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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

Thirty-first session
Geneva, 2-6 July 2007
Item 4 of the provisional agenda

LIMITED QUANTITIES (MULTIMODAL HARMONIZATION)

Package marking

Submitted by the Association of Hazmat Shippers (AHS)

1. Millions of combination packages containing limited quantities of dangerous goods have been transported safely for many years under exceptions based on Chapter 3.4 of the UN Model Regulations.
2. Lack of harmonization of the requirements across modes of transport and regional regulatory codes continues to disrupt efficient distribution of these materials. Differences result in confusion when packages prepared for one mode of transport or geographic region are transferred to another. Often packaging or at least changes in marks or labels are required. Confusion regarding the applicability of requirements is a safety issue that should be resolved by the Sub-Committee.
3. Past efforts to harmonize these provisions have not succeeded, in part because the subject was addressed in very broad proposals. Adoption of excepted quantity provisions in the last biennium should help to simplify the current effort. During this biennium, AHS suggests that remaining limited quantity issues be discussed and decided in parts, with the goal of achieving harmonization in the 16th revised edition of the Recommendations on the Transport of Dangerous Goods, Model Regulations. This particular submission addresses package marking for limited quantity consumer products.

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4. In addition to limited quantity shipments of laboratory supplies and industrial samples, a substantial portion of limited quantity shipments are authorized by consumer legislation for distribution and sale directly to consumers. Examples are cosmetics, perfumes, flavoring extracts, aerosols, nail polish, drain cleaner, adhesives, hair coloring, and a wide range of medicines. These products are in inner receptacles consistent with consumer-protection, and outer packaging is designed to protect these receptacles from damage that would make them unsafe or unattractive for sale.

5. More than other limited quantities, consumer products are distributed globally in multiple transport segments, from manufacturers to wholesale and other distribution centers, and ultimately to retail outlets before being offered to consumers.

6. The concept of applying a reduced regulatory scheme for consumer products is recognized in virtually every dangerous goods transport code based upon 3.4.9 of the Model Regulations. See, for example, ADR SP 601 in Europe and multimodal provisions for consumer commodities in title 49 CFR in the United States. Under 3.4.9, consumer product packages are not required to be marked, but some national and modal regulations require varying marks. For the sake of global harmonization, AHS is willing to accept a new uniform marking to identify consumer product packages.

7. Experience with consumer products as a sub-set of limited quantities confirms the need to be able to transport different regulated materials in the same outer packaging. AHS believes that the most reliable identification of these materials would be a globally-accepted package marking applied by the original consignor. Unless the package is altered, this marking would remain unchanged through all modes of transport. A diamond would be the most recognizable marking configuration in all modes of transport.

8. AHS believes that a package containing one or more consumer products ready for use, which are manufactured for retail sale or distribution for personal or household consumption, including pharmaceutical products, could be marked UN xxxx in a diamond. AHS also would support a common symbol in the diamond, rather than a new UN number for consumer products.

9. A product that is lawful to sell under consumer laws for consumer use could bear this distinctive UN mark, whether or not the particular package is consigned to a retail outlet, distribution center, or any other destination. For example, a package containing furniture polish prepared appropriately for consumer use would bear the new mark, whether that particular package was consigned to a business or to a retail store.

Proposal:

10. Revise 3.4.9 to read:

"Packages containing limited quantities of dangerous goods for personal or household use, that are packaged and distributed in a form, that are consumer products ready for use, which are substances intended or suitable for retail sale or distribution for personal or household consumption, including pharmaceutical products, shall be marked UN xxxx within a diamond. may furthermore be exempted from the marking of the UN number on

~~the packaging and from the requirements for~~ Consumer products do not require a dangerous goods transport document."

11. Consequential amendment to the Dangerous Goods List in Chapter 3.2:

Column (1): xxxx; Column (2): Consumer products in limited quantities; see 3.4.9.

12. Consequential amendment to the Alphabetical Index:

Consumer products in limited quantities, see

UN No. xxxx
