



INF. 16

16 November 2017

Original: English/French

RID: 8th Session of the RID Committee of Experts' standing working group
(Utrecht, 20 – 24 November 2017)

Subject: 103rd session of WP.15 (Geneva, 6 – 10 November 2017)

Transmitted by the Secretariat

Extracts from the draft report of the 103rd session of WP.15 (Geneva, 6 – 10 November 2017)

I. Attendance

1. The Working Party on the Transport of Dangerous Goods held its 103rd session from 6 to 10 November 2017 under the chairmanship of Mr. J.A. Franco (Portugal) and the vice-chairmanship of Ms. A. Roumier (France).
2. Representatives from the following countries took part in the session: Austria, Belgium, Czechia, Denmark, Finland, France, Germany, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Russian Federation, Spain, Sweden, Switzerland, Turkey and United Kingdom.
3. The European Union was represented.
4. The following intergovernmental organization was represented: Intergovernmental Organisation for International Carriage by Rail (OTIF).
5. The following non-governmental organizations were represented: European Conference of Fuel Distributors (ECFD), European Industrial Gases Association (EIGA), International Association of the body and trailer building industry (CLCCR), International Organization of Motor Vehicle Manufacturers (OICA) and International Road Transport Union (IRU).

(...)

IV. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues (agenda item 3)

(...)

B. Corrections to ADR 2017

Documents: ECE/TRANS/WP.15/237, annex III (Secretariat)
ECE/TRANS/WP.15/AC.1/148 (Report of the Joint Meeting on its September 2017 session) (Secretariat)

13. The Working Party noted that the treaties section of the Office of Legal Affairs of the Secretariat of the United Nations had considered that certain corrections to ADR adopted at the 102nd session were not in keeping with the criteria for correction established by the Secretary-General of the United Nations for the treaties deposited with him.
14. In accordance with established practice, and in line with the request made by the Working Party in the event of such an occurrence, the Chair of the Working Party had decided, after consultation with the secretariat, to propose an amendment in his Government's name on behalf of the Working Party in order to give effect to the changes as quickly as possible; the proposal was contained in depositary notification C.N.345.2017-TREATIES-XI.B.14, of 3 July 2017.
15. The Working Party noted that the amendments in question had been deemed to be accepted (depositary notification C.N.626.2017-TREATIES-XI.B.14, of 3 October 2017). They would enter into force on 3 January 2018.
16. The Working Party noted that the change of status of the modifications from "corrections" to "amendments" had posed a problem for the European Union (see ECE/TRANS/WP.15/AC.1/148, paras. 101–109) and that the Joint Meeting had in particular recommended that, when draft decisions were drawn up and considered by the Council of the European Union, such decisions should provide for the required flexibility to allow for possible corrections or, if necessary, modification during the biennium, without making it necessary to resort to a new decision.
17. The Working Party would continue, to the extent possible, to limit the adoption of amendments outside the biennial deadlines. Proposals for corrections should be limited to those meeting the criteria for correction established by the Secretary-General of the United Nations for the treaties deposited with him.

V. Work of the RID/ADR/ADN Joint Meeting (agenda item 4)

Documents: ECE/TRANS/WP.15/AC.1/146, annex II (Amendments adopted by the Joint Meeting at its March 2017 session)
ECE/TRANS/WP.15/AC.1/2017/26/Add.1
ECE/TRANS/WP.15/AC.1/148/Add.1 (Amendments adopted by the Joint Meeting at its September 2017 session)

Informal documents: INF.3 (Secretariat)
INF.14 (European Union)

A. General

18. The Working Party endorsed the amendments adopted by the Joint Meeting with some changes (see annex I).

B. Specific issues

1. 2.1.3.5.5

Informal document: INF.14 (European Union)¹

19. The Working Party adopted the alternative proposal for the amendment of 2.1.3.5.5, as presented in informal document INF.14.

2. Special provision 660

Informal document: INF.20 (Germany)²

20. The Working Party adopted the proposal of Germany to delete UN Nos. 1070, 1072, 2073, 2451, 3156 and 3157 from the list of UN numbers proposed for the assignment of special provision 660 (see annex I).

3. Placarding of cargo transport units with batteries installed (UN No. 3536)

21. The Working Party noted that according to 5.3.1.1.4 the placards to be affixed on the cargo transport unit must correspond to model No. 9 in 5.2.2.2.2 and that the last paragraph of special provision 389 exempted batteries inside the cargo transport unit from the requirements for marking or labelling. Consequently, the Working Party adopted an oral proposal made by the representative of the United Kingdom aimed at replacing “9A” with “9” in column (5) of Table A, for UN No. 3536 (see annex I).

