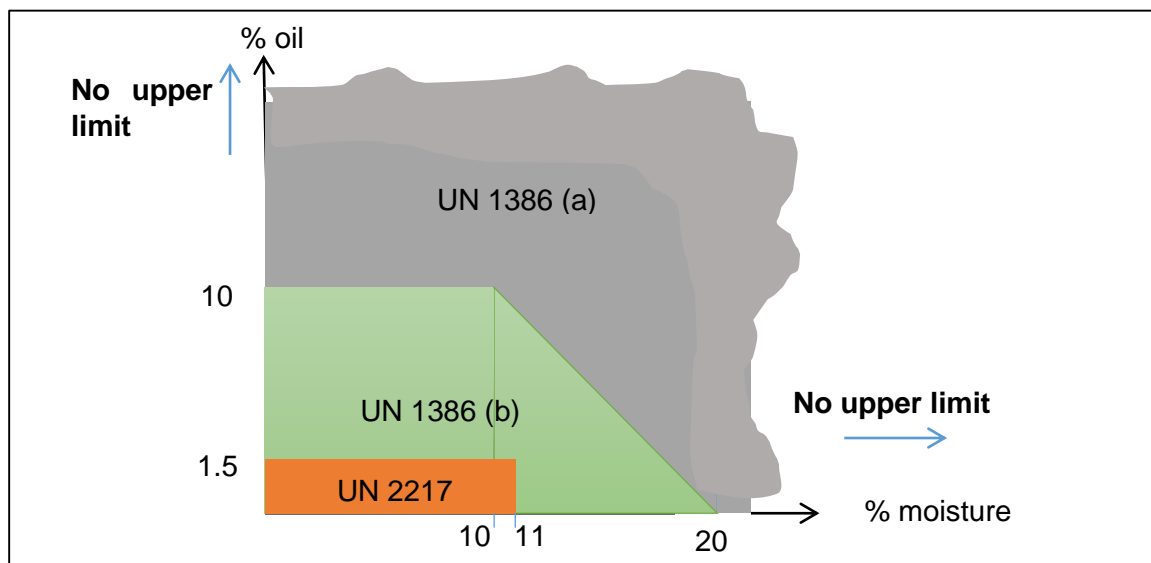


Figure 4: Oil and moisture content for UN 1386 according to IMDG and IMSBC Codes, and for UN 2217. UN 2217 covers the area already covered by UN 1386 (b)

9 In the Model Regulations, UN 2217 covers the percentages of oil below those of UN 1386, with the same upper limit for moisture. In the IMDG and IMSBC Codes, UN 2217 covers the area already covered by UN 1386 (b).

10 The situation for the IMDG and IMSBC Codes is confusing. For example, the properties and observations given in column (17) of the IMDG Code do not permit an unambiguous classification of the material, i.e. UN 2217 for seed cakes extracted by a solvent process, while UN 1386 (b) for solvent or mechanically extracted seeds. Apparently, in accordance with the IMDG and IMSBC Codes, seed cakes with a percentage of "not more than 1.5% oil and not more than 11% moisture" could be classified both as UN 2217 and UN 1386 (b).

Conclusion and proposal

11 Spain proposes to limit the seed cakes covered by UN 1386 in the IMDG and IMSBC Codes to those that are currently covered by UN 1386 in the Model Regulations. This would permit an easy differentiation between UN 1386 and UN 2217.

12 Nevertheless, the identified differences would have to be eliminated, starting with the IMDG Code. Spain intends to submit a concrete proposal, regarding the IMDG Code, to the E&T Group to be discussed at a later stage, but the possibility of amending the description of UN 1386 should be discussed together with the transportation of seed cake in bulk during this session.

13 In order to facilitate a possible further discussion, the draft amendments to the IMDG Code are set out in the annex

Action requested of the Sub-Committee

14 The Sub-Committee is invited to consider the above information and take action as appropriate.

ANNEX*

PROPOSED DRAFT AMENDMENTS TO THE IMDG CODE

**PART 3
DANGEROUS GOODS LIST, SPECIAL PROVISIONS AND EXCEPTIONS**

**Chapter 3.2
Dangerous goods list**

In the dangerous goods list, delete the first entry of "UN 1386 SEED CAKE, containing vegetable oil (a) mechanically expelled seeds, containing more than 10% oil or more than 20% oil and moisture combined." and amend the entry of "UN 1386 SEED CAKE, containing vegetable oil (b) solvent extractions and expelled seeds, containing not more than 10% of oil an when the amount of moisture is higher than 10%, not more than 20% of oil and moisture combined with more than 1.5% oil and not more than 11% moisture" as follows:

1386	In column (2), after the words "SEED CAKE" delete the terms " containing vegetable oil (b) solvent extractions and expelled seeds, containing not more than 10% of oil an when the amount of moisture is higher than 10%, not more than 20% of oil and moisture combined "
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**Chapter 3.3
Special provisions applicable to certain substances materials or articles**

Replace Special Provision 929 with the following:

"929 If satisfied, as a result of tests, that such relaxation is justified, the competent authority may permit:

- the seed cakes ~~extracted mechanically described as "SEED CAKE, containing vegetable oil (a) mechanically expelled seeds, containing more than 10% of oil or more than 20% of oil and moisture combined"~~ to be transported under conditions ~~for seed cakes extracted by solvent process governing "SEED CAKE, containing vegetable oil (b) solvent extractions and expelled seeds, containing not more than 10% of oil and, when the amount of moisture is higher than 10% and not more than 20% of oil and moisture combined",~~ and
- the seed cakes ~~described extracted by solvents, as "SEED CAKE, containing vegetable oil (b) solvent extractions and expelled seeds, containing not more than 10% of oil and, when the amount of moisture is higher than 10% and not more than 20% of oil and moisture combined"~~ to be transported under conditions governing SEED CAKE, UN 2217.

Certificates from the shipper shall state oil content and moisture content and shall accompany the shipment."

* This annex is reproduced in English only.

Chapter 7.6

Stowage and segregation on general cargo ships

7.6.2 Stowage and handling provisions

7.6.2.7.3 *Stowage provisions for SEED CAKE (UN 1386)*

7.6.1.7.3.1 Amend the first part of the paragraph as follows:

"Stowage provisions for SEED CAKE, ~~containing vegetable oil (a)~~ with more than 1.5% oil and not more than 11% moisture, mechanically expelled seeds, ~~containing more than 10% oil or more than 20% oil and moisture combined:~~

7.6.2.7.3.2 Amend the first part of the paragraph as follows:

"Stowage provisions for SEED CAKE, ~~containing vegetable oil (b)~~ with more than 1.5% oil and not more than 11% moisture, solvent extracted ~~seeds~~ ions and expelled seeds containing not more than 10% of oil and, when the amount of moisture is higher than 10%, ~~not more than 20% of oil and moisture combined:~~