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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

REPORT OF THE SUB-COMMITTEE OF EXPERTS
ON ITS TWENTY-FIFTH SESSION

(Geneva, 5-14 July 2004)

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REPORT

ATTENDANCE

1. The Sub-Committee of Experts on the Transport of Dangerous Goods held its twenty-fifth session from 5 to 14 July 2004 with Mr. S. Benassai (Italy) as Chairman and Mr. F. Wybenga (United States of America) as Vice-Chairman.
2. Experts from the following countries took part in the session: Australia; Austria; Belgium; Brazil; Canada; China; Czech Republic; Finland; France; Germany; India; Italy; Japan; Netherlands; Norway; Poland; Portugal; Russian Federation; South Africa; Spain; Sweden; United Kingdom; United States of America.
3. Under rule 72 of the rules of procedure of the Economic and Social Council, observers from the following countries took part: Bulgaria; New Zealand; Switzerland and Tunisia.
4. Representatives of the following specialized agencies were present: International Civil Aviation Organization (ICAO); World Health Organization (WHO) and the Universal Postal Union (UPU).
5. The following intergovernmental organizations were also represented: European Commission (EC); World Organization for Animal Health (OIE); Intergovernmental Organization for International Carriage by Rail (OTIF).
6. Representatives of the following non-governmental organizations took part in the discussion of items of concern to their organizations: American Biological Safety Association (ABSA); Compressed Gas Association (CGA); Dangerous Goods Advisory Council (DGAC); European Battery Recycling Association (EBRA); European Committee of Paint, Printing Ink Artists Colours Manufacturer's Associations (CEPE); European Cylinder Makers Association (ECMA); European Industrial Gases Association (EIGA); European Liquefied Petroleum Gas Association (AEGPL); European Secretariat of Manufacturers of Light Metal Packagings SEFEL); Federation of European Aerosol Associations (FEA); International Air Transport Association (IATA); International Association of the Soap, Detergent and Maintenance Products Industry (AISE); International Confederation of Container Reconditioners (ICCR); International Confederation of Drums Manufacturers (ICDM); International Confederation of Plastics Packaging Manufacturers (ICPP); International Council of Chemical Associations (ICCA); International Dangerous Goods and Containers Association (IDGCA); International Express Carriers Conference (IECC); International Federation of Freight Forwarders Associations (FIATA); International Fibre Drum Institute (IFDI); International Organization for Standardization (ISO); International Road Transport Union (IRU); International Tank Container Organization (ITCO); International Technical Committee for the Prevention and Extinction of Fire (CTIF); International Vessel Operators Hazardous Materials Association (VOHMA); International Union of Railways (UIC); Portable Rechargeable Battery Association (PRBA); Standing Committee of European Doctors (CP); World Federation for Culture Collections (WFCC).

ADOPTION OF THE AGENDA

Documents: ST/SG/AC.10/C.3/49 (Provisional agenda)
ST/SG/AC.10/C.3/2004/1 (List of documents)
ST/SG/AC.10/C.3/2004/1/Add.1 (Provisional calendar)

Informal documents: INF.1 and INF.2 (Lists of documents)

7. The Sub-Committee adopted the provisional agenda prepared by the secretariat after amending it to include late submissions of informal documents (INF.1 to INF.106).

Informal document: INF.9 (Secretariat)

8. The secretariat asked experts who obtained documents through the web site of the UNECE Transport Division to take their names off the distribution list so as to save reproduction and postal costs.

TRANSPORT OF GASES

9. Consideration of the following documents was entrusted to a working group on the transport of gases which met from 6 to 7 July 2004, with Mr. H. Puype (EIGA) as Chairman:

(a) MEGCs:

ST/SG/AC.10/C.3/2003/43 (United States of America)

ST/SG/AC.10/C.3/2004/40 (EIGA)

ST/SG/AC.10/C.3/2004/10 (UIC)

ST/SG/AC.10/C.3/2004/65 (United States of America)

INF.61 (United Kingdom)

INF.72 (Belgium)

(b) Miscellaneous proposals

ST/SG/AC.10/C.3/2004/4 (EIGA) (Special provision 191)

INF.23 (United States of America)

ST/SG/AC.10/C.3/2004/5 (EIGA) (Criterion for classifying gas mixtures as oxidizing)

ST/SG/AC.10/C.3/2004/16 (Germany)

INF.41 (EIGA)

INF.60 (Belgium)

ST/SG/AC.10/C.3/2004/15 (Germany) (P200, special provision “n”)

INF.58 (Belgium)

ST/SG/AC.10/C.3/2004/18 (Argentina) (P200, special provision “l”)

ST/SG/AC.10/C.3/2004/41 (EIGA) (Proposals to remove UN numbers from the Dangerous Goods List)

ST/SG/AC.10/C.3/2004/56 (Austria) (UN Nos. 1013 and 1070)

INF.24 (United States of America)

ST/SG/AC.10/C.3/2004/58 (CGA) (Publications S-1.1 and S-1.2)

ST/SG/AC.10/C.3/2004/63 (ECMA) (Marking of refillable pressure receptacles intended for the transport of acetylene)

INF.28 (EIGA) (Definition of Division 2.2)

INF.33 (ICCA) (Iodine pentafluoride, UN No. 2495)

INF.49 (IATA) (Packaging of pressure receptacles)

INF.81 (United States of America) (Points for discussion by the working group)

Report of the working group

Informal document: INF.98

10. The Sub-Committee congratulated the group on its excellent work and adopted most of its conclusions, in some cases with amendments proposed orally by the rapporteur of the group (see annex 1), except as follows:

- Paragraph 4: The deletion of the first sentence of 6.7.5.5.1 was not accepted, since this sentence reflects a fundamental requirement of the Regulations;
- Paragraph 12: A solution different from that proposed by the working group and based on the first option, after modification, proposed by UIC in document ST/SG/AC.10/C.3/2004/10 was adopted (see annex 1);
- Paragraph 34: The Sub-Committee did not support the suggestion put forward by the working group concerning the text of paragraph 4.1.6.1.8 of the IATA proposal in informal document INF.49.

