



**OTIF/RID/CE/GTP/2014/17**

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**RID:** 4<sup>th</sup> Session of the RID Committee of Experts' standing working group  
(Madrid, 17 – 20 November 2014)

**Subject:** Loaders' and unloaders' obligations

**Proposal transmitted by Sweden**

## Background

1. The definition of loader in 1.2.1 states that the loader loads a container, bulk-container, MEGC, tank-container or portable tank as well as packaged goods onto a wagon.
2. In 1.4.3.1 the loaders' obligations in particular are specified. The loading of a road vehicle (trailer) onto a wagon is not mentioned explicitly in 1.4.3.1.1 and there is no reference to Chapter 7.5 in 1.4.3.1 either.
3. In contrast, the second indent of 7.5.1.2 in Chapter 7.5 mentions the requirement for a visual inspection of the road vehicle prior to loading.
4. Audits at loading and unloading companies at terminals in Sweden have revealed that they often only comply with the loaders' and unloaders' obligations for container handling, but not the visual inspection of road vehicles.

## Discussion

5. The question therefore arises as to what obligations the loader and unloader have in piggy-back transport at terminals. One answer could be that the specified obligations listed in 1.4.3.1.1 are one set of obligations – but that there are also other obligations. Details are set out in e.g. 3.4.12 and Chapter 7.5. Chapter 7.5 does not refer to any participant.

6. The first indent of the definition of loader in 1.2.1 mentions the loading of packaged goods etc. It could be concluded that loading a road vehicle with packaged dangerous goods on a wagon is covered by the loaders' duties, but this could be expressed more clearly.
7. Another problem is why small containers and MEGCs are mentioned in the duties for the loader in Chapter 1.4, but not in 7.5.1.2.
8. The table below shows what types of transport unit are mentioned in 1.2.1, 1.4.3.1 and 7.5.1.2.

1.2.1 Loader loads a	1.4.3.1 Loader/unloader	7.5.1.2
wagon	wagon	wagon
container	large container	large container
small container	small container	
bulk-container		bulk-container
MEGC		
tank-container		tank-container
portable tank		portable tank
		road vehicle

9. If only 1.2.1 is used, which evidently many companies in Sweden do, then the intermodal terminals (rail-road) only have an explicit responsibility for containers, including swap bodies, but not for trailers loaded with dangerous goods.
10. The competent authority in Sweden for the transport of dangerous goods by rail has interpreted RID to mean that the loading and unloading companies at terminals are loaders and unloaders according to the definition in RID 1.2.1, including when loading and unloading road vehicles onto and from rail wagons with all the transport units mentioned in 1.2.1, 1.4.3.1 and 7.5.1.2, in line with the revised proposal below.
11. Sweden is interested to hear the views of other countries on this matter. In addition, Sweden has made an attempt to improve the provisions of RID.

### Proposal

12. Amend 1.2.1, 1.4.3.1 and 7.5.1.2 to read as follows (changes underlined or crossed out):

"1.2.1 **"Loader"** means any *enterprise* which:

- (a) Loads packaged *dangerous goods*, *small containers* or *portable tanks* into or onto a *wagon* or a *container*, or
- (b) Loads a *container*, *bulk-container*, *MEGC*, *tank-container*, ~~or~~ portable tank or road vehicle onto a *wagon*;"

"**"Unloader"** means any *enterprise* which:

- (a) Removes a *container*, *bulk-container*, *MEGC*, *tank-container*, ~~or~~ portable tank or road vehicle from a *wagon*; or
- (b) Unloads packaged *dangerous goods*, *small containers* or *portable tanks* out of or from a *wagon* or a *container*; or
- (c) Discharges *dangerous goods* from a *tank* (*tank-wagon*, *demountable tank*, *portable tank* or *tank-container*) or from a *battery-wagon* or *MEGC* or from a *wagon*, *large container* or *small container* for carriage in bulk or a *bulk-container*."

"1.4.3.1.1 In the context of 1.4.1, the loader has the following obligations in particular:

- (a) he shall hand the dangerous goods over to the carrier only if they are authorized for carriage in accordance with RID;
- (b) he shall, when handing over for carriage packed dangerous goods or uncleaned empty packagings, check whether the packaging is damaged. He shall not hand over a package the packaging of which is damaged, especially if it is not leakproof, and there are leakages or the possibility of leakages of the dangerous substance, until the damage has been repaired; this obligation also applies to empty uncleaned packagings;
- (c) he shall, when loading dangerous goods in or onto a wagon, or a large or small container or when loading a bulk-container, MEGC, tank-container, portable tank or road vehicle onto a wagon, comply with the special requirements concerning loading and handling, e.g Chapter 7.5;
- (d) he shall, when he hands dangerous goods over for carriage directly, comply with the requirements concerning placarding on the wagon or large container or the orange plates on the wagon or large container;
- (e) he shall, when loading packages, comply with the prohibitions on mixed loading taking into account dangerous goods already in the wagon or large container and requirements concerning the separation of foodstuffs, other articles of consumption or animal feedstuffs."

1.4.3.7.1 remains unchanged in this proposal but is quoted for the context.

"1.4.3.7.1 In the context of 1.4.1, the unloader shall in particular:

- (a) ascertain that the correct goods are unloaded by comparing the relevant information on the transport document with the information on the package, container, tank, MEGC or wagon;
- (b) before and during unloading, check whether the packagings, the tank, the wagon or container have been damaged to an extent which would endanger the unloading operation. If this is the case, ascertain that unloading is not carried out until appropriate measures have been taken;

**NOTE:** The unloader shall establish procedures to check the correct functioning of the closures of the tank of a tank-wagon and to ensure the leaktightness of the closing devices before and after unloading. Guidelines in the form of checklists for tank-wagons for liquids, issued by the European Chemical Industry Council (CEFIC), are available on the OTIF website ([www.otif.org](http://www.otif.org)).

- (c) comply with all relevant requirements concerning unloading;
- (d) immediately following the unloading of the tank, wagon or container:
  - (i) remove any dangerous residues which have adhered to the outside of the tank, wagon or container during the process of unloading; and
  - (ii) ensure the closure of valves and inspection openings;

**NOTE:** The unloader shall establish procedures to check the correct functioning of the closures of the tank of a tank-wagon and to ensure the leaktightness of the closing devices before and after unloading. Guidelines in the form of

checklists for tank-wagons for liquids, issued by the European Chemical Industry Council (CEFIC), are available on the OTIF website ([www.otif.org](http://www.otif.org)).

- (e) ensure that the prescribed cleaning and decontamination of the wagons or containers is carried out; and
- (f) ensure that the wagons and containers once completely unloaded, cleaned, degassed and decontaminated, no longer display placards and orange-coloured plate markings."

**"7.5.1.2** Unless otherwise specified in RID, the loading shall not be carried out if:

- an examination of the documents or
- a visual inspection of the wagon or of the small or large container(s), bulk container(s), tank-container(s), MEGC(s), portable tank(s) or road vehicle(s), if any, as well as of their equipment used in loading and unloading,

shows that the wagon, a small or large container, a bulk-container, a tank-container, an MEGC, a portable tank, a road vehicle or their equipment do not comply with the regulatory provisions.

The interior and exterior of a wagon or container shall be inspected prior to loading to ensure that there is no damage that could affect its integrity or that of the packages to be loaded in it."

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