

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.2/126/Add.1
28 January 1953

ORIGINAL: ENGLISH

TRANSPORT AND COMMUNICATIONS COMMISSION
Sixth session
2 February 1953
Item 8 of the provisional agenda

DOCUMENTS
INDEX UNIT MASTER

3 FEB 1953



ASPECTS OF THE PROBLEM OF THE INTERNATIONAL TRANSPORT
OF DANGEROUS GOODS APPROPRIATE FOR UNIFORM REGULATION

Addendum to Report by the Secretary-General

Additional comments have been received from organizations concerning the draft report and in particular the conclusions and suggestions for further action, contained respectively in Parts III and IV of the principal document (E/CN.2/126). The text of these additional comments is in the Annex hereto.

It will be noted that one organization stated that the conclusions contained in Part III of the Secretary-General's draft report were very much in accord with the spirit of its views, but suggested that aspect 10 (a) "Testing and inspection-consignments", should be transferred from Category I to Category II. As to the Secretary-General's suggestions for further action, that organization was of the opinion that a meeting of experts "from the larger industrial countries with experience in loading and transporting dangerous commodities in large quantities might possibly be the most effective way of making progress toward a solution of what is already a most difficult and intricate problem".

One organization stated that it was unable for technical reasons to reply within the time requested.

Three organizations supplemented their former comments, the texts of which are in Annex B of the principal document and one organization brought up to date the information on the progress of its work as reproduced in Annex A of the principal document.

Text of a letter received from the Director of the
CENTRAL OFFICE FOR INTERNATIONAL TRANSPORT BY RAIL

(Supplementing information reproduced on pages 26, 52 and 57
of the principal document: E/CN.2/126)

Berne, 21 January 1953

I wish to thank you for sending me attached to your letter No. ECA 121/7/02 of December 23rd, 1952, two copies in English of Doc. E/CN.2/126 "Aspects of the Problem of the International Transport of Dangerous Goods Appropriate for Uniform Regulation".

In view of the fact that several aspects regarding Annex I to C.I.M. (Regulations for the transport of dangerous goods) have changed since I last wrote to you on September 25th 1952, you may find it useful to receive some complementary information.

Contrary to our expectations, the text of Annex I drawn up by a drafting committee in May 1952 could not be put into force on the 1st January, 1953, for it still contained various errors and ambiguities which made it necessary to convene the Committee of Experts to another meeting (the XIIth), held at Berne in December 1952. The Committee of Experts could not, however, finish their work, because a Czech proposal to the effect that various kinds of ammunition should be excluded from Annex I had been presented too late for the Governments to give the necessary instructions to their delegates. It was therefore decided to have the second part of this meeting convene again on the 9th February, 1953. Under the circumstances, the new text of Annex I is not expected to come into force before the 1st October, 1953.

At the meeting of the Committee of Experts in December an agreement was reached on two questions which are of great importance with regard to the unification of regulations on a world-wide basis, viz. the admission of small containers and the labelling of dangerous goods.

1. Small containers. A general principle having been inserted into Annex I at the XIth meeting of the Committee of Experts, according to which the provisions for wagons should apply, by analogy, also to large containers (having a loading capacity of over 3 m³), it also appeared necessary to draw up regulations for

the transport of dangerous goods in small containers (having a loading capacity from 1 to 3 m³). At the XIIth meeting a provision was inserted in each class, indicating what substances are admitted - either packed according to the relevant provisions, or in bulk - for transport in small containers. A new appendix comprises the specifications to be observed for the construction of small containers.

For the time being, the use of small containers does not imply any exemption from packing conditions, but the very fact that dangerous goods which are to be carried in small containers must be packed according to the relevant provisions may prove extremely important in intercontinental traffic. It is, in fact, not improbable that, if small containers are admitted, complete unification of packing regulations for all the continents and all the means of transport becomes superfluous: the countries of transit and the countries of destination may admit the transport of dangerous goods in small containers, even if the goods are not packed according to the regulations obtaining in the countries in question, since the small containers constitute a supplementary means of protection.