Aerosols

Alternatives to the waterbath test for aerosol dispensers

Document: ST/SG/AC.10/C.3/2004/22 (FEA)

Informal documents: INF.39, INF.39/Rev.1, INF.39/Rev.2 (FEA)

11. In addition to the document submitted by FEA, the Sub-Committee took note of a letter from the European Association of Aluminium Aerosol Container Manufacturers (AEROBAL) explaining that the proposed alternative was not suitable for aluminium cans since the test procedure put forward would have destructive effects on them. The Association also proposed that other alternatives should be envisaged, for example, the use of heat.

12. The representative of FEA explained that the problems raised by AEROBAL were technical in nature and had been resolved by the company carrying out the tests in Europe.

13. Certain experts considered that it should be possible for the competent authority to authorize alternative tests, but did not wish a particular test to become established. It was stressed that the proposed test seemed more stringent than the current waterbath test and that the competent authorities should therefore be able to envisage a less stringent level of testing corresponding to that of the current waterbath.

14. It was decided, in principle, following discussion of the matter, that alternative tests could be used with the authorization of the competent authority, but that general requirements, particularly where the can manufacturer, the valve manufacturer and the filler were concerned, must be met as a matter of obligation.

15. The final wording of the texts was entrusted to an ad hoc group and the texts adopted can be found in annex 1.

Packaging of waste aerosols sent for disposal and recycling

Document: ST/SG/AC.10/C.3/2004/53 (United Kingdom)

Informal document: INF.76 (Germany)

16. Some delegations considered that waste aerosols sent for disposal and recycling in international transport, particularly by sea or rail, should only be carried in salvage packagings. They considered that the risks of gas leaks in large vented packagings in ships' holds or in unsupervised wagons posed considerable safety problems, and that transport operations for disposal and recycling should only be conducted locally by road under the control of the competent authority.

17. A discussion revealed that these aerosols were indeed carried internationally, and not only in Europe, to specialized sites for disposal and recycling and that there was a need to provide for specific international multimodal regulations.

18. The Sub-Committee finally adopted the proposal by the United Kingdom with some modifications (see annex 1).

Work of ISO

Informal document: INF.4 (ISO)

19. The Sub-Committee took note of the draft standard ISO/DIS 21029-1 on the design, manufacture, inspection and testing of cryogenic vessels.

EXPLOSIVES, SELF-REACTIVE SUBSTANCES AND ORGANIC PEROXIDES

20. The Sub-Committee entrusted consideration of the documents relating to agenda items 3 (a) and 3 (b) to a working group which met from 5 to 8 July 2004 with Mr. A. Johansen (Norway) as Chairman.

Classification criteria for fireworks

Documents: ST/SG/AC.10/C.3/48/Add.1 (Report of the last session)
ST/SG/AC.10/C.3/2004/35 (Australia)
ST/SG/AC.10/C.3/2004/43 (Japan)
ST/SG/AC.10/C.3/2004/45 (United Kingdom)

Informal documents:

INF.19 (Spain)
INF.53 (Netherlands)
INF.67 (United Kingdom)
INF.69/Rev.1 (Germany)

21. Following the presentation of the working group report (INF.27) by its Chairman, the expert from the United States of America said that he still had some concerns relative to the assignment of fireworks to division 1.4, compatibility group G and that he might come back to this issue at the next session. He noted that some provisions under 2.1.3.5 were not necessarily relevant in a regulatory text. He also proposed that the default fireworks classification table be transferred to the Manual of Tests and Criteria.

22. A member of the secretariat confirmed that 2.1.3.5.4 and 2.1.3.5.5 were not suitably drafted for inclusion in the Model Regulations, since these provisions did not constitute transport conditions to be observed by participants in the transport of dangerous goods but were rather addressed to competent authorities or regulatory bodies. Therefore, he suggested to redraft these paragraphs under the form of NOTES, as this had been done for example under 2.1.3.2.3 for the same reason.

23. After the discussion of the points raised, the Sub-Committee decided to adopt the report of the working group and the proposed texts for 2.1.3.5 as drafted (see annex 1).

Ammonium nitrate emulsions

Documents: ST/SG/AC.10/C.3/2003/31 (Spain)
ST/SG/AC.10/C.3/2004/64 (Spain)
ST/SG/AC.10/C.3/2004/24 (Sweden)
ST/SG/AC.10/C.3/2004/25 (Sweden)

Informal documents:

INF.63 (Canada)
INF.68 (United Kingdom)
INF.73 (Sweden)
INF.74 (Spain)
INF.84 (Spain)
INF.85 (Spain)
INF.102 (Report of the Working Group)

24. The expert from Sweden withdrew document ST/SG/AC.10/C.3/2004/24 and the expert from Canada consequently withdrew her comments contained in informal document INF.63.

