



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.15/2000/16
8 August 2000

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Dangerous Goods
(Sixty-ninth session, Geneva,
13-17 November 2000)

AMENDMENT TO ARTICLE 1.1.3.1 ADR

Transmitted by the European Chemical Council (CEFIC)

1. Introduction

In the opinion of the CEFIC Transport Regulations Working Group, the Article 1.1.3.1 ADR needs to be amended to cover the needs of craftsmen, farmers and retailers regarding the transport of small quantities.

Currently, there are several national exemptions with the same objective (e.g. France, Germany, United Kingdom). These exemptions apply to goods packed for retail sale in authorized inner packagings or packagings in compliance with ADR.

CEFIC feels that there is a strong need for harmonization and has taken the initiative to propose an amendment to Article 1.1.3.1 ADR.

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2. Justification

Article 1.1.3.1 ADR as it stands today exempts private individuals and professionals in some cases (limitation of packagings up to 450 L within the maximum quantities of Article 1.1.3.6 ADR).

The objective of this proposal is not to reduce safety levels or to increase risks by exceeding the limits, but to extend to other professionals the opportunity to benefit from this exemption and to help them to be in compliance with ADR.

A typical example would be the distribution of crop protection products dangerous for transport, which are mainly packed in combination packagings:

These combination packagings are UN certified and labelled for transport, but the inner packagings are not usually so labelled and certified. The products are distributed to the retailers and sold to farmers partly as received from the producer in combination packagings and partly split down to single inner packagings.

The current wording of Article 1.1.3.1 does not facilitate compliance, as explained below:

- 1.1.3.4.2 articles: Small inner packagings (depending on the classification of the product, these can vary between 0.5 and 5 litres for liquids, and between 1 and 6 kg for solids) may be reassembled in any suitable box, labelled with the UN-No. of the product or – for mixed products – with LQ. In this case the transport of inner packagings is not in compliance with ADR.
- Article 1.1.3.1(a) ADR: It is not clear why this exemption is confined to private individuals; there is no logical reason why it should not be extended to include professionals, for comparable quantities of products.
- Article 1.1.3.1(c) ADR: There is no logical reason for this Marginal to exclude carriage by enterprises for their supply or external or internal distribution.

3. Proposal

Add an Article 1.1.3.1(f) ADR for craftsmen, farmers and retailers as follows:

- f) The carriage of dangerous goods (except those of classes 1, 6.2 and 7) by craftsmen, farmers and retailers when the goods in question are packaged for retail sale or in compliance with ADR in quantities of not more than 50 kg net mass per transport.
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