2. Labelling of dangerous goods. According to a proposal made by the Chemical Industries Committee of the International Labour Organisation, the second joint meeting of experts of the Sub-Committee on Safety of the Committee of Experts on Annex I and of the Working Parties on the Transport of Dangerous Goods of the Inland Transport Committee of the Economic Commission for Europe recommended - with a view to a possible uniform regulation on a world level - to reduce the number of danger labels and agreed on five labels characterizing the five main dangers (explosive, inflammable, poisonous, corrosive, emitting radiating endangering health). At the meeting of December, 1952, the Committee of Experts adhered to this point of view as regards the number of danger labels and decided that their colour should be orange. It did not, however, agree to the symbols proposed by the Chemical Industries Committee. In order to avoid the symbols having soon to be changed again in case uniform UNO-regulations were adopted, the Committee decided to maintain the old symbols, namely the torch, the death's head and the smoking carboy. According to a proposal of the Chemical Industries Committee, the symbol of the exploding bomb was somewhat altered. As for the label for radioactive substances, the Committee adopted

the symbol proposed by the Chemical Industries Committee, but wished the word "Radio-active" to be added. Contrary to what was agreed upon by the XIth meeting of the Committee of Experts, the degree of danger will thus not be characterized by a given colour.

As on the one hand none of the five symbols is characteristic of the danger inherent to substances which, on contact with water, emit inflammable gases and as on the other hand the labelling of these substances seems necessary with regard to their transport by rail, the Committee of Experts decided to maintain the label "To be kept dry" (open umbrella). In order to distinguish it from the other five labels whose unification on a world-wide basis seems possible and necessary, it will be printed in black. The so-called "handling"-labels (two arrows pointing upwards, wine-glass and red triangular label) which are used for railway transport in general, and not only for substances of Annex I, were also maintained in their original shape and colour.

I thought it advisable to inform you of these decisions, as you might wish to bring them to the attention of the sixth session of the Transport and Communications Commission.

ANNEX

TEXT OF ADDITIONAL COMMENTS RECEIVED FROM THE ORGANIZATIONS
CONSULTED BY LETTERS OF 31 JULY AND 5 AUGUST 1952 WITH
RESPECT TO THE DRAFT REPORT

Text of a cable dated 18 November 1952 from the
Managing Administration of the
Mejdunarodnoie Grusovoe Soglashenie (MGS)*

REFERRING TO YOUR LETTER ECA 121/7/02 OF THE 5 AUGUST 1952
SIGNED LUKAC

WE INFORM YOU THAT IN VIEW OF THE DELAYED RECEIVING OF THE
ABOVE LETTER WE ARE NOT ABLE FOR TECHNICAL REASONS TO GIVE YOU OUR
REPLY IN THE REQUIRED TIME . . .

RAILWAY MINISTRY OF THE
POLISH POPULAR REPUBLIC
AS MANAGING ADMINISTRATION
OF THE MGS

* Mention of this organization is made in the last paragraph on
page 6 of the principal document.

Text of a letter received from the Deputy-Secretary,
Ministry of Transport, on behalf of the
UNITED KINGDOM GOVERNMENT ACTING UNDER THE
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA

10 November 1952

Uniform Regulations for
Dangerous Goods

I have the honour to refer to your letter of 31st July,
1952 (reference ECA 121/7/02) on the subject of uniform rules
for the transport of dangerous goods.

.... Her Majesty's Government are in general agreement with
the draft report of the Secretary General subject to the de-
tailed comments made in the enclosed memorandum. So far as
the future programme of work is concerned, it is suggested that
a decision on this should be left to the next meeting of the
Transport and Communications Commission.