25. The Sub-Committee took note of the part of the report of the Working Group on explosives concerning ANEs (INF.102) and noted, in particular, that a new proposal concerning the Koenen test would be prepared by the expert from Germany for consideration at the next December session.

26. The Sub-Committee also noted that research on ANEs had revealed shortcomings in the current tests of Test Series 8 and that further work in this respect would be necessary in the next biennium. The expert from Spain would organize an informal working group meeting in February or March 2005.

27. The Sub-Committee did not agree that an additional new entry for sensitized emulsions, suspensions and gels was needed in the Dangerous Goods List since several experts pointed out that the transport conditions for this new entry would be the same as for the existing one.

28. The Sub-Committee adopted the revised special provisions 309 proposed by the expert from Spain and recommended by the Working Group (see annex 1).

Miscellaneous proposals

Mixtures with self-reactive and oxidizing properties

Document: ST/SG/AC.10/C.3/2004/48 (France)

29. The proposal by France to amend the definition of self-reactive substances was put to the vote and adopted (see annex 1). The Sub-Committee noted that this amendment would also concern the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and therefore hoped that the GHS Sub-Committee would also follow this decision.

30. The expert from the United States of America said that he did not agree with the decision and that he would submit a new proposal for the December session.

Appendix 5 of the Manual of Tests and Criteria

Document: ST/SG/AC.10/C.3/2004/29 (ICCA)

31. The proposal to revise Appendix 5 was adopted (see annex 2).

Miscellaneous amendments to the Manual of Tests and Criteria

Document: ST/SG/AC.10/C.3/2004/14 (Germany)

Informal document: INF.92 (Germany)

32. The expert from Germany said that he would discuss this proposal with other experts and would come back to the question at the current session or at the next session.

New label for Division 5.2

Documents: ST/SG/AC.10/C.3/2004/21 (Norway)
ST/SG/AC.10/C.3/2004/66 (United States of America)
ST/SG/AC.10/C.3/2004/71 (Russian Federation)

33. The Sub-Committee noted that the expert from the United States of America wished to defer the decision to provide for a new label for Division 5.2, possibly until the next biennium, in order to take into account, for example, the comments from the “Organic Peroxide Producers Safety Division (OPPSD)” of the “Society for Plastics Industry (SPI)” recommending a different label and the introduction of new Divisions 4.4 and 4.5 in Class 4 for self-reactive substances and organic peroxides.

34. Several experts pointed out that the solution envisaged by this organization would have far more significant consequences on the regulation of transport operations and on the GHS than a change of label, and considered that such changes could not be envisaged in the near future, also bearing in mind the fact that many countries were currently preparing to implement the GHS for 2008.

35. Since a decision for a change of label would from now on be made only in the context of the GHS, the Chairman proposed that a provisional decision only should be taken and that the texts adopted should be put in square brackets until the next session in order to be able to come back to them and take the opinion of the GHS Sub-Committee into account.

36. The proposal by the Russian Federation for a red background in the lower part of the label and a yellow background in the upper part rather than the contrary was not adopted. Some delegations considered that in the event of the fading of the yellow background, or in the dark, this label could be confused with the label of Division 4.2 for substances liable to spontaneous combustion.

37. The vote was equally divided on the proposal by the Russian Federation to replace the division figures 5.1 and 5.2 in the lower corner of the label by the figure “5” for the class, which was thus not adopted. It was acknowledged that the colour difference between the labels for Divisions 5.1 and 5.2 would have justified this modification, but some delegations considered it unnecessary also to modify the Division 5.1 label or preferred that the numerical identification of the divisions should be kept to facilitate handling operations (separation of substances).

38. A vote was taken on the proposal by Norway which was adopted (see annex 1). It would be necessary to come back to the question of transitional measures if the texts were finally adopted at the next session.

Subsidiary risk label “Flammable liquid” for organic peroxides

Document: ST/SG/AC.10/C.3/2004/59 (United States of America)

39. The expert from the United States of America proposed that a subsidiary risk label of Class 3 should be provided for di-tert-amyl peroxide, di-tert-butyl peroxide and mixtures of di-tert-butyl peroxide and tert-butyl hydroperoxide because of the very extensive range of flammability.

40. It was recalled that according to 5.2.2.1.10, the Division 5.2 label already meant that there was a considerable danger of fire, and that the new label proposed by Norway, with a red upper section, would reinforce this perception for the emergency services.

41. Some experts also considered that if a subsidiary risk label was to be used, it should be done so systematically, i.e., for all formulations meeting the criteria of Class 3.

42. The proposal by the United States of America was not adopted.

PACKAGINGS (INCLUDING IBCS AND LARGE PACKAGINGS)

Evaluation of the United Nations packaging requirements

Documents: ST/SG/AC.10/C.3/2004/67 (Netherlands)
ST/SG/AC.10/C.3/2004/70 (Netherlands)

Informal documents: INF.5 (Netherlands)
INF.70 (Belgium)
INF.94 (Netherlands)

43. After consideration of the various documents in plenary session and by an ad hoc working group, the Sub-Committee adopted amendments to Chapters 6.1 and 6.5 as laid down in INF.94 with some editorial amendments (see annex 1).

