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PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Carriage of pharmaceutical products ready for use

Transmitted by the Government of Germany*

The secretariat has received from the Central Office for International Carriage by Rail (OCTI) the proposal reproduced below.

* Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2004/4.

SUMMARY

Executive summary:

Rules for exemption exist for pharmaceutical products ready for use of Class 3 with subsidiary risk 6.1, and of Class 6.1. For pharmaceutical products ready for use of Class 3 and Class 6.1 with subsidiary risk 3, however, there are no relevant rules. In addition there are some UN numbers of Class 3 with subsidiary risk 6.1 and of Class 6.1 for which there is also no relevant rule.

Action to be taken:

Assignment of special provision 601 to the following substances of Class 3 with no subsidiary risk: UN Nos. 1169, 1170, 1197, 1266, 1987, 1993 and 3272.

Assignment of special provision 601 to the following substances of Class 3 with subsidiary risk 6.1: UN Nos. 1986 and 1992.

Assignment of special provision 601 to the following substances of Class 6.1 with no subsidiary risk: UN Nos. 2810 and 2811.

Assignment of special provision 601 to the following substance of Class 6.1 with subsidiary risk 3: UN No. 2929.

Related documents:

None.

Introduction

The 1999 edition of RID/ADR contained a NOTE both in Class 3, marginal (2)301 under items 19° and 32° and in Class 6.1, marginal (2)601 under item 90°. This NOTE read as follows:

“Pharmaceutical products ready for use, e.g. cosmetics, drugs and medicines, which are substances manufactured and packed in packagings of a type intended for retail sale or distribution for personal or household consumption, which would otherwise be substances of item xx°, are not subject to the provisions of RID/ADR.”

“xx” is taken to represent the items in question, i.e. either “19°(b)” or “32°(c)” of Class 3 or “90°” of Class 6.1.

In the restructured RID/ADR, the NOTE was originally included as NOTE 7 to 2.2.3.1.1, and as footnote (b) to 2.2.61.3, and also as special provision 601 in Chapter 3.3.

Since NOTE 7 to 2.2.3.1.1 and footnote (b) to 2.2.61.3 were, however, applicable to all the items of Class 3 and to all the items of Class 6.1 referred to in 2.2.61.3, while provision 601 was assigned only to certain items of Classes 3 and 6.1, it was decided to delete NOTE 7 to 2.2.3.1.1 and footnote (b) to 2.2.61.3 in order to reconstitute the same situation as in the 1999 edition of RID/ADR (see also the relevant corrigendum to RID/ADR) (for ADR, ECE/TRANS/140/Corr.4).

This, however, leads to the same contradiction as in the 1999 edition of RID/ADR: pharmaceutical products ready for use which are flammable **and** toxic or which are toxic only, are subject to the provisions of RID/ADR only when placed in packagings intended for retail sale or distribution for personal or household consumption. Pharmaceutical products ready for use which are flammable only or toxic **and** flammable are, however, subject to RID/ADR.

In order to resolve this contradiction, the Government of Germany proposes that special provision 601 should also be assigned to other UN numbers of Classes 3 and 6.1, in order to put pharmaceutical products ready for use which are flammable only or toxic and flammable on an equal footing.

In Chapter 3.2, Table A, column (6), special provision 601 should be assigned to the following UN numbers of Class 3, packing groups II and III:

1169	Extracts, aromatic, liquid
1170	Ethanol or ethanol solution
1197	Extracts, flavouring, liquid
1266	Perfumery products
1986	Alcohols, flammable, toxic, n.o.s.
1987	Alcohols, n.o.s.
1992	Flammable liquid, toxic, n.o.s.
1993	Flammable liquid, n.o.s.
3272	Esters, n.o.s.

In Chapter 3.2, Table A, column (6), special provision 601 should be assigned to the following UN numbers of Class 6.1, packing groups II and III:

2810	Toxic liquid, organic, n.o.s.
2811	Toxic solid, organic, n.o.s.

In Chapter 3.2, Table A, column (6), special provision 601 should be assigned to the following UN number of Class 6.1, packing group II:

2929 Toxic liquid, flammable, organic, n.o.s.

Justification

Safety implications: No problem since regulations exist for similar products.

Feasibility: No problem.

Enforceability: The aim is to resolve a contradiction already existing in the 1999 edition of RID/ADR, which, as a result of the deletion of NOTE 7 to 2.2.3.1.1 and footnote (b) to 2.2.61.3 has once again become relevant.