ASPECTS OF THE PROBLEM OF THE INTERNATIONAL TRANSPORT
OF DANGEROUS GOODS APPROPRIATE FOR UNIFORM REGULATION

Comments on the draft Report by the Secretary-General
of the United Nations, made by United Kingdom
Government acting under the International
Conference on the Safety of Life at Sea

Analysis of Comments by other Organizations

General

The United Kingdom fully agree with the view that the question of definition of dangerous goods is inseparable from the problem of classification and listing. The United Kingdom have previously stated that, apart from listing the specific substances, no satisfactory definition of dangerous goods for sea transport purposes has been found. It seems unlikely, therefore, that any useful purpose would be served by attempting to arrive at a general definition of dangerous goods for all transport purposes.

If it is sought to define dangerous goods by specifying classes of hazard it will be necessary to establish a scientific criterion for the substances coming within each class in order that there may be no doubt whether the degree of danger in a particular substance is sufficient to warrant its inclusion. Such a criterion has been established for inflammable substances, but to evolve suitable criteria for other classes of dangerous goods would be a long-term project. The United Kingdom view, based on experience, is that the only practicable method of defining dangerous goods is to consider each substance separately; if there is evidence to show that the substance is sufficiently dangerous it should then be listed in the appropriate category and specific rules prescribed for packing and stowage.

Listing and classification

It appears that the view is generally held that dangerous goods should be grouped in classes according to the nature of the danger, and as already indicated, this is also the opinion of the United Kingdom. There is undoubtedly some difficulty in dealing with substances which have dual hazards, but this is not insuperable. One method of overcoming the difficulty which has proved to be

satisfactory in practice, is to include the substance in the class appropriate to the greater danger, and to use a cross reference or some similar device to indicate that the properties of the substance include those appropriate to another class of dangerous goods.

Goods excluded from or restricted to certain types of carriage

The United Kingdom is unable to agree that transport rules should provide for the complete exclusion of any substance from carriage, and remains of opinion that in the case of the most dangerous substances the method of transport, packing and stowage should be specially considered and approved for each consignment. The United Kingdom would not wish to press the previous suggestion that a common list of dangerous substances should include a statement of the modes of transport which should not be used for certain specified substances. It is relevant to mention, however, that certain types of dangerous goods are not permitted to be carried in passenger ships.

Goods requiring prior permission for each shipment

The fact that the general trend of opinion does not favour uniformity in this matter has been noted. For sea transport purposes, however, uniformity is desirable and the example might be mentioned of hydrogen peroxide in solution of high concentration, which cannot be carried in British ships registered in the United Kingdom except with the specific permission of the Ministry of Transport.

Preparation of consignment for shipment

While uniformity in relation to minimum requirements for packaging and packing is possible, the United Kingdom adheres to the view previously expressed that it is impracticable to lay down standard specifications for containers.

The United Kingdom sees no insuperable difficulty in securing substantial uniformity in relation to restrictions on mixed packing.

The United Kingdom desires to emphasize earlier comments made on weight and quantity limitations in packing. In the interests of public safety, normally permitted quantities in ships may not be permissible in certain ports or docks. As far as sea transport is concerned, the limitation on weight and quantity should be related more to the danger to passenger and cargo ships than to the handling of the shipments: the latter should be dealt with separately.

While noting the general agreement on the desirability of uniformity in marking and labelling, the United Kingdom remains of opinion that as far as sea transport is concerned, the use of danger labels should be restricted to the more dangerous substances in the various categories.

The general view favouring uniformity in relation to shipping papers is welcomed, but the United Kingdom remains of the opinion that the nature of the hazard as well as a description of the goods should be included in the papers.

Handling and storage incidental to the shipment

The United Kingdom remains firmly of opinion that this subject should be excluded from the study of regulations relating to all forms of transport.

Testing and inspection

The United Kingdom adheres to the view previously expressed that tests designed to secure safety in handling generally should not be included in transport regulations. Moreover, it seems impracticable to test goods in transit or in a ship.

Other items

The United Kingdom has no further comments to offer on the other items contained in the analysis of comments.

Conclusions in the draft Report

The categories into which the different aspects of the problem are divided in Part III of the Secretary-General's draft Report are very much in accord with the spirit of the United Kingdom's views. The United Kingdom suggests, however, that "Testing and inspection of consignments" should be transferred from category I to category II. (It is assumed that "equipment", which is dealt with in the analysis under "Testing and inspection", falls into category III.)

