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**Working Party on the Transport
of Dangerous Goods**
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PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Carriage in a transport chain including maritime or air carriage (para. 1.1.4.2)

Submitted by the International Federation of Freight Forwarders Associations (FIATA)

Executive summary:	In order to further facilitate the multi-modal carriage of dangerous goods it is proposed to accept the use of the transport document (Shipper's declaration) for sea and air transport for further transport by road in the ADR countries.
Action to be taken:	Amendment to chapter 1.1.4.2.
Related documents:	Restructured ADR; TRANS/WP.15/159/Add.1.

Introduction

The restructured provisions of the ADR are finalised and to a large extent in harmony with the requirements for sea, air and rail transport of dangerous goods. The comprehensive work by the regulatory bodies is recognised by the users.

However, still there are items that have to be addressed in order to, further facilitate multimodal transport operations.

Chapter 1.1.4.2 in the RID, also address carriage in a transport chain in the same way as the ADR. Unfortunately, the construction of the RID in relation to COTIF makes it impossible for the JOINT meeting to take a decision as far as RID is concerned concerning transport documents. It is well known that for RID carriage a CIM waybill is required and other forms are not accepted for rail

transport. Therefore, this paper is only submitted to the W.P 15. Hopefully, a similar approach can be reached for RID transport at a later stage.

In the ADR, chapter 1.1.4.2 (former marginal 2007) has been developed for the purpose of linking sea and air transport with road transport in Europe. FIATA proposes to include the transport document (Shipper's declaration) into that paragraph as well. In the light of the restructured ADR the items in the dangerous goods declaration are basically the same as for sea and air transport. There is nothing missing in the sea and air documentation that will negatively affect safety when using the sea and air transport documents also for road transport. On the contrary, the inclusion of the basic transport document (Shipper's declaration) into chapter 1.1.4.2 will enhance safety due to the fact that the Industry, or Industry representatives, will no longer need to issue a new set of transport documents for the continuing road transport through Europe. This will lead to fewer mistakes and therefore a safer transport situation.

In reality shippers outside Europe do not prepare transport documents for road transport in Europe. Very often they are not even aware of the fact that the dangerous goods will be subject to the ADR regulations after the air or sea operation is accomplished. The necessary rewriting of documents, due to the differences between the provisions are often done by agents who normally do not take on the consignors responsibilities. Due to the differences between the transport provisions, this is a necessity in order to forward the dangerous goods to the consignee. The present situation might also lead to a very difficult liability situation, which easily can be avoided if the original transport document is used.

Proposal

Add two paragraphs to chapter 1.1.4.2.

- (1) The existing text become paragraph 1.1.4.2.1
- (2) Insert a new paragraph 1.1.4.2.2 before the Note at the end of the existing text as follows:

1.1.4.2.2 Transport documents, which do not entirely meet the requirements of ADR, but are in conformity with the requirements of the IMDG Code or the ICAO Technical Instructions shall be accepted for carriage in a transport chain including maritime or air carriage subject to the following conditions:

Instructions in writing according to chapter 5.4.3, related to the dangerous goods in the transport document, shall accompany the consignment.

- (3) Move the existing Note to the end of paragraph 1.1.4.2.2

Justification

Safety: The possibility for carriers to use one set of transport document (Shipper's declaration) throughout the transport chain will enhance safety.

Feasibility: Would not cause any problems.

Enforceability: Would not cause any problems.