4. Swine carcasses infected with the African swine fever virus

Informal document: INF.13 (Latvia)³

22. The delegations that took the floor were of the opinion that until 31 December 2018, swine carcasses of wild boar and domestic pig infected with the African swine fever virus should be assigned to UN No.2900, regardless of being in cultures or not.
23. Those delegations confirmed that the amendments adopted for ADR 2019 will change the classification. Carcasses will be classified according to the pathogens present. Thus, carcasses of wild boar and domestic pig naturally infected with the African swine fever virus will be classified under infectious substance of category B (UN No. 3373).

5. Lettering of subparagraphs in 4.3.3.5

Informal document: INF.10 (Sweden)⁴

24. The Working Party noted that the lettering of the subparagraphs in 4.3.3.5 could pose problems in the event of cross-referencing. The representative of Ireland proposed separating 4.3.3.5 into two separate paragraphs, to facilitate subsequent references to the requirements. The proposal was adopted (see annex I).

¹ Note by the Secretariat of OTIF: an identical document has been submitted to the standing working group in informal document INF.12.

² Note by the Secretariat of OTIF: informal document INF.20 of WP.15 is attached to this report as Annex II.

³ Note by the Secretariat of OTIF: informal document INF.13 of WP.15 is attached to this report as Annex III.

⁴ Note by the Secretariat of OTIF: an identical document has been submitted to the standing working group in informal document INF.8.

6. References to standards

25. References to standards and addenda to unpublished standards (EN ISO 17871:2015 + A1:[2018], EN 1440:2016 +A1 [2018], EN 16728:2016 +A1:[2018] and EN 13317:[2018]) would be deleted if the standards were not published by the next session of the Working Party (14-18 May 2018).

(...)

8. Texts kept in square brackets by the Joint Meeting

28. The Working Party adopted the amendments proposed for the Note in special provision 301, 5.2.2.2.1.1.2, 6.8.2.2.10 and 6.8.5.1.2, while noting that the Joint Meeting might still change them at its next session (see annex I). By a vote, the Working Party decided to keep the text of 6.8.2.1.18 in square brackets. That text would be re-examined at the next session after consideration by the Joint Meeting that it could, if appropriate, be adopted for entry into force on 1 January 2019.

(...)

VI. Proposals for amendments to annexes A and B of ADR (agenda item 5)

(...)

B. Miscellaneous proposals

1. Amendment to additional provision CV 36 of 7.5.11

Document: ECE/TRANS/WP.15/2017/13 (Switzerland)⁵

41. Proposal 1 from Switzerland received support from most of the delegations that took the floor. The Working Party agreed that this proposal was multimodal in scope and should be discussed in the RID/ADR/ADN Joint Meeting.
42. Regarding proposal 2, the Working Party confirmed that the terms used in the French version of the first paragraph of additional provision CV 36 of 7.5.11 should be brought into line with the English version. The Working Party adopted the rewording proposed orally by France during the session (see annex I).

(...)

X. Any other business (agenda item 9)

A. Tributes

1. Tribute to Marianna Csuhay

52. The Working Party was informed that Ms. Csuhay, from Hungary, had retired on 30 October 2017. The Working Party thanked her for her contributions over many years to the safety of the transport of dangerous goods and wished her a long and happy retirement.

⁵ Note by the Secretariat of OTIF: document ECE/TRANS/WP.15/2017/13 is attached to this report as Annex IV.

2. Condolences

53. The Working Party learned with great sadness of the passing of Mr. Jean-Daniel Déneraud, who as Secretary of the Intergovernmental Organisation for International Carriage by Rail (OTIF) had played a significant role over many decades in the fruitful work of the RID/ADR/ADN Joint Meeting and the Working Party. The Chair requested the representative of OTIF to send the family of the deceased the sincere condolences of the Working Party.

V. Work of the RID/ADR/ADN Joint Meeting (agenda item 4) (continued)

B. Specific issues (continued)

10. Note under 2.1.5

Informal documents: INF.23 (Switzerland)⁶
INF.25 (United Kingdom, Sweden and Switzerland)

54. The Working Party adopted the proposed amendment of NOTE 1 and the deletion of NOTE 2 (see annex ...).

VI. Proposals for amendments to Annexes A and B of ADR (agenda item 5) (continued)

(...)

B. Miscellaneous proposals (continued)

3. Reference to the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)

Document: ECE/TRANS/WP.15/2017/21 (Germany)⁷

59. The proposal to amend footnote 1 to paragraph 7.5.7.1 was adopted (see annex I).
60. As a consequence of the amendments to 7.5.7.1, the Working Party agreed that the reference to the CTU Code in the note to 7.5.7.6.1 became redundant. The Working Party adopted the oral proposal of the United Kingdom to delete the reference (see annex I).