Suggestions for further action

Since the next meeting of the Transport and Communications Commission is reasonably near at hand, it would appear desirable that that body shall have an opportunity of determining the procedure for future work before any further action is taken. For example, the composition of any meeting of experts to go further into the problem will require very careful consideration to ensure the best

results. A meeting of experts from the larger industrial countries with experience in loading and transporting dangerous commodities in large quantities might possibly be the most effective way of making progress towards a solution of what is clearly a most difficult and intricate problem.

Text of a letter received from the Secretary-General of the
INTERNATIONAL CIVIL AVIATION ORGANIZATION

(Supplementing former letter of 23 September 1952)

14 January 1953

I am sorry that it has not been possible to send a reply to your letter of 30 December 1952 (ref. ECA 121/7/02) earlier.

I am glad to be able to inform you that the Air Navigation Commission has reconsidered the question of the international regulation of the transport of dangerous goods by air in the light of a new submission on the subject, AN-WP/896, a copy of which is enclosed.

The Air Navigation Commission reached the conclusion that ICAO should accept responsibility for the international regulation of the transport of dangerous goods by air and that a Working Group should be established to discuss the preparation of draft regulations.

The Working Group, which has already been appointed and will commence its work during the present month, will approach the problem in two stages. The first task will be a consideration of the method of approach, of the type of regulations desired and of the terms of reference for the second stage of the discussion which would include, with the assistance of experts in the matter, the drafting of appropriate standards and recommended practices.

The work already accomplished in this field by IATA will be taken into account as well as the desirability of making the regulations uniform in so far as possible with those applicable to other forms of transport in accordance with Resolution 379-E (XIII) of the Economic and Social Council.

Should the Air Navigation Commission examine and endorse any of the conclusions of the Working Group before the commencement of the Sixth Session of the Transport and Communications Commission, I shall notify you with a minimum of delay. In the interim, I should like to express my view that action in accordance with the Air Navigation Commission's decision will enable ICAO to co-operate more effectively in this aspect of the Transport and Communications Commission's work.

Extract from a letter received from the Director General of the
INTERNATIONAL AIR TRANSPORT ASSOCIATION

(Supplementing para. 2, Part II, 5(d) of
former letter of 28 August 1952)

9 January 1953

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3. As requested in the last paragraph of your letter, I am enclosing three specimen copies each of the revised IATA Standard Labels for Restricted Articles which are intended eventually to replace those presently used by our Member airlines in accordance with currently effective Traffic Conference Resolutions Series 548. Traffic Conference action which will permit world-wide utilization of the new IATA labels is anticipated during November 1953. It should be noted that the symbols used in the new IATA radioactive labels are patterned on the radioactive symbol which has been the subject of joint discussion by the United States Atomic Energy Commission and equivalent authorities in the United Kingdom for some months now.

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Encls.

Text of a letter received from the Assistant Director-General of the
INTERNATIONAL LABOUR OFFICE

(Supplementing former letter of 14 October 1952)

Geneva

12. 1. 1953

Further to Mr. Rao's letter of 14 October 1952, I am to inform you that the Governing Body of the International Labour Office at its recent 120th Session (Geneva, November 1952) authorized the Director-General to communicate to Governments, inviting them to communicate them to the employers' and workers' organizations concerned, the reports and resolutions adopted at the Third Session of the Chemical Industries Committee including the resolution (No. 16) concerning the classification and labelling of dangerous substances, the text of which was forwarded to you with the letter referred to above.

At the same time the Governing Body authorized the International Labour Office (a) to continue its efforts with a view to arriving at the adoption, for use in international trade, of symbols for dangerous substances, taking as a starting point the symbols already considered by the Committee, (b) to prepare a list of these substances, and (c) to take part in the discussion of these questions with other international organizations concerned. Illustrations of the symbols adopted by the ILO Chemical Industries Committee will be sent to you within a few days.