ISO DIS 16 106 (Guidelines for the application of EN ISO 9001)

Informal documents: INF.3 (ISO)
INF.89 (ICDM)

44. The Sub-Committee took note of the new standard EN ISO 16 106 on Guidelines for the application of EN ISO 9001.

45. The Sub-Committee took note of the concerns expressed by ICDM with regard to the use of this new standard which, in the ICDM opinion, complicates the situation by referring to various other standards or legal instruments rather than to the UN text, repeating existing provisions of ISO 9001, not leaving enough flexibility to the manufacturer for decisions under his responsibility such as deciding the relevant parameters and the frequency of checking, not covering all necessary control, and imposing new obligations such as final product performance retesting not presently required by the UN Model Regulations.

46. The representative of ICDM recalled the conclusions of the Sub-Committee at its December 2003 session regarding the danger of referring to various standards which contain provisions which do not reflect scrupulously the UN requirements, such as ISO 16 104.

Performance testing

Drum performance statistics

Informal documents: INF.38 (Australia)
INF.91 (France)

47. The Sub-Committee took note of the information provided by the expert from Australia on the low failure rate of drums meeting United Nations requirements during road or rail transport in Australia, along with related comments by the expert from France and oral information from other delegations.

48. The Chairman said that, in the absence of an official document on the subject, it might be necessary to come back to this question in the course of the next biennium.

Miscellaneous proposals

Packing instruction for thionyl chloride (UN No. 1836)

Document: ST/SG/AC.10/C.3/2004/28 (ICCA)

Informal document: INF.59 (Belgium)

49. The Sub-Committee noted that galvanized, unalloyed steel drums could be used in complete safety for thionyl chloride. Since it was the user's responsibility to select a packaging material which did not react with the substance carried, the Sub-Committee decided to delete the word "austenitic" in paragraph (4) of packing instruction P802 (see annex 1).

Repair of IBCs

Document: ST/SG/AC.10/C.3/2004/38 (Netherlands)

Informal document: INF.34 (ICPP)

50. Following discussion of his proposal to amend the definition of repaired IBCs to take account of the replacement of closures, the expert from the Netherlands said that he would consider submitting a new proposal after having consulted other parties involved.

Marking of IBCs after inspection and repair

Document: ST/SG/AC.10/C.3/2004/39 (Netherlands)

Informal documents: INF.66 (ICPP)
INF.71 (Belgium)

51. The proposal to amend paragraphs 6.5.2.2.1 and 6.5.1.6.6.2 was not adopted.

Revision of 4.1.3 to incorporate requirements for pressure receptacles containing substances other than gases

Document: ST/SG/AC.10/C.3/2004/55 (United Kingdom)

Informal documents: INF.51 (ICCA)
INF.64 (Belgium)

52. Following discussions by the plenary and by an ad hoc group, the representative of ICCA was requested to submit an official proposal for the December session. The United Kingdom and the Belgian documents also remained on the agenda.

Definition for “maximum permissible load”

Document: ST/SG/AC.10/C.3/2004/8 (IMO)

53. The Sub-Committee noted that IMO had adopted a text for the IMDG Code differing from the Model Regulations for the top lift test procedure for flexible IBCs in 6.5.4.5.2.

54. Some experts regretted this step by IMO since IBCs were intended for multimodal transport and not only for carriage by sea, and an IBC with a UN marking should comply with the requirements of the Model Regulations and not with other requirements.

55. The Sub-Committee nevertheless acknowledged that there was a problem to be solved but amended the text differently: an IBC did not have to be filled to six times its maximum permissible mass, however, it should be filled and the total load applied in the test should be six times the maximum permissible mass, evenly distributed (see annex 1).

DANGEROUS GOODS PACKED IN LIMITED QUANTITIES

Document: ST/SG/AC.10/C.3/2004/8 (IMO)
ST/SG/AC.10/C.3/2004/44 (Canada and France)
ST/SG/AC.10/C.3/2004/50 (Belgium)

Informal documents: INF.6 (ICAO)
INF.17 (Netherlands)
INF.37 (IATA)
INF.42 (UIC)
INF.44 (United States of America)
INF.75 (United Kingdom)
INF.80 (ICAO)
INF.83 (AISE, CSPA, FEA, FIATA, IECC)

56. Despite the various meetings of the informal working group on limited quantities (see the options proposed in document ST/SG/AC.10/C.3/2004/44), the number of new documents submitted and the verbal comments made showed that there was still no consensus on how to deal with dangerous goods packed in small quantities, whether at the regional level or within the various transport modes.

57. The question of whether the new categories of “dangerous goods in excepted quantities” and “consumer commodities” should be introduced was a matter of particular debate. Several experts would like more estimates of the need for three different categories (limited quantities, excepted quantities, consumer commodities) for products which were ultimately relatively similar, the justification of this

need, and the real difference in conditions of carriage apart from marking, labelling and particulars in the transport document.

58. The Sub-Committee also pointed out that current provisions in the various regulations posed very major problems to consignors, carriers and forwarding agents, and that the various parties concerned with the drafting of national or international regulations should pool their efforts to find a compromise and settle the problem.

59. The Chairman considered that it would be difficult to settle the problem this year and that it would probably be advisable to continue the work in the forthcoming biennium. In order to establish the direction in which work should continue, it was decided to consult the international bodies concerned, namely the ICAO "Dangerous Goods Panel", the IMO DSC Sub-Committee and the RID/ADR/ADN Joint Meeting.

60. The Sub-Committee discussed the possibility of giving guidance through a list of questions to be submitted to these international bodies. Suggestions were made for general questions (for example regarding safety justification for the requirements contained in the various modal regulations) and for specific questions (for example regarding justification for, and usefulness of, specific requirements for excepted quantities and consumer commodities).