(...)

6. Provisions for the transport of small receptacles containing gas (UN No. 2037)

Informal document: INF.18 (Ireland)⁸

65. As the relevant discussions were multimodal in scope, the Working Party invited the representative of Ireland to send her proposal to the Sub-Committee of Experts on the Transport of Dangerous Goods.

(...)

⁶ Note by the Secretariat of OTIF: informal document INF.23 of WP.15 is attached to this report as Annex V.

⁷ Notes by the Secretariat of OTIF:

1. Document ECE/TRANS/WP.15/2017/21 is attached to this report as Annex VI.

2. This issue is to be considered in conjunction with paragraphs 36 and 37 and the proposed amendment to 7.5.7.1 in Annex I to document OTIF/RID/CE/GTP/2017/5 (102nd session of WP.15).

⁸ Note by the Secretariat of OTIF: informal document INF.18 of WP.15 is attached to this report as Annex VII.

Texts adopted by the 103rd session of WP.15

The 103rd session of WP.15 (Geneva, 6 – 10 November 2017) adopted amendments that have repercussions for RID and which are therefore reproduced below. Amendments that only concern ADR or which have already been taken into account in document OTIF/RID/CE/GTP/2017/15 are not shown. The amendments are already worded as they would have to be if adopted for RID.

Draft amendments to annexes A and B of ADR for entry into force on 1 January 2019

Chapter 1.1

1.1.3.6.4 At the end, after the indents, after "shall not exceed", insert:

"a calculated value of".

Note by the Secretariat of OTIF: this amendment was adopted at the 102nd session of WP.15 and does not appear in document OTIF/RID/CE/GTP/2017/5. The background to this amendment was WP.15's decision to amend Note 1 to ADR 5.4.1.1.1 (f). According to this decision, for every transport category the transport document must show not just the total quantity of dangerous goods in accordance with 1.1.3.6.3, but also the value calculated in accordance with 1.1.3.6.4. For reasons of harmonisation, it is proposed that this amendment, which is only of an editorial nature for RID, also be adopted for RID.

Chapter 3.2

Table A

UN No.	Column	Amendment
1043	(15)	Insert: "_".
3166	(15)	Insert: "_".
3171	(15)	Insert: "_".

Chapter 4.3

4.3.3.5 Renumber the second paragraph, starting with "Tanks shall not be offered for carriage:" as **4.3.3.6**.

[Reference document: informal document INF.10, as amended]

Chapter 7.5

7.5.7.1 Amend footnote 1 to read as follows:

"¹ Guidance on the stowage of dangerous goods can be found in the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) (see e.g. chapter 9 Packing cargo into CTUs and chapter 10 Additional advice on the packing of dangerous goods) and in the "European Best Practice Guidelines on Cargo Securing for Road Transport" published by the European Commission. Other guidance is also available from competent authorities and industry bodies."

[Reference document: ECE/TRANS/WP.15/2017/21, as amended]

Notes by the Secretariat of OTIF:

1. *This amendment replaces the amendment listed in document OTIF/RID/CE/GTP/2017/5.*
2. *At present, footnote 1) only exists in ADR, because up to now, only directives concerning the security of the load in road transport have been referenced. As the CTU Code is also referred to in the footnote to RID 5.4.2 and in RID 7.5.7.6.1, the following amendment could be stipulated for RID:*

7.5.7.1 At the end, insert a reference to footnote 1 to read as follows:

"¹ Guidance on the stowage of dangerous goods can be found in the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) (see e.g. chapter 9 Packing cargo into CTUs and chapter 10 Additional advice on the packing of dangerous goods). Other guidance is also available from competent authorities and industry bodies."

Current footnote 1 becomes footnote 2.

7.5.7.6.1 In the Note, after "referred to in 7.5.7.1", delete:

"and to the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)".

Note by the Secretariat of OTIF: this adaptation can only be made to RID if the amendment instruction concerning 7.5.7.1 is adopted.

7.5.11 [The amendment to special provision CW 36 in the French version does not apply to the English text.]

Amendments according to ECE/TRANS/WP.15/235, ECE/TRANS/WP.15/237, ECE/TRANS/WP.15/AC.1/146, annex II and ECE/TRANS/WP.15/AC.1/148/Add.1, as consolidated in informal document INF.3, adopted with the following modifications:

Delete the squared brackets except for 6.8.2.1.18.

Chapter 1.6

1.6.1.46 [The amendment in the French version does not apply to the English text.]

Chapter 1.10

- 1.10.3** In the Note, in the second sentence, replace "In order to not impede" by:
"In order not to impede".

