
Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

1 December 2020

English

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)**Thirty-seventh session**

Geneva, 25-29 January 2021

Item 4 (c) of the provisional agenda

Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) interpretation of the Regulations annexed to ADN

Carriage of fumigated bulk cargoes in cargo holds and fumigated cargo holds of dry-cargo vessels

Submitted by Germany

1. Over the past years, Germany has repeatedly been the destination of waterborne transport operations of agricultural goods, such as corn and rapeseed for oil production or of sunflower seeds carried in bulk, where the cargo obviously contained substances for pest control (in particular methyl bromide or phosphine). The cargo was either fumigated (in the storage facilities on shore) even before loading it into the inland waterway vessels, or the fumigant (e. g. tablets containing phosphine) was added to the cargo at the beginning of the transport operation in the cargo holds of the vessels.
2. The release of these fumigants during carriage or at the place of unloading has repeatedly resulted in persons employed on board the vessels or engaged in unloading the vessels being endangered or even injured.
3. Currently, such transport operations are not subject to ADN.
4. Germany is of the opinion that by incorporating into ADN provisions on how to deal with fumigated cargo holds or fumigated bulk cargoes during carriage, the risk of persons employed on board of inland waterway vessels and at the places of unloading being endangered must, and can, be excluded as far as possible. These provisions should be modelled upon the provisions for fumigated cargo transport units.
5. Section 5.5.2 of ADN contains the requirements to be met when carrying fumigated cargo transport units. However, in accordance with Chapter 1.2 of ADN, cargo transport unit only means “a vehicle, a wagon, a container, a tank-container, a portable tank or an MEGC” but not inland waterway vessels or the cargo holds of inland waterway vessels.
6. It is known that recommendations for contractual clauses on the fumigation of cargoes have been developed by FEDIOL, the European vegetable oil and proteinmeal industry association. The German delegation, however, has the impression that this offer of a voluntary commitment of the industry stakeholders concerned is not sufficient to ensure the safe carriage of fumigated feedstuffs or seed cargoes by inland waterway vessels.
7. The solution could be extending Chapter 5.5 of ADN to include the carriage of fumigated bulk cargoes. As is the case with fumigated cargo transport units (UN No. 3359), it would be possible to make the carriage in a fumigated state of bulk cargoes that are not to be classified as dangerous goods themselves subject only to the applicable provisions of a new section 5.5.5 to be inserted. This would also require amendments to the classification provisions and to Table A of ADN.

8. Germany would like to ask the other delegations in the Safety Committee to report on their experience with carrying such fumigated agricultural goods. The Safety Committee could agree to further pursue this solution or find another solution to the problem.
 9. Germany is prepared to submit for the 38th session a formal proposal for amending ADN 2023 that will take the contributions of this session into account.
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