61. After lengthy discussions, the Chairman concluded that it would be difficult to adopt a list of questions for submission to the modal bodies. The organizations concerned should rather be invited to study the documents submitted to the Sub-Committee, notably ST/SG/AC.10/C.3/2004/44 by France and Canada which is based on the results obtained by the informal working group on limited quantities. The discussions could be pursued in the next biennium on the basis of the feedback provided by international modal organizations.

LISTING, CLASSIFICATION AND PACKING

Description of dangerous goods

Document: ST/SG/AC.10/C.3/2004/9 (UIC)

62. The proposal to transfer the descriptive text in lower case characters in column 2 of the list in Chapter 3.2 to special provisions in Chapter 3.3 was not adopted.

Classification of formic acid (UN No. 1779) and propionic acid (UN No. 1848)

Document: ST/SG/AC.10/C.3/2004/12 (Germany)

Informal document: INF.57 (Belgium)

63. The proposal to amend UN Nos. 1779 and 1848 and to introduce new UN numbers was adopted with the amendments proposed by the expert from Belgium (see annex 1).

Chromium trioxide, anhydrous

Document: ST/SG/AC.10/C.3/2004/20 (United States of America)

64. The proposal to add a subsidiary toxicity risk for UN No. 1463 was adopted (see annex 1).

Expression of percentage in the Dangerous Goods List

Document: ST/SG/AC.10/C.3/2004/27 (South Africa)

65. The Sub-Committee noted that, although the meaning of percentage was given in 1.2.2.4, the specification “by mass” often, but not always, appeared in the list in Chapter 3.2 and that greater consistency would be beneficial. At first sight, as the proposal by South Africa indicated, the expression “by mass” appeared most often in the list. If, however, it was a question of adding the words “by mass” each time a percentage was included, consistency would be necessary throughout the Model Regulations, particularly in Part 2, Chapter 3.3 and Part 4, while the number of amendments and checks to be made would be much greater if it was decided to delete “by mass” wherever the term appeared.

66. The Sub-Committee agreed to come back to this question when all the consequences had been assessed.

Entries for paints with subsidiary risks

Document: ST/SG/AC.10/C.3/2004/31 (United States of America)

67. The Sub-Committee agreed to introduce two new entries for paints and also to add special provisions for carriage in tanks for the existing entries (see annex 1).

Crotonaldehyde

Document: ST/SG/AC.10/C.3/2004/33 (ICCA)

68. The Sub-Committee decided to amend UN No. 1143 in order to permit the carriage of crotonaldehyde, not in stabilized form, under this entry (see annex 1).

UN Nos. 1733, 1740 and 2823, liquid and solid variants

Document: ST/SG/AC.10/C.3/2004/34 (United Kingdom)

69. The proposals by the United Kingdom were adopted (see annex 1).

Fuel cell cartridges

Document: ST/SG/AC.10/C.3/2004/49 (United States of America)

Informal document: INF.65 (Belgium)

70. Several experts, recalling that only substances or articles presenting a hazard not covered by other classes were normally classified in Class 9, said that the cartridges and devices in question, containing methanol of Class 3, should preferably be classified in Class 3.

71. The expert from the United States of America explained that the cartridges would only be assigned to Class 9 if they had passed a series of tests to show that there was a low probability of methanol leakage under normal conditions of carriage. If these cartridges were classified in Class 3, the tests would not be prescribed.

72. After discussing the matter, the Sub-Committee confirmed by a vote that new entries should be included in the dangerous goods list; however, following another vote, assignment to Class 9 was not adopted.

73. The experts from the United States and Japan were invited to prepare a new proposal taking these decisions into account.

Special provision 251

Document: ST/SG/AC.10/C.3/2004/60 (ICCA)

Informal documents: INF.15 (ICCA)
INF.36 (IATA)

74. The proposal to modify special provision 251 was amended and adopted (see annex 1).

Infectious substances

Documents: ST/SG/AC.10/C.3/2004/51 (WFCC)
ST/SG/AC.10/C.3/2004/52 (OIE)
ST/SG/AC.10/C.3/2004/61 (Netherlands)
ST/SG/AC.10/C.3/2004/62 (Canada)
ST/SG/AC.10/C.3/2004/73 (ICAO)

Informal documents: INF.29 (WFCC)
INF.35 (IATA)
INF.50 (Austria)
INF.79 (WHO)
INF.43 (United Kingdom)
INF.52 (United Kingdom)
INF.90 (United States of America)
INF.95 (WFCC)
INF.96 (CP)

75. The expert from Belgium noted that a third consecutive revision of Division 6.2 was in progress, giving rise to practical difficulties concerning the stability of regulations, information and training of users and supervisory services, etc. He therefore hoped that, if no consensus was achieved on the new proposals, the new revision would be postponed.

76. The Sub-Committee noted, however, that the provisions of the thirteenth revised edition of the Model Regulations posed certain practical problems, particularly for the express carriage of microbiological products. It therefore reviewed the various documents and adopted some of the numerous amendments proposed (see annex 1).

77. The representative of OIE hoped that these new provisions would become applicable as from 1 January 2005. It was recalled that the Model Regulations were not themselves a legal instrument, and that national or international legal instruments were needed to implement their provisions. The representative of ICAO said that a rapid implementation procedure could be envisaged for air transport. For carriage by sea (IMDG Code), RID and ADR, however, the legal procedures for amendments should be followed; normally these did not allow entry into force to be envisaged before 1 January 2007.

