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**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**

**Fifty-seventh session**

Geneva, 30 November-8 December 2020

Item 3 of the provisional agenda

**Listing, classification and packing**

 Amendment to 5.1.2.2 – Use of the word “package”

 Transmitted by the expert from Austria[[1]](#footnote-2)

 Introduction

 1. During comparison of the English, French and German version of ADR/RID/ADN a discrepancy on the use of the word “package” and “packaging” was encountered.

2. 5.1.2.2 of the UN Model Regulations (twenty-first revised edition) reads as follows:

“Each package of dangerous goods contained in the overpack shall comply with all applicable provisions of these Regulations. The “overpack” mark is an indication of compliance with this requirement. The intended function of each package shall not be impaired by the overpack.”

 3. The word “package” is used twice within this paragraph. Austria would like to bring the attention of the Sub-Committee to the second usage – the sentence “The intended function of each package shall not be impaired by the overpack”.

 4. The intended function of a package is not defined in 4.1.1. The intended function of a packaging, on the other hand, is to perform as stated in 4.1.1. For instance, shall a packaging be strong enough to withstand shocks and loadings normally encountered during transport as mentioned in 4.1.1.1.

 5. In conclusion, a packaging may have an "intended function". A package, which is the packaging and its contents prepared for dispatch (as defined in 1.2.1), however does not have an intended function. Austria is of the opinion that 5.1.2.2 shall be changed accordingly to reflect that.

 6. This proposal aims to provide some clarification to the Model Regulations to enhance legal certainty, since the Model Regulations are the basis for modal regulations.

 Proposal

7. Amend 5.1.2.2 to read as follows:

“Each package of dangerous goods contained in the overpack shall comply with all applicable provisions of these Regulations. The “overpack” mark is an indication of compliance with this requirement. The intended function of each **packaging** shall not be impaired by the overpack.”

1. 2020 (A/74/6 (Sect.20)) and Supplementary, Subprogramme 2.) [↑](#footnote-ref-2)