Chapter 2.1

- 2.1.3.5.5** The amendment should read:

- "2.1.3.5.5** In footnote 2, after "(Official Journal of the European Communities No. L 226 of 6 September 2000, page 3)", insert:

", as amended".

In footnote 2, after "(Official Journal of the European Union No. L 312 of 22 November 2008, pages 3-30)", insert:

", as amended".

[Reference document: informal document INF.14]

Chapter 2.1

- 2.1.5** Note 1 becomes Note.

Amend the Note to read as follows:

"NOTE: For articles which do not have a proper shipping name, other than UN 3537 to 3548, and which contain only dangerous goods within the permitted limited quantity amounts specified in Column (7a) of Table A of Chapter 3.2, see UN No. 3363 and special provisions 301 and 672 of Chapter 3.3."

Delete Note 2.

[Reference document: informal document INF.25]

Chapter 3.2

Table A

Delete the amendments concerning UN Nos. 1070, 1072, 2073, 2451, 3156 and 3157.

[Reference document: informal document INF.20]

In the new entries, for UN No. 3536, in column (5), replace "9A" by:

"9".

Chapter 3.3

- SP 392** [The amendment to the Note in the French version does not apply to the English text.]

Informal document INF.20 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

103rd session
2017

2 November

Geneva, 6-10 November 2017
Item 4 of the provisional agenda

Work of the RID/ADR/ADN Joint Meeting

Proposed amendment to Special provision 660 in INF.3**Transmitted by the Government of Germany***Summary*

- Executive summary:** A new wording for SP 660 was proposed at the last session of the RID/ADR/ADN Joint Meeting with further gases for test and stabilisation reasons that are non flammable and non-toxic.
- Action to be taken:** The current wording in 2017 ADR could be amended referring to ADR table 3.2, column (6): for inert gases of group A only (without Ammonia Solution).
- Reference documents:** INF.3 (WP.15, 20 October 2017), ECE/TRANS/WP.15/AC.1/148/Add.1 and INF.54 (Joint Meeting in September 2017)

Introduction

1. At the last session of the Joint Meeting, the following amendment was adopted:

Special provision 660 Amend to read as follows:
“660 For the carriage of fuel gas containment systems designed and approved to be fitted in motor vehicles containing this gas the provisions of sub-section 4.1.4.1 and Chapter 6.2 need not be applied when carried for disposal, recycling, repair, inspection, maintenance or from where they are manufactured to a vehicle assembly plant, provided the conditions described in special provision 392 are met. This also applies for mixtures of gases subject to special provision 392 and gases of group A subject to this special provision.”
 (Reference document: ECE/TRANS/WP.15/AC.1/148/Add.1)

Proposal

2. For UN Nos. 1002, 1006, 1013, 1046, 1056, 1058, 1065, 1066, 1080, 1952, 1956, 2036, 3070, 3163, 3297, 3298 and 3299 (inert gases of Group A, without Ammonia Solution) in the classification Code insert “660” in Column (6):

Informal document INF.13 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

103rd session

30 October

2017

Geneva, 6-10 November 2017

Item 4 of the provisional agenda

Work of the RID/ADR/ADN Joint Meeting**Classification of infected animal materials****Transmitted by the Government of the Republic of Latvia***Summary*

Executive summary:	Deletion of 2.2.62.1.12.2 could lead to ambiguous classification of infected animal materials.
Action to be taken:	Discussion
Reference documents:	ECE/TRANS/WP.15/AC.1/2017/26; ECE/TRANS/WP.15/AC.1/2017/26/Add.1; INF.3

Introduction

1. According to 2.2.62.1.1. of ADR 2017, “infectious substances of Class 6.2 are substances which are known or are reasonably expected to contain pathogens. Pathogens are defined as microorganisms (including bacteria, viruses, rickettsiae, parasites, fungi) and other agents such as prions, which can cause disease in humans or animals”.
2. Provisions in 2.2.62.1.12 deal with infected animals:
 - 2.2.62.1.12.1 refers to intentionally infected live animals;
 - 2.2.62.1.12.2 deals with lifeless animal material and states: “animal material affected by pathogens of Category A or by pathogens which would be assigned to Category A in cultures only, shall be assigned to UN 2814 or UN 2900 as appropriate. Animal material affected by pathogens of Category B, other than those which would be assigned to Category A if they were in cultures, shall be assigned to UN 3373”.
3. In accordance with paragraph 2.2.62.1.4.1, category A infectious substance is a substance which is carried in a form that, when exposure to it occurs, is capable of causing permanent disability, life-threatening or fatal disease in otherwise healthy humans or animals. Indicative examples of substances meeting these criteria are given in the table in 2.2.62.1.4.1., which states that African swine fever virus (*cultures only*) is classified as a category A infectious substance.
4. According to decisions taken by the Joint Meeting RID/ADR/ADN (WP.15/AC.1) at the 2017 autumn session (19-29. September), documents ECE/TRANS/WP.15/AC.1/2017/26/Add.1, reflected in the document INF.3 of the Working Party on the Transport of

Dangerous Goods (WP.15) 2017 autumn session (6-10. November), 2.2.62.1.12.2 has been deleted from the 2019 ADR.

Discussion

5. In our point of view, according to ADR 2017, lifeless swine carcasses naturally infected with the African swine fever virus should be classified as animal material UN No. 2900 INFECTIOUS SUBSTANCE, AFFECTING ANIMALS only.

6. Some interpretations point out, that the table in ADR 2.2.62.1.4.1., for the UN No. 2900, contains a comment in brackets (cultures only), thus the rules of ADR are binding only in cases, when transporting laboratory derived infectious materials (in tubes etc.), and not in cases when swine's had been infected naturally. The abovementioned interpretation states that lifeless swine carcasses naturally infected with the African swine fever should not be classified as dangerous goods of Class 6.2.

7. We would like to ask WP.15 to provide the following explanations in line with the context and scope of the 2.2.62.1.12.2:

a) how should ADR 2017 be applied to the carriage of lifeless swine carcasses naturally infected with the African swine fever virus and;

b) how will this issue be interpreted if 2.2.62.1.12.2 is deleted, according to the decision made by the RID/ADR/ADN Joint Meeting?

Document ECE/TRANS/WP.15/2017/13 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods****103rd session**

Geneva, 6-10 November 2017

Item 5 (b) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR:**Miscellaneous proposals****Amendment to additional provision CV36 of 7.5.11****Transmitted by the Government of Switzerland****Summary*

Executive summary: For the carriage of asphyxiant gases for which additional provision CV36 of 7.5.11 is assigned, apply the same safety measures for the driver and the passengers as those applied when asphyxiant gases are used as a conditioning agent in 5.5.3.3.3.

Clarify that sheeted vehicles are also authorized for such gases.

Action to be taken: Amend the wording of additional provision CV36 of 7.5.11.

Introduction

1. We have tried to determine whether vehicles such as those shown in the annex could be used for the carriage of gases to which additional provision CV36 of 7.5.11 of ADR is assigned.
2. We have come to the conclusion that the wording of SP CV36 of 7.5.11 raises difficulties of interpretation that need to be addressed. The various stakeholders do not agree on the vehicles that are covered by these provisions, in part because of the terms used. In French, there is mention of vehicles that are “*ouverts*” or “*fermés*”, terms that do not appear in any definition of vehicles given in 1.2.1, which leaves a certain freedom of interpretation.
3. The English version uses the terms “closed” or “open” vehicles, which are defined in ADR, thus restricting the room for interpretation and the types of vehicles that are authorized.
4. From the point of view of road transport safety, these differences in interpretation would be less important if measures were taken to prevent the existence of a dangerous atmosphere for the driver and occupants of the vehicle. The issue of different interpretations of the meaning of the term “*véhicule fermé*” in French (“not opened vehicle” in English) within the scope of application of CV36 would thus only be of importance in respect of safety during unloading.

* In accordance with the programme of work of the Inland Transport Committee for 2016-2017 (ECE/TRANS/2016/28/Add.1, para. 9.1).

5. There are road vehicles that may be “sheeted vehicles” or “closed vehicles”, in which the load compartment is not separate from the passengers’ and driver’s compartment (see first image in annex). Ventilation must be ensured not only on opening the doors of the load containing gases assigned to CV36, but also during carriage. In ADR 2017, provisions were introduced in 5.5.3.3.3 to ensure the safety of the driver during carriage of loads containing asphyxiant gases used for conditioning purposes according to the provisions of section 5.5.3. To avoid the driver being affected by the asphyxiant gases, the load must be separated using a load compartment that is isolated from the driver’s compartment. If the driver’s cab is not separated in this way, the requirement that a warning marking be affixed to the cargo doors for persons opening or entering the vehicle is of no use during transport. Consequently, measures recommended for the safety of the driver include ensuring that vehicles are well ventilated or that gas detection systems are used during transport.

6. Given that these safety issues also arise in respect of the provisions of CV36, it would be useful to adopt in CV36 the same provisions as in 5.5.3.3.3.

Proposal 1

7. Amend additional provision CV36 of 7.5.11 as follows (new text underlined in bold):

“CV36 Packages shall preferably be loaded in open or ventilated vehicles or open or ventilated containers. If this is not feasible and packages are carried in other closed vehicles or containers, **the following conditions must be met:**

- **Gas exchange between the load compartment and the driver’s cab shall be prevented; and**

- The cargo doors of the vehicles or containers shall be marked with the following in letters not less than 25 mm high:

‘WARNING
CLOSED MEANS OF CONTAINMENT
OPEN WITH CAUTION’

This shall be in a language considered appropriate by the consignor.”

8. Another topic on which stakeholders do not agree is that of applying the marking provided for in CV36 in the case of sheeted vehicles. Some types of sheeted vehicle are considered as closed vehicles (see images in annex) as they are not sufficiently ventilated and ought to bear the marking prescribed in CV36. The assessment of whether ventilation is sufficient and whether marking is required causes problems during highway checks.

9. On examining the matter in detail, it can be seen that the differences in interpretation are compounded by differences between the language versions. The use in French of terms that are not defined in ADR — “*véhicules ouverts*” instead of “*véhicules découverts*” (open vehicles) in the first sentence, and “*fermés*” instead of “*couverts*” (closed) in the second sentence — leaves it up to the stakeholders to decide whether a “*véhicule bâché*” (sheeted vehicle), a term which is defined in ADR, can be considered to be a “*véhicule fermé*” (closed vehicle) because it does not have adequate air vents or whether it should be considered to be “*ouvert*” (open). We believe that this room for interpretation is necessary from the point of view of safety and should be retained. It is only by checking that the intention of the provision, that is, to ensure that the vehicle is adequately aired, is met in each individual case that an exemption from marking can be decided on.

10. According to the French text, given the terms used, it is possible to use a sheeted vehicle, whether or not it is sufficiently ventilated. If it is not sufficiently ventilated, a sheeted vehicle must bear the marking. It seems that not all sheeted vehicles can be considered to be sufficiently “open” and that marking is required for such vehicles that have certain types of particularly tight sheets. An extreme case is illustrated in the images in the annex.

11. In the English version, however, the use in the first sentence of the term “open ... vehicle” would appear to exclude the use of “sheeted vehicles”. The term “ventilated”, contrasted with “open”, in the same sentence should be understood as meaning the forced

ventilation of a vehicle which is not “open”. In general, a sheeted vehicle often does not require forced ventilation, as it is sufficiently aired. However, in modern sheeted vehicles, adequate ventilation is not guaranteed in all cases. Even if a sheeted vehicle were considered acceptable in the first sentence in the English version, it could not be used, even with marking, if it was not a “closed vehicle” within the meaning of the second sentence. There is no justification for the English version’s apparent exclusion of sheeted vehicles in the first sentence and insufficiently ventilated sheeted vehicles, even those bearing the appropriate marking, in the second sentence of CV36.

12. The terminology used in English, which is too close to the definitions in ADR, leads to false conclusions, which cause disagreements during highway checks. According to the English version, it may be considered that sheeted vehicles are prohibited for the carriage of the gases in question, which is not the case with the French version.

13. We believe it is essential to guarantee safety in all cases, but also to ensure that the texts do not place unjustified bans on sheeted vehicles. To that end, the very specific terms from the definitions of vehicles given in 1.2.1 should not be used; this is already the case in the French version. The French version would not actually need to be changed, as it does not use the terms from the definitions of vehicles given in 1.2.1. It already guarantees the desired flexibility of interpretation and authorizes “sheeted vehicles”. One possible solution to this problem is submitted in proposal 2 below:

Proposal 2

14. Amend the first paragraph of CV36 of 7.5.11 as follows (deleted text crossed out and in bold; added text underlined and in bold):

“CV36 Packages shall preferably be loaded in ~~open or~~ ventilated or not closed vehicles or ~~open or~~ ventilated or not closed containers. If this is not feasible ~~and packages are carried in other closed vehicles or containers~~, the cargo doors of the vehicles or containers shall be marked with the following in letters not less than 25 mm high: ...”.

Justification

15. The term “not closed” includes both “open vehicles” and “sheeted vehicles”. The terms that we propose deleting in the second sentence do not provide any additional information and may in fact lead to confusion. Hence they should be deleted.

Annex



2/4



Informal document INF.23 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

103rd session

3 November

2017

Geneva, 6-10 November 2017

Item 4 of the provisional agenda

Work of the RID/ADR/ADN Joint Meeting

Explanatory notes for assigning articles to UN No. 3363**Transmitted by the expert from Switzerland***Summary*

Executive summary: This proposal intends to simplify the provisions concerning classification of articles in 2.1.5 of document INF. 3.

Measure to be taken: Replace the text in Note 2 of 2.1.5.dd a new special provision for UN.

