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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Dangerous Goods
(Seventy-first session,
Geneva, 5-9 November 2001)

**ACCEPTANCE OF MULTIMODAL TRANSPORT DOCUMENTS:
PROPOSAL FOR AMENDMENTS TO CHAPTERS 1.1.4.2, 5.3 and 8.1.2**

CARRIAGE IN A TRANSPORT CHAIN INCLUDING MARITIME OR AIR CARRIAGE

**Jointly submitted by the Governments of Austria, Norway, Sweden, United Kingdom and the
International Federation of Freight Forwarders Associations (FIATA),
the International Air Transport Association (IATA) and
International Express Carriers Conference (IECC)**

Transmitted by the International Express Carriers Conference (IECC)

Executive summary: In order to facilitate the multimodal carriage of dangerous goods, proposed that the information required in the transport document form (Shipper's declaration) for sea or air transport may be accepted for road carriage in a transport chain including maritime or air carriage. Safety reasons as well as decisions taken by the Joint Meeting in May 2001 at IMO on documentary matters strongly justify this approach.

Action to be taken: Amendments to chapters 1.1.4.2, 5.3 and 8.1.2.1 (a).

Related documents: TRANS/WP.15/2001/18, TRANS/WP.15/AC.1/1997/40.

Introduction

1. At the 70th session of WP.15 in May 2001, the FIATA proposal in document TRANS/WP.15/2001/18 on the topic as described in the executive summary was discussed. It is felt that delegations supported the proposal in principle, although the document was rejected in a narrow vote, 9 to 8 with 5 abstentions. Several delegations felt that the matter should be discussed further at the next WP.15 meeting. It was pointed out that the FIATA proposal should have brought up the items stipulated for the transport documents in the IMDG Code and the ICAO-TI. Delegations also felt that the relationship with documentation required by the CMR and the COTIF Conventions should be further considered.
2. A number of countries and trade associations therefore met in Gothenburg, Sweden, on 25 June to consider the points made at the last WP.15 meeting and to submit jointly a new proposal for the 71st session in November 2001.
3. Chapter 1.1.4.2 of the ADR (former marginal 2007) was developed for the purpose of linking sea and air transport with road transport in Europe. It is now proposed to include provision in that paragraph for the transport document for sea and air (Shipper's declaration) to be used for road transport as well. In the restructured ADR, the particulars to be entered in the dangerous goods declaration are basically the same as for sea and air transport. There is nothing missing in the sea and air documentation that will negatively affect safety when using the sea and air transport documents for road transport also. On the contrary, provision for the original transport document (Shipper's declaration) in chapter 1.1.4.2 will enhance safety due to the fact that industry, or industry representatives, will no longer need to issue a new transport document for the continuing road transport through Europe. This will lead to fewer mistakes and therefore to safer transport.
4. In addition, to assist enforcement authorities, it is proposed to add a cross reference to this new text in the existing 8.1.2.1 (a).
5. This proposal is not intended to change any other provisions of 8.1.2.
6. Recent decisions in other bodies facilitate the adoption of the current proposal.

Decisions at the Joint Meeting in Bern, 28 May-1 June 2001

7. The Joint Meeting adopted the optional sequences of required information now appearing in the UN Model Regulations and deleted the demands for the initials "ADR" and "RID" to be entered in the transport document. However, some specific features of RID/ADR in respect of the structure of class 2 were maintained. The decisions taken will further align the ADR transport document with the documents used for sea and air transport meaning that the remaining differences are negligible.

Decision at the International Maritime Organization (DSC 6), July 2001

8. DSC 6 adopted in principle the full text of the amended Chapter 5.4 from the 12th Revised Edition of the UN Model Regulations. This included 5.4.1.3, which requires that name and address of the consignor and the consignee be included on the dangerous goods transport document.

Relationship to the CMR Convention

9. The CMR Convention prescribes in article 6 that the consignment note shall contain certain particulars. In 6.1(f), the description in common use of the nature of the goods and the method of packing and, in the case of dangerous goods, their generally recognized description, are required.

10. Furthermore, article 7 states that the consignor shall be responsible for all expenses, loss and damage sustained by the carrier by reason of the inaccuracy or inadequacy of the particulars specified in article 6.1(f).

11. Article 6 states "the consignment note shall contain ..." and article 7 states "the sender shall be responsible ...".

12. Consignment notes are today most often issued by forwarders/clearing agents placing themselves as "sender" and the accompanying ADR documentation is very often not up to full standards as the information is not always based on the original Shipper's declaration. The CMR Convention does not in any way prohibit or prevent the use of supplementary documentation or information.

13. Therefore, if a practice of utilising the original Shipper's declaration from the sea/air mode of transport as an attachment to the CMR consignment note were introduced, this would enhance safety and be beneficial to industry.

14. There is no legal reason why a dangerous goods transport document from another mode of transport cannot be attached to a CMR consignment note

15. For enforcement purposes, the legislation governing CMR and the carriage of dangerous goods will function in parallel when any dangerous goods transport document is attached to a CMR consignment note.

Relationship to the COTIF Convention

16. Chapter 1.1.4.2 in the RID also addresses carriage in a transport chain in the same way as does the ADR. The construction of the RID, which is linked to COTIF/CIM, makes it mandatory to enter the particulars required for RID in a CIM consignment note. Other forms are not accepted for rail transport. Therefore, this proposal is only submitted to the W.P 15. A similar approach for RID may be possible later.

Particulars in the Dangerous Goods form for transport according to the IMDG Code

17. The IMDG Code (Amendment 30) complies with the basic requirements in the 11th Revised Edition of the UN Model Regulations. Chapter 5.4 in the reformatted Code deals with the dangerous goods transport document. The general information required in the document is:

- Proper Shipping Name (and technical name if appropriate).
- The class and, when assigned, the division of the goods. For class 1, also the compatibility group.
- For gases possessing subsidiary hazards, the information should be further amplified to indicate these hazards by adding the words "flammable, oxidising agent, and/or corrosive", as appropriate.
- The UN number preceded by the letters "UN".
- Where assigned, the packing group.
- The number and kind of packages and the total quantity of dangerous goods covered by the description (by volume or mass, and in the case of goods of class 1, the net explosive mass of the contents).

18. In addition to the general information, there are a number of special requirements needed depending on the kind of dangerous goods being carried, such as:

- For flammable substances (except for organic peroxides), minimum flashpoint if 61°C or below.
- Subsidiary hazard not communicated in the Proper Shipping Name.

- For marine pollutants, the words “MARINE POLLUTANT”.
- For certain explosives, a statement that the shipment is approved by the competent authority.
- For aerosols with a capacity above 1000 ml, a statement indicating that fact is needed.
- The word “WASTE”, if appropriate.
- For elevated temperature substances, the word “HOT” if appropriate (if not, the words “MOLTEN” or “ELEVATED TEMPERATURE” indicated in the Proper Shipping Name).
- The words “SALVAGE PACKAGE”, if appropriate.
- The words “EMPTY UNCLEANNED” or “RESIDUE LAST CONTAINED”, if appropriate.

19. Further detailed information in relation to the carriage of infectious substances and radioactive material is required.

20. As noted in paragraph 8 above, when aligned with the 12th Revised Edition of the UN Model Regulations, the reformatted IMDG Code will again require the consignor and the consignee details to be specified in the transport document.

21. A specimen dangerous goods declaration conforming to the requirements of the IMDG Code is attached in Appendix 1.

Particulars in the Dangerous Goods form for transport according to the ICAO-TI

22. The Technical Instructions (2001-2002 Edition) comply with the basic requirements in the 11th Revised Edition of the UN Model Regulations. Chapter 4.1 in Part 5 of the ICAO-TI deals with the dangerous goods transport document. The general information required in the document is:

- Full name and address of Consignor.
- Full name and address of Consignee.
- Proper Shipping Name (and technical name if appropriate).
- The class and, when assigned, the division of the goods. For class 1, also the compatibility group.
- The UN number preceded by the letters “UN”.
- Where assigned, the packing group.
- The number and kind of packages and the total quantity of dangerous goods covered by the description (by volume or mass, and in the case of goods of class 1, the net explosive mass of the contents).
- The subsidiary hazard

23. In addition to the general information, there are a large number of special requirements needed depending on the kind of dangerous goods being carried, such as:

- For certain explosives, a statement that the shipment is approved by the competent authority.
- The word “WASTE”, if appropriate.
- For solid substances, the word “MOLTEN”, if appropriate (if not the word is indicated in the Proper Shipping Name).
- The words “EMPTY” or “EMPTY UNCLEANNED” or “RESIDUE LAST CONTAINED” if appropriate.
- The words “LIMITED QUANTITY” or “LTD QTY”, if appropriate.

24. Further detailed information in relation to the carriage of infectious substances and radioactive material is required.

25. An IATA dangerous goods declaration conforming to the requirements of the ICAO-TI is attached in Appendix 2.

Proposal

Add a new paragraph to chapter 1.1.4.2.

- (1) The existing text become paragraph 1.1.4.2.1
- (2) Insert a new paragraph 1.1.4.2.2 before the Note at the end of the existing text as follows:

One of two alternatives:

"1.1.4.2.2 A transport document, which does not entirely meet the requirements of 5.4.1, but is in conformity with the transport document requirements of the IMDG Code or of the ICAO Technical Instructions, may be accepted for carriage in a transport chain including maritime or air carriage."

or

"1.1.4.2.2 For carriage in a transport chain including maritime or air carriage, the information required under 5.4.1 and 5.4.2 and under any special provision of Chapter 3.3 may be substituted by that required by the IMDG Code or the ICAO Technical Instructions respectively."

- (3) Move the existing Note to the end of paragraph 1.1.4.2.2

Consequential amendments

- In 8.1.2.1 (a) add after 5.4.1 the following text: "or in 1.1.4.2.2".
- In the Note above 5.3.1 amend "1.1.4.2 (c)" to read "1.1.4.2.1 (c)".

Justification

Safety: The possibility for carriers to use a single transport document (Shipper's declaration) throughout the transport chain will enhance safety.

Feasibility: Would not cause any problems.

Enforceability: Would not cause any problems.


MULTIMODAL DANGEROUS GOODS FORM

APPENDIX 1

1. Shipper / Consignor / Sender Dangerous Goods Ltd 255 Europe street Denver, Texas U S A		2. Transport document number XXX XXX XX		
		3. Page 1 of 1	4. Shipper's XXX XXX XX	
6. Consignee Sailing Yacht AB Box 1234 123 45 Gothenburg Sweden		7. Carrier (to be completed by the		
		SHIPPER'S DECLARATION I hereby declare that the contents of this consignment are fully and accurately described below by the shipping name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and governmental regulations.		
		8. This shipment is within the limitations prescribed for: (Delete non- PASSENGER AND CARGO AIRCRAFