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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods

REPORT OF THE SESSION*

Held in Geneva from 15 to 18 September 2008

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¹ For practical reasons, this annex has been published as an addendum, with the symbol ECE/TRANS/WP.15/AC.1/112/Add.1.

² For practical reasons, this annex has been published as an addendum, with the symbol ECE/TRANS/WP.15/AC.1/112/Add.2.

REPORT

I. ATTENDANCE

1. The Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe (ECE) was held in Geneva from 15 to 18 September 2008 with Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman. Representatives of the following countries took part in the work of the session: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Kazakstan, Italy, Latvia, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, and United States of America. The European Commission was also represented. The following intergovernmental organization was represented: the Organization for Cooperation between Railways (OSJD). The following international non-governmental organizations were represented: European Aerosol Federation (FEA); European Chemical Industry Council (CEFIC); European Committee for Standardization (CEN); European Cylinder Makers Association (ECMA); European Cosmetic, Toiletry and Perfumery Association (COLIPA); European Industrial Gases Association (EIGA); European Plastic Converters (EuPC), European Liquefied Petroleum Gas Association (AEGPL); International Association for Soaps, Detergents and Maintenance Products (AISE); International Federation of Freight Forwarders Associations (FIATA); International Organization of Motor Vehicle Manufacturers (OICA); International Road Transport Union (IRU); International Union of Private Wagons (UIP); International Union of Railways (UIC); and Liaison Committee of Coachwork and Trailer Builders (CLCCR).

II. ADOPTION OF THE AGENDA (agenda item 1)

2. The Joint Meeting adopted the agenda proposed by the secretariat in documents ECE/TRANS/WP.15/AC.1/111 and Add.1 (letter A 81-02/501.2008 from OTIF), as updated by informal documents INF.2 and INF.19.

III. TANKS (agenda item 2)

Documents: ECE/TRANS/WP.15/AC.1/2008/15 (UIP)
ECE/TRANS/WP.15/AC.1/2008/20 (Sweden)

Informal documents: INF.3 (AEGPL)
INF.5 (Germany)
INF.7 (Germany)
INF.13 (CEN)
INF.25 (UIP)

3. Following a brief discussion in plenary meeting, the Joint Meeting decided to submit the documents to the Working Group on Tanks for consideration.

Report of the Working Group on Tanks

Informal document: INF.32 (Germany)

4. The report of the Working Group is reproduced in Annex I to the present report. The Joint Meeting decided as follows on the various points presented in this report.

Point 1 (Document ECE/TRANS/WP.15/AC.1/2008/15 and informal document INF.25)

5. The addition of a definition of mild steel, differing from the definition of section 1.2.1 and applicable in the case of RID/ADR tanks only (Chapter 6.8), in footnote 2 (RID)/3 (ADR) to 6.8.2.1.18 was adopted with some modifications (see Annex II).

6. The representative of the Netherlands asked whether a proposal for amending the general definition of mild steel would also be submitted to the UN Sub-Committee of Experts on the Transport of Dangerous Goods. The Joint Meeting considered that this revised definition could apply only to RID/ADR tanks manufactured with steel conforming to EN material standards, and was not relevant for UN portable tanks.

Point 2 (ECE/TRANS/WP.15/AC.1/2008/20, Flame arrester requirements)

7. The Joint Meeting adopted the following principles:

- (a) For (non explosion-proof) tanks intended for the carriage of substances meeting the flash-point criteria of Class 3, the immediate passage of flame into the tank through its openings shall be prevented by a suitable flame trap;
- (b) If the tank consists of several compartments, each compartment shall be protected separately;
- (c) The protection with a suitable flame trap shall be positioned as near to the shell or shell compartment as possible.

8. The representative of Germany will prepare a proposal for the next session in order to reflect these principles in ADR and RID, including a definition of what is meant by “flame trap”.

Point 3 (Informal documents INF.3 and INF.13, instant-closing internal safety device)

9. The Joint Meeting adopted the amendments to 6.8.3.2.3 and related transitional measures proposed by the Working Group with some modifications (see annex II).

10. For the prohibition of metal-to-metal sealing of non-return valves, the representative of AEGPL said that this type of sealing was currently safely used and that he would provide more information at the next session.

Point 4 (Informal document INF.5, interpretation of 6.8.2.2.3)

11. The Joint Meeting noted that the representative of Germany would prepare a document for the next session.

Point 5 (Informal document INF.7, use of materials for the construction of shells in connection with standards)

12. The Joint Meeting noted that a revision of standard EN 14025 might have to be considered in order to continue to allow the use of certain steels for the construction of tanks.

IV. STANDARDS (agenda item 3)

Document: ECE/TRANS/WP.15/AC.1/2008/16 (CEN)

Informal documents: INF.11 (EuPC)
INF.12 (CEN)
INF.19 (Belgium)
INF.24 (Secretariat)

13. Consideration of the documents was entrusted to the Working Group on Standards.

Report of the Working Group on Standards

Informal document: INF.31

14. For point 1 of the report, the Joint Meeting was informed that draft standard prEN 15507 “Packaging – Transport packaging for dangerous goods – Comparative material testing of polyethelene grades” listed in ECE/TRANS/WP.15/AC.1/2008/16 would be submitted to CEN members for voting in October 2008. The representative of Belgium requested that informal document INF.19 concerning this issue be placed on the agenda for the next session as an official document.

15. For point 3 (a) of the report, the Joint Meeting noted that the reference to EN 14794:2005 in the table of 4.1.4.1, P200 (11) was proposed for deletion because the contents of this standard had been included in EN 1439:2008, the scope of which had been extended to aluminium gas cylinders. The Joint Meeting concluded that, if the provisions of this standard had not been amended when transferred to EN 1439:2008, EN 14794:2005 could still be used for aluminium gas cylinders and there was no need to delete the reference.

16. For point 3 (b) of the report, the Joint Meeting agreed that there was a mistake in the amendments that will enter into force on 1 January 2009 (see ECE/TRANS/WP.15/195) and that the reference to Annex C of EN1439:2008 in the table of 4.1.4.1, P200(11) should be replaced by a reference to Annex G. This mistake should be corrected. The title of EN 1439: 2008 should also be corrected (see Annex II).

17. For 3 (c), (d) and (e), the Joint Meeting considered that the references to ISO standards were correct, and the inclusion of additional references to the equivalent EN ISO standards would require a proposal for the 2011 amendments.

18. The Joint Meeting took note of the comments of the Working Group in points 4 and 5, and adopted the proposal of amendment to 6.8.2.6 in point 6, recommending that RID and ADR be amended by 1 July 2009 to include the reference to EN 13094:2008 (see Annex II).

V. INTERPRETATION OF RID/ADR/ADN (agenda item 4)

Interpretation of marking provisions in 5.2.1.8.1

Informal document : INF.18 (Switzerland)

19. The Joint Meeting noted that the interpretation of 5.2.1.8.1, as drafted in ADR/RID/ADN 2009, did not seem to be obvious to enforcement authorities.

20. A member of the secretariat recalled that this paragraph corresponded to 5.2.1.6.1 of the UN Model Regulations, which derives itself from the IMDG Code provisions concerning the marking of packages containing marine pollutants. He said that the intent of these provisions was that the environmentally hazardous substance mark should not be required on:

- (a) Single packagings with contents of less than 5 l (liquids) or 5 kg (solids); and
- (b) Combination packagings containing inner packagings, provided that the contents of each inner packaging is less than 5 l (liquids) or 5 kg (solids).

21. The Joint Meeting noted that the proposal of Switzerland for a clearer text had been submitted to the UN Sub-Committee of Experts on the Transport of Dangerous Goods, and that RID/ADR/ADN could be amended once the interpretation has been clarified by the UN Sub-Committee.

VI. PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN (agenda item 5)

A. Pending issues

1. Cylinders for breathing apparatus

Document: ECE/TRANS/WP.15/AC.1/2008/19 (France)

Informal documents: INF.20 (Sweden)
INF.29 (France)

22. The Joint Meeting adopted modifications to the new special provision 655 adopted at the last session (see ECE/TRANS/WP.15/AC.1/100, annex II, B) (See Annex II).

2. Infectious wastes of UN 3291

Document : ECE/TRANS/WP.15/AC.1/2008/22 (Switzerland)

Informal document : INF.30 (Switzerland)

23. Several delegations considered that the carriage of medical wastes (UN 3291) by medical personnel following visits to patients was exempted from RID/ADR by virtue of paragraph 1.1.3.1 (c). Other delegations considered that the carriage of waste could not be considered as an activity ancillary to the main activity of an enterprise, but did not agree with the proposal by Switzerland as drafted.

24. As there were different interpretations of the existing provisions, the Joint Meeting decided, by majority vote, to invite the representative of Switzerland to prepare a new proposal, if possible during this meeting and in cooperation with other interested delegates for a text that would clarify the situation.

25. The proposal to assign a new special provision to UN 3291 in informal document INF.30, drafted in response to this invitation by the Joint Meeting and intended to exempt medical or clinical wastes collected and carried by health care professionals in quantity of not more than 15 kg gross mass from human or animal patients only from the provisions of Chapter 5.4 was not adopted.

3. Exemptions for carriage by emergency services

Document : ECE/TRANS/WP.15/AC.1/2008/12 (Belgium)

Informal document : INF.17 (Sweden)
INF.28 (Belgium and France)

26. The Joint Meeting agreed to amend paragraph 1.1.3.1 (d) to clarify the conditions under which the carriage of dangerous goods by emergency services may be exempted from ADR/RID/ADN (see annex II).

B. New proposals

1. Limited quantities

Document : ECE/TRANS/WP.15/AC.1/2008/11 (Switzerland)
INF.26 (Germany)

27. The Joint Meeting recognized that the current text of 3.4.9 could be misleading because, although for maritime carriage the IMDG Code does not require the consignor to inform the carrier of the total gross mass of dangerous goods packed in limited quantities to be consigned, it requires that the total quantity of dangerous goods, including those packed in limited quantities, be indicated in the transport document (by volume or by net or gross mass, as appropriate).

28. The Joint Meeting agreed to amend 3.4.9 and to complete it with a NOTE in order to avoid misunderstandings (see Annex II).

2. UN 2990, exemption of small quantities

Document : ECE/TRANS/WP.15/AC.1/2008/14 (EIGA)

29. The Joint Meeting noted the proposal by EIGA to include a new special provision, similar to special provision 956 of the IMDG Code, that would exempt life-saving appliances of UN 2990 containing no dangerous goods other than carbon dioxide cylinders with a capacity not exceeding 100 cm³ in wooden or cardboard boxes with a maximum gross mass of 40 kg.

30. During the discussion it was mentioned that other gases could be used for life-saving appliances, and that even though the EIGA proposal did not intend to exempt such quantities from air transport regulations, it would be preferable to discuss this issue at the level of the UN Sub-Committee of Experts on the Transport of Dangerous Goods to ensure consistency of regulations at worldwide level.

31. The representative of EIGA said that he would do more research and submit a proposal to the UN Sub-Committee as deemed appropriate.

3. Dangerous Goods Safety Adviser (sub-section 1.8.3.13)

Document : ECE/TRANS/WP.15/AC.1/2008/18 (United Kingdom)

Informal documents: INF.9 (Belgium)
INF.14 (AEGPL)
INF.27 (EIGA)

32. Some delegations supported the view of the Government of the United Kingdom that there was no need for competent authorities to arrange examinations for special categories of dangerous goods safety advisers in the case of companies involved only in the carriage of specific types of dangerous goods (class 1, class 2, class 7 or petroleum products). They considered that dangerous goods safety advisers should be qualified to demonstrate competencies in all provisions of regulations in all classes of dangerous goods.

33. Other delegations, and representatives of the industry, did not share this opinion, considering that the existing provisions are flexible, allowing competent authorities to issue certificates covering all classes of dangerous goods or specific classes, as needed in practice.

34. The three alternative proposals presented by the United Kingdom were put to the vote and none of them was adopted.

4. Carriage of fireworks

Informal documents : INF.4 (Germany)
INF.15 (Sweden)

35. The Joint Meeting noted that controls showed that many fireworks imported in Europe were not correctly classified. Some delegations supported in principle the proposals by Germany and Sweden that a copy of the competent authority approval related to the classification of the fireworks be attached to the transport document. Others felt that this issue should be addressed by the UN Sub-Committee of Experts on the Transport of Dangerous Goods since it concerned multimodal transport at global level.

36. Although no decision was taken on these proposals, the Joint Meeting agreed that the issue of wrong classification of fireworks was a serious one. Competent authorities were encouraged to control and check more frequently consignments of fireworks, bearing in mind that the default fireworks classification table in 2.2.1.7.5 is an useful tool for control purposes.

37. The representative of Germany said that he would prepare a formal proposal for the next session and that he would check whether a proposal could be submitted to the UN Sub-Committee at its July 2009 session.

VII. REPORTS OF INFORMAL WORKING GROUPS (agenda item 6)

A. Informal working group on periodicity of testing of cylinders

Document: ECE/TRANS/WP.15/AC.1/2008/13 (Germany)

Informal documents : INF.8 (Germany)
INF.16 (Belgium)
INF.21 (Sweden)

38. The Joint Meeting noted with satisfaction the report on the progress made by the informal working group. The next session will take place in Brussels on 16 and 17 December 2008 to finalize a proposal on the periodicity of testing of cylinders intended for the carriage of liquefied petroleum gases which will be submitted to the March 2009 session of the Joint Meeting.

39. The informal working group was invited to consider the comments made by Belgium and Sweden in INF.16 and INF.21, and delegations which do not intend to participate in the session were invited to submit comments in writing to the group if they wished so.

40. The representative of EIGA said that his organization might consider developing a similar proposal for industrial gases in the future.

B. Report of the informal working group on the reduction of the risk of BLEVE

Informal document: INF.6 (Netherlands)

41. The Joint Meeting took note of the report on the 4th session of the informal working group which was held in the Hague at the invitation of the Government of the Netherlands, from 16-18 June 2008. The next session is scheduled to take place in Paris, France, from 4-6 February 2009 at the invitation of the Government of France and of AEGPL.

C. Report of the informal working group on the period of validity of type approvals and transition measures for standards

Informal document: INF.10 (ECMA)

42. The Joint Meeting took note of the progress report on the two meetings held in Brussels (28 May 2008) and in Vienna (18 August 2008). Since additional work on transition periods for standards is needed, a new session will be organized on 5 November 2008. As the remaining work will be predominantly related to tanks, tank experts were encouraged to participate.

43. The informal working group was invited to take account of the comments made when preparing its final proposal.

VIII. FUTURE WORK (agenda item 7)

Informal working group on the scope of RID/ADR

Informal document: INF.22 (France)

44. The Joint Meeting noted the invitation by the Government of France to participate in a session of an informal working group on the scope of RID/ADR and the relationship between the requirements of transport law and those of European law relating to product and facility safety (see also ECE/TRANS/WP.15/AC.1/108, para. 111 and ECE/TRANS/WP.15/AC.1/110, para. 55). The meeting will be held in Paris on 14 and 15 October 2008.