Introduction

1. The implementation of the new entries UN 3537 – 3548 induces some doubts between users and authorities. It is not clear how to classify the articles.
2. In 2.1.5.1 the choice is given to classify either under the proper shipping name for the dangerous goods they contain or in accordance with section 2.1.5. In 2.1.5.3 it is said that the section 2.1.5 does not apply to articles for which a more specific proper shipping name already exists in Table A of Chapter 3.2.
3. The Note 1 underlines this rule and explains that in case of articles which do not have an existing proper shipping name and which contain only dangerous goods within the LQ quantities the entry UN No. 3363 has to be used. This is in conformity with the rules laid down in 2.1.2.5.
4. Note 2 proposed in 2.1.5 in INF.3 is extremely difficult to understand and does not solve all the problems arising by implementing these rules. We feel the problem raised by Sweden and UK in INF.47 of the last Joint Meeting in September is already solved in the text adopted in 2.1.5.3 where it is stated that “this section applies to articles for which a more specific proper shipping name already exists in Table a of chapter 3.2”. This corresponds also to the principles of classification 2.1.2.5. UN 3363 DANGEROUS GOODS IN MACHINERY is a generic entry of Typ B according to 2.1.1.2 and following 2.1.2.5 has precedence in relation to UN 3537 – 3547 which are specific entries of Type C according to 2.1.1.2. According to both rules (2.1.2.5 and to 2.1.5.3) UN 3363 has precedence to UN 3537 – 3547 and the note 2 seems to us unnecessary.
5. Moreover the note 2 does not solve maybe more important problems for the participants. Participant using machinery eventually fill the machinery with some dangerous goods (cleaning product for example) before the transport, uses the product at destination and returns with the machinery empty uncleaned. For the first journey one of

the entries UN 3537- 3548 can be used but for the return empty uncleaned journey only UN 3363 is allowed. Such reclassification for the same article depending in the amount contained is far from practicable.

5. We would for this reason replace the text in the proposed Note 2 in 2.1.5 by the following proposal.

Proposal

7. Replace the text of Note 2 in 2.1.5 in INF 3 by the following text.

“In case of articles eligible as entries UN Nos. 3537 to 3547 the classification as UN No. 3363 is not necessary by carriage of those articles empty uncleaned in quantities not exceeding the quantity specified in column (7a) of Table A of Chapter 3.2.”

Document ECE/TRANS/WP.15/2017/21 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods****103rd session**

Geneva, 6–10 November 2017

Item 5 (b) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR:**miscellaneous proposals****Reference to the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)****Transmitted by the Government of Germany****Summary*

Executive summary: At its 102nd session in May 2017, the Working Party adopted the proposal made by the Secretariat to make a reference to chapters 9 and 10 of the CTU Code.

In the light of the previous discussions with experts, Germany presented a comment aimed at extending that reference to all of the CTU Code. Therefore Germany proposes to amend footnote 1 referenced in 7.5.7.1.

Action to be taken: Discuss and amend the provisions in the footnote to 7.5.7.1 of ADR.

Reference document: ECE/TRANS/WP.15/237, paragraphs 36 to 37 and Annex I, ECE/TRANS/WP.15/2017/12 (Note by the secretariat), ECE/TRANS/WP.15/2014/7 (Note by the secretariat), ECE/TRANS/WP.15/2013/221, paragraphs 72 to 73;

Introduction

1. At its 102nd session (May 2017), the Working Party adopted the proposal made by the secretariat to make a reference to Chapters 9 and 10 of the CTU Code in the footnote to 7.5.7.1 of ADR (see ECE/TRANS/WP.15/237, paragraphs 36 to 37 and Annex I).
2. Germany welcomes the decision of the Working Party to also make reference to the CTU Code in a footnote in ADR. This reference to the CTU Code had already been suggested to the Working Party in May 2014 with proposal ECE/TRANS/WP.15/2014/7 (Secretariat). Germany also supported that proposal to include a reference to the CTU Code in ADR.
3. Moreover, Germany is of the opinion that the reference appears generally necessary for all modes of transport and that it should not be limited to Chapters 9 and 10.

* In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.1)).

4. This is because there are definitions in other parts of the CTU Code, too, such as in Chapter 2 “Definitions” or in Chapter 6 “Properties” or general reference is made to the structure, and the latter is explained. Thus, it may actually make sense and be necessary to also take into account other chapters and therefore make reference to the whole CTU Code.
5. The CTU Code really only serves as guidance and, with it being guidance, its application is not mandatory. This means that if, for instance, some parts are not relevant to transport by road, a reference to the CTU Code is unproblematic.
6. Therefore, Germany believes that it is not helpful for the already decided inclusion of a reference to the CTU Code in ADR to only refer to individual parts of the CTU Code in the footnote. On the contrary, this would lead to the risk of relevant parts being lost.
7. Germany therefore proposes to amend the current provision. New text is underlined and deleted text struck through:

Proposal

8. Amend footnote 1 referenced in 7.5.7.1 to read as follows:

“¹ *Guidance on the stowage of dangerous goods can be found in ~~Chapters 9 and 10~~ of the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) [(see e.g. chapter 9 Packing cargo into CTUs and chapter 10 Additional advice on the packing of dangerous goods)] and in the European Best Practice Guidelines on Cargo Securing for Road Transport published by the European Commission. Other guidance is also available from competent authorities and industry bodies.”*

Informal document INF.18 of the 103rd session of WP.15**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

**103rd session
2017**

30 October

Geneva, 6-10 November 2017

Item 5 (b) of the provisional agenda

**Proposals for amendments to Annexes A and B of ADR:
miscellaneous proposals**

Provision for the carriage of waste gas cartridges (UN No. 2037)

Transmitted by the Government of Ireland

Summary

Executive summary: Ireland would like to ask WP15 to discuss the potential for including provisions in the ADR for waste gas cartridges (UN No. 2037) similar to those that are in place for waste aerosols (UN No. 1950).

Action to be taken: Discussion

Introduction

Currently the ADR contains provisions for carriage of waste UN1950 AEROSOLS, but there are no equivalent provisions for waste UN2037 RECEPTACLES, SMALL, CONTAINING GAS (GAS CARTRIDGES) without a release device, non-refillable.

Both aerosols and gas cartridges are assigned to Class 2, Classification Code 5 in ADR 2.2.2.3 list of collective entries. Both aerosols and gas cartridges, under special provision 344, are subject to the provisions of ADR 6.2.6, general requirements for aerosol dispensers, small receptacles containing gas (gas cartridges) and fuel cell cartridges containing liquid flammable gas.

The carriage of waste aerosols is provided for in special provision 327 which allows aerosols to be carried under the entry for the purposes of reprocessing or disposal. Under this special provision waste aerosols which are not leaking or severely deformed can be packed in accordance with packing instruction P207 and special packing provision PP87, or packing instruction LP200 and special packing provision L2, and need not be protected against movement and inadvertent discharge provided that measures are taken to prevent dangerous build-up of pressure and dangerous atmospheres. Special packing provision PP87 stipulates that packagings carried under special provision 327 must have a means of retaining any free liquid that might escape during carriage and that the packagings must be adequately ventilated to prevent the creation of flammable atmosphere and the build-up of pressure.

There are no equivalent provisions for gas cartridges.

As illustrated in Figure 1 many gas cartridges have an appearance quite similar to aerosols and the general public will not be aware of the difference so both will end up in collection bins at public amenity sites.

Proposal

It is proposed that the working party holds a discussion regarding the following proposal:

To propose a new special provision in the ADR for waste gas cartridges collected at public amenity sites, with wording similar to special provision 327 currently in place for waste aerosols, and to include the requirements for ventilation and a means of retaining any free liquid as provided in PP87 for UN 1950 waste aerosols under packing provision P207.

Is it the case that the amendments will only be required in the ADR for carriage by road from public amenity sites to the intermediate processing facility (similar to special provision 636(b) for lithium cells and batteries), or would it need to be extended to other modes of transport?

Note: This proposal has the potential to be expanded in the future to include a proposal for a new special packing provision in the Model Regulations under P003 specifically for UN 2037 waste gas cartridges, which is equivalent to PP87 under P207, and to include UN No. 2037 in LP200 and its associated L2.

If the proposal is deemed to be capable of consideration, a formal proposal will be submitted at a subsequent meeting.

Figure 1



Aerosols

Gas Cartridges

Justification

Safety: After use and removal from the operating device the valves on all gas cartridges (UN 2037) may not re-seal perfectly. Gas cartridges at an industrial site in Ireland were collected in a plastic drum with a removable head. On removal of the top a distinct gas smell was experienced, which indicated that a flammable atmosphere was building up inside the drum. It would serve to improve safety if the requirements for ventilation as contained in PP87 were applied to waste gas cartridges. P003, which currently applies to gas cartridges, does contain a general requirement that precautions against inadvertent release are addressed, but as gas cartridges do not contain a release mechanism, this will not alert to the possibility that used cartridges may leak. There are also the puncture type gas cartridges e.g. small camping gas cartridges, which may still contain gas residues at the time of disposal.

Enforceability: This proposal would serve to bring current practices at public amenity sites in line with the regulation and would thus improve compliance.