Informal document: INF.62 (Secretariat)

78. The Sub-Committee had before it the draft "guidance document" prepared by the Contracting Parties to the Basel Convention for the interpretation of the H6.2 criterion for the definition of infectious waste.

79. The Sub-Committee considered that, in order to avoid major complications of interpretation for generators of infectious wastes and monitoring bodies, it was desirable for the criteria of Annex III of the Basel Convention for the definition of H6.2 infectious wastes to be the same as those of Division 6.2 of the United Nations Model Regulations, as Annex III originally provided. The Sub-Committee therefore considered that category H6.2 should cover all wastes containing infectious substances of categories A or B, including clinical waste assigned to UN No. 3291. The secretariat was requested to inform the secretariat of the Basel Convention and the Conference of Parties accordingly.

MISCELLANEOUS PROPOSALS OF AMENDMENTS TO THE MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Portable tank assignments for hydrazine solutions (UN 2030)

Document: ST/SG/AC.10/C.3/2004/2 (United States of America)

80. The proposal to revise the tank assignments for UN 2030 in accordance with the rationalized approached was adopted.

Information required in the transport document

Document: ST/SG/AC.10/C.3/2004/3 (Austria)

Informal document: INF.30 (EIGA)

81. The proposal to require the indication of the total quantity for dangerous goods covered by the same UN No., proper shipping name, packing group and technical name was not adopted. The present 5.4.1.4 requires this indication only for goods of the same UN No., proper shipping name and packing group and it may cover dangerous goods of different technical names.

UN 3077 and UN 3082

Document: ST/SG/AC.10/C.3/2004/37 (CEPE, AISE)

82. The proposal to allow the indication of a generic name such as "paint" rather than the technical name as a supplement to the proper shipping name for environmentally hazardous substances was not supported by any expert.

Example of a multimodal dangerous goods form (5.4.1)

Document: ST/SG/AC.10/C.3/2004/7 (VOHMA)

83. It was recalled that the multimodal dangerous goods form of section 5.4.1 was not intended to be of mandatory application, but that it had been developed by the UNECE Working Party on the Facilitation of International Trade Procedures for the purpose of facilitating multimodal transport by eliminating the need for consignors and freight forwarders to fill in multiple forms of various formats required for single modes of transport. Although this form had not yet been adopted by ICAO or IATA or could not be used under certain Conventions such as the COTIF, its use was still recommended by the Working Party (Recommendations No. 11, as amended). It had become an IMO "FAL" form and was widely used for sea/road transport. It contains specific data fields complying with international documentation standards and any change would have to be duly justified and discussed with the Working Party.

84. Some delegations suggested that, to avoid the problems encountered by VOHMA by using other forms in certain countries that require the UN recommended format, the form could be excluded from the Model Regulations, or its non mandatory status could be more strongly emphasized.

85. It was also suggested that IATA should be urged to allow the use of this form for air transport.

86. Following the discussion, the representative of VOHMA suggested that the revision of the multimodal dangerous goods form should be placed on the programme of work for the next biennium.

87. A member of the secretariat recalled that this work would require cooperation with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) and that it would be necessary to consider carefully the background information and documents which led to the present form as contained in the UN/CEFACT Recommendation No. 11 on the Documentary Aspects of the International Transport of Dangerous Goods.

Marking and labelling of large packagings

Document: ST/SG/AC.10/C.3/2004/13 (Germany)

88. The proposal to require marks and labels on two opposite sides of a large packaging as for IBCs was adopted (see annex 1).

89. An oral proposal by the expert from the United Kingdom to provide for a transitional period for the application of this provision was not adopted. It was underlined that the unharmonized dates of application for new or revised provisions in general, depending on the mode of transport, the international or national regulations, caused many practical problems in international transport, but the majority of experts felt that there was no need to introduce transitional measures in the Model Regulations in this instance.

Size requirements for package markings

Document: ST/SG/AC.10/C.3/2004/26 (Sweden)

Informal documents: INF.40 (EIGA)
INF.103 (Sweden)

90. Several experts indicated that requiring a minimum size for package marking of the proper shipping name and UN number could have important cost repercussions on the industry, and there was no evidence that the present practices for these markings caused a problem to the emergency responders.

91. The discussion led also to the question as to whether or not the marking of the proper shipping name was of any use to the emergency responders, since they rather use the UN number only in emergency situations, and the technical information related to dangerous goods is provided in the transport document and usually on the work safety or consumer safety label required on the packaging under other regulations.

92. The expert from Sweden orally presented some amendments to the text, in particular to restrict the size requirement to the UN number only. The suggestion to continue the discussion of this proposal was put to the vote but was not adopted.

Reference to UN packaging codes in the transport document

Document: ST/SG/AC.10/C.3/2004/36 (FIATA)

Informal documents: INF.31 (United States of America)
INF.56 (Belgium)

93. The Sub-Committee did not agree that the kind of packages covered by the description in the transport document could be indicated by using a packaging code, because such codes are not necessarily known or easily understood by emergency responders. The Sub-Committee decided that the UN packaging code could be used but only as a supplement to the package description (see annex 1).

Carriage of asbestos

Document: ST/SG/AC.10/C.3/2004/23 (South Africa)

94. The proposal to require, through special packing provision PP37, additional protection when asbestos is carried in bags was adopted with a few modifications (see annex 1).

Rationalized approach for transport in bulk in freight containers

Document: ST/SG/AC.10/C.3/2004/42 (ICCA)

95. Several experts considered that the fact that substances are allowed for carriage in bulk in tanks is not a sufficient justification for allowing their carriage in bulk containers, which do not present the same safety guarantees as portable tanks and packagings. Some experts could agree that a less restrictive approach could be envisaged for road and rail transport. Others felt that a study of these substances permitted in bulk in the modal provisions might help to identify a rationalized approach for all modes.

96. The representative of ICCA said that he would reconsider the question and present a revised proposal.

Labelling and placarding

Document: ST/SG/AC.10/C.3/2004/46 (United Kingdom)

97. The expert from the United Kingdom withdrew proposal No. 1 which applied to markings. The three other proposals concerning labelling and placarding on background of non-contrasting colour were adopted with a few editorial amendments (see annex 1).

Loading and stacking provisions

Document: ST/SG/AC.10/C.3/2004/54 (United Kingdom)

Informal document: INF.87 (United Kingdom)

98. The Sub-Committee agreed to amend the general provisions of 7.1.1 on the basis of the proposal by the United Kingdom with some modifications (see annex 1).

Special provision 216

Document: ST/SG/AC.10/C.3/2004/72 (United States of America)

99. The proposal to amend special provision 216 was adopted with some modifications (see annex 1).

HARMONIZATION WITH THE INTERNATIONAL ATOMIC ENERGY (IAEA) REGULATIONS FOR THE SAFE TRANSPORT OF RADIOACTIVE MATERIAL

Harmonization with the 2005 version of the IAEA Regulations

Document: ST/SG/AC.10/C.3/2004/11 (Secretariat)

Informal document: INF.32 (IAEA)

100. The Sub-Committee adopted provisionally the list of amendments to the Model Regulations prepared by the secretariat for harmonization with the expected 2005 version of the IAEA Regulations.

101. The Sub-Committee invited the IAEA secretariat to check, before the next December session, that there would be no discrepancies with the IAEA Regulations.

Document: ST/SG/AC.10/C.3/2004/57 (United Kingdom)

102. Several experts supported the suggestion by the United Kingdom that it would be desirable to further harmonize the texts of the IAEA Regulations and the UN Model Regulations and to commence a review of the two texts. However, for the UN Model Regulations, this could be done only on the basis of firm proposals, and it should also be borne in mind that, in some cases, differences might be justified due to the scope of each publication.

103. The expert from the United States of America mentioned in particular that, although external contamination of packages might be allowed to a certain extent for radioactive material, this should not be allowed for other dangerous goods and that there would be no need to determine levels of acceptable external contamination.

PROCEDURE FOR INCIDENT REPORTING

Document: ST/SG/AC.10/C.3/2004/47 (DGAC)

Informal Document: INF.106 (DGAC)

104. The proposal for a new section 7.1.8 was adopted in principle, subject to editorial amendments, except that it was agreed that some paragraphs concerning the role of competent authorities, Governments or international organizations should be placed in the Recommendations rather than in the Model Regulations (see annex 1).

STANDARDIZATION OF EMERGENCY PROCEDURES

Informal document: INF.39 (CTIF)

105. The Sub-Committee noted that CTIF was consulting CANUTEC and the United States Department of Transportation to see how standardized emergency procedures based on the North American Emergency Response Guidebook (NAERG) might be developed.

106. The expert from the United States of America indicated that the NAERG 2004 version would soon be available in English, French and Spanish, and would contain elements from the European CEFIC TREMCARDS.

GUIDING PRINCIPLES OF THE MODEL REGULATIONS

Relations between classification of dangerous goods and conditions of transport

Document: ST/SG/AC.10/C.3/2004/69 (Netherlands)

107. The Sub-Committee welcomed the work done by the Netherlands in presenting the dangerous goods list in a systematic form, and agreed that it could be placed on the UNECE website for information purposes, after final review by the expert from the Netherlands.

Informal document: INF.86 (Secretariat)

108. The Sub-Committee noted with satisfaction that the secretariat had consolidated, with the support of an expert from the United Kingdom, material already available with regard to general principles of the UN Model Regulations and rationalized approaches.

109. Experts of the Sub-Committee were invited to review the information provided and provide comments to the secretariat. They were also invited to provide information to the secretariat for the rationale used for the development of packing instructions.

110. It was agreed that this material could be made available on the UNECE website for information purposes once it has been checked. This should be a dynamic process in the sense that the material could be updated or completed whenever necessary or new information is available. All experts and modal organizations were invited to contribute to the process.

HARMONIZATION WITH THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS (GHS)

Work of the GHS Sub-Committee

Informal documents: INF.13/Rev.1 (Secretariat)
INF.45 (OECD)

111. The Sub-Committee noted that many documents to be discussed by the GHS Sub-Committee at its seventh session (14-16 July 2004) were likely to have consequences in future on the Model Regulations on the Transport of Dangerous Goods. The Chairman invited all experts to follow the developments and to participate in GHS activities at national and international level whenever necessary.

Hazards to the environment

Document: ST/SG/AC.10/C.3/2004/8 (IMO)

Informal documents: INF.20 and INF.21 (IMO)

112. The Sub-Committee noted that the IMO Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC) and the Marine Environment Protection Committee (MEPC) had agreed in principle to use the GHS criteria for substances dangerous to the aquatic environment, as reflected in Chapter 2.9 of the Model Regulations, for identifying substances subject to the provisions of Annex III of

MARPOL 73/78, presently referred to as marine pollutants, and to replace in future the marine pollutant mark by the GHS mark for hazard to the aquatic environment.

113. The process of amending the IMDG Code and MARPOL 73/78, Annex III, would start in September 2004, and the amendments would enter into force by October 2006 or January 2007.

114. MEPC considered that it would be highly desirable for all modes of transport to bring the new criteria into force at the same time, and that substances which are deemed to be marine pollutants should be clearly identified in all classes for the purposes of stowage on board and reporting in the event of loss overboard.

115. MEPC agreed that there would be no need to differentiate marine pollutants and severe marine pollutants once the new GHS criteria have been adopted. The Sub-Committee noted nevertheless that, according to the IMO Legal Committee, this might cause problems in the case of the 1973 Intervention Protocol to the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties of 1969, which allow Contracting Parties to intervene on the high seas when severe marine pollutants are involved. It was not certain that Contracting Parties would accept to grant the right to coastal States to intervene on the high seas in the case of casualties involving marine pollutants other than severe ones.

Proposed amendments to the UN Model Regulations

Document: ST/SG/AC.10/C.3/2004/68 (Netherlands)

Informal documents: INF.25 (United States of America)
INF.88 (Belgium)

116. The Sub-Committee did not agree to create a new chapter 2.10 for substances hazardous to the aquatic environment.

117. The Sub-Committee decided:

(a) to include a provision for a diamond-shaped environmentally hazardous substance mark in Chapter 5.2 with the GHS hazard to the environment symbol (fish and tree), black on white or suitable contrasting background;

(b) to require this mark for all environmentally hazardous substances, except when single packagings or inner packagings of combination packagings contain less than 5 l for liquids or 5 kg for solids;

(c) to require the addition of the mention "AQUATIC POLLUTANT" to the proper shipping name in the transport document when the substance meets the criteria of 2.9.3.3;

(d) not to require systematically the indication of the correct technical name of the environmentally hazardous component for generic or N.O.S. entries, except when required by the assignment of special provision 274 and, as a consequence, provided that hazard to the environment is one of the most predominant dangers presented by the substance.

118. Several experts expressed concern at the fact that nearly all these provisions would apply to all environmentally hazardous substances, when the GHS criteria were available only for hazard to the aquatic environment.

119. With respect to the decision listed in para. 121 (d) above, a member of the secretariat recalled that Annex III of MARPOL 73/78 requires the correct technical name of marine pollutants in the transport document in all cases.

120. The Sub-Committee agreed to place all these new amendments between square brackets for confirmation at the next session (see annex 1). Since the IMO DSC Sub-Committee would meet in September 2004, it could provide feedback with regard to the acceptability of these new provisions in the context of the IMDG Code and MARPOL Annex III, notably for the indication of the word "AQUATIC POLLUTANT" instead of "MARINE POLLUTANT" in the transport document.

121. For the question of identifying aquatic pollutants in the dangerous goods list or in a separate list, certain experts considered that this was not necessary since the system was based on self-classification by the industry. Other experts considered that the system of self-classification had proved, in the case of the IMDG Code, RID and ADR, not to be difficult or even not implementable: the industry could not be required to test any product to be transported, and compliance could not be controlled except by reference to various existing lists such as that of the IMDG Code, European directives, etc.

122. The situation was complicated by the fact that neither the present IMDG Code nor European directives were fully based on the GHS criteria, therefore it was agreed that this question should be further discussed in the next biennium.

Criteria for Acute Toxicity

Documents: ST/SG/AC.10/C.3/2004/30 (United States of America)

123. The proposal to align the criteria for acute toxicity on the GHS criteria for hazard categories 1 to 3 was adopted (see annex 1).

124. The Sub-Committee noted that the LC_{50} cut-off values given for inhalation toxicity by dusts and mists were four times higher than those of the GHS, because they correspond to a one-hour exposure time which was considered more appropriate for transport than the GHS four-hour exposure time. Nevertheless, they correspond to the GHS values in accordance with the equivalence provisions of 2.6.2.2.4.2 of the UN Model Regulations and of Note (a) to table 3.1.1 of the GHS.

OTHER BUSINESS

Requests for consultative status

Document: ST/SG/AC.10/C.3/2004/6 (PRBA)

Informal document: INF.8 (IDGCA)

125. The Sub-Committee agreed to grant consultative status to PRBA and IDGCA.

IRU seminar

Informal document: INF.82 (IRU)

126. The Sub-Committee noted that IRU will organize a seminar on "Security in Road Transport" in Hannover, Germany, on 29 September 2004 with special focus on dangerous goods road transport security through cooperation, information and training.

Trade Facilitation Recommendations

Informal document: INF.105 (Secretariat)

127. The Sub-Committee noted that the list of trade facilitation recommendations of the United Nations Centre for Trade Facilitation and Electronic Business was available on the UNECE website at the following address: http://www.unece.org/cefact/trafix/bdy_recs.htm. Additional information on UN/CEFACT may be found on "[www.unece.org/cefact/..](http://www.unece.org/cefact/)".

World convention on the transport of dangerous goods

Document: ST/SG/AC.10/C.3/2004/32 (Italy)

Informal document: INF.26 (AISE, CEFIC, CEPE, EFMA, FEA, FIATA, IECC, IRU, ITCO)

128. The Sub-Committee agreed to defer consideration of these documents to the next session and the Chairman invited all experts and organizations concerned to provide him with comments in writing.

ADOPTION OF THE REPORT

129. The Sub-Committee adopted the report on its twenty-fifth session and the annexes thereto on the basis of a draft prepared by the secretariat.