IX. ELECTION OF OFFICERS FOR 2009 (agenda item 8)

45. On a proposal by the representative of Norway, Mr. C. Pfauvadel (France) and Mr. H. Rein (Germany) were respectively re-elected in their posts as Chairman and Vice-Chairman for 2009.

X. ANY OTHER BUSINESS (agenda item 9)

A. Accession of Tunisia to ADR

Informal document: INF.23

46. The Joint Meeting noted with satisfaction that Tunisia had acceded to ADR and that the Agreement will enter into force for Tunisia on 3 October 2008.

B. Draft Terms of Reference and Rules of Procedure of the Joint Meeting

Document: ECE/TRANS/WP.15/AC.1/2008/28 (Secretariat)

47. The Joint Meeting adopted (by 16 votes to none) the Rules of Procedure prepared by the secretariats at its request (see ECE/TRANS/WP.15/AC.1/110, para. 71), with the following changes: (see Annex III).

- (a) In rule 35, the quorum was reduced from one third of full participants to one quarter;
- (b) Rule 38 was not adopted; if necessary, the representative of Germany would make a proposal to cover the scenario in which a vote was equally divided (currently, in such a case, the proposal was regarded as rejected). He would also propose, should the need arise, the insertion of other rules from the Rules of Procedure of the RID Committee of Experts;
- (c) In the annex, with regard to standard presentation of documents, it would be specified that the executive summary was not mandatory if the document submitted was no more than one page in length.

48. Concerning standard presentation of documents, the representative of Portugal expressed the wish that authors should provide serious justification, as stipulated, taking into account the criteria of safety implications, feasibility and enforceability.

49. The Joint Meeting decided to postpone the discussion concerning the terms of reference in order to better consider the relationship with the bodies involved in ADN matters.

XI ADOPTION OF THE REPORT (agenda item 10)

50. The Joint Meeting adopted the report on its autumn 2008 session and its annexes on the basis of a draft prepared by the secretariats.

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Annex I

Annex I

Report of the Working Group on Tanks
(see ECE/TRANS/WP.15/AC.1/112/Add.1)

Annex II**Texts adopted by the Joint Meeting****A. Amendments to RID/ADR for entry into force on 1 July 2009****Chapter 6.8**

6.8.2.6 In the Table, under "*For tanks with a maximum working pressure not exceeding 50 kPa and intended for the carriage of substances for which a tank code with the letter "G" is given in column (12) of Table A of Chapter 3.2*" and under "*For tanks intended for the carriage of liquid petroleum products and other dangerous substances of Class 3 which have a vapour pressure not exceeding 110 kPa at 50 °C and petrol, and which have no toxic or corrosive subsidiary hazard*", replace the entry for "EN 13094:2004" with the two following entries:

(1)	(2)	(3)	(4)	(5)
6.8.2.1	EN 13094:2004	Tanks for the transport of dangerous goods - Metallic tanks with a working pressure not exceeding 0.5 bar - Design and construction		Between 1 January 2005 and 31 December 2009
6.8.2.1	EN 13094:2008	Tanks for the transport of dangerous goods - Metallic tanks with a working pressure not exceeding 0.5 bar - Design and construction	As from 1 January 2010	Before 1 January 2010

(Ref. Doc.: INF.31)

B. Amendments to RID/ADR/ADN for entry into force on 1 January 2011**Chapter 1.1**

(ADR:)

1.1.3.1 (d) Amend the text before the indents to read as follows: "The carriage undertaken by the competent authorities for the emergency response or under their supervision, insofar as such carriage is necessary in relation to the emergency response, in particular carriage undertaken:". In the last indent, replace "a safe place" with "the nearest appropriate safe place".

(RID/ADN:)

1.1.3.1 (d) Amend to read as follows: "the carriage undertaken by the competent authorities for the emergency response or under their supervision, insofar as such carriage is necessary in relation to the emergency response, in particular carriage undertaken

to contain and recover the dangerous goods involved in an incident or accident and move them to the nearest appropriate safe place;"

(Ref. Doc.: INF.28 as amended.)

Chapter 1.6

(ADR only:)

1.6.3 Add the following new transitional measure:

"1.6.3.36 Fixed tanks (tank-vehicles) intended for the carriage of liquefied non-toxic flammable gases constructed before 1 July 2011 and which are equipped with non-return valves instead of internal stop-valves and which do not conform to the requirements of 6.8.3.2.3, may still be used."

(Ref. Doc.: INF.32 as amended.)

Chapter 3.3

Add a new special provision 655 to read as follows:

"655 Cylinders and their closures designed, constructed, approved and marked in accordance with Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment (PED) and used for breathing apparatus may be carried without conforming to Chapter 6.2, provided that they are subject to inspections and tests specified in 6.2.1.6.1 and the interval between tests specified in packing instruction P200 in 4.1.4.1 is not exceeded. The pressure used for the hydraulic pressure test is the pressure marked on the cylinder in accordance with Directive 97/23/EC."

This amendment replaces the amendment in Annex II of ECE/TRANS/WP.15/AC.1/110.

(Ref. Doc.: INF.29 as amended)

Chapter 3.4

3.4.9 Amend to read as follows:

"3.4.9 In advance of carriage, consignors of dangerous goods packed in limited quantities shall inform the carrier of the total gross mass of such goods to be consigned.

(RID:)

NOTE: *If markings according to 3.4.13 are displayed on the wagon or large container, information regarding the total gross mass is not required."*

(ADR:)

NOTE: *If markings according to 3.4.13 are displayed on the transport unit or container, information regarding the total gross mass is not required."*

(ADN:)

NOTE: *If markings according to 3.4.13 are displayed on the transport unit, wagon or container, information regarding the total gross mass is not required."*

(Ref. Doc.: ECE/TRANS/WP.15/AC.1/2008/11 and INF.26 as amended)

Chapter 6.8

6.8.2.1.18 (RID, footnote 2/ADR, footnote 3:) At the end, add the following new sentence:
"“Mild steel” in this case also covers a steel referred to in EN material standards as “mild steel”, with a minimum tensile strength between 360 N/mm² and 490 N/mm² and a minimum elongation at fracture conforming to 6.8.2.1.12."

(Ref. Doc.: INF.32 as amended.)

6.8.3.2.3 Amend the two first sentences to read as follows:

"6.8.3.2.3 The internal stop-valve of all filling and all discharge openings of tanks
| with a capacity greater than 1 m³
intended for the carriage of liquefied flammable and/or toxic gases shall be instant-closing and shall close automatically in the event of an unintended movement of the tank or in the event of fire. It shall also be possible to operate the internal stop-valve by remote control."

(Ref. Doc.: INF.32 as amended.)

(ADR only:)

6.8.3.2.3 In the left column, add the following new paragraph at the end:

"However on tanks intended for the carriage of liquefied non-toxic flammable gases, the internal stop-valve with remote control may be replaced by a non-return valve for filling openings into the vapour phase of the tank only. The non-return valve shall be positioned internally in the tank, be spring loaded so that the valve is closed if the pressure in the filling line is equal to or lower than the pressure in the tank and be equipped with appropriate sealing*."

Footnote * reads as follows: "The use of metal to metal sealing is not permitted."

(Ref. Doc.: INF.32 as amended.)

C. Corrections to RID/ADR 2009

4.1.4.1 P200 (11) 5th entry of the table, column "Reference"

For Annex C read Annex G

4.1.4.1 P200 (11) 5th entry of the table, column "Title of document"

For the existing title substitute

LPG equipment and accessories – Procedures for checking LPG cylinders before, during and after filling

(*Ref. Doc.: INF.31*)

Annex III

Rules of Procedure of the Joint Meeting
(see ECE/TRANS/WP.15/AC.1/112/Add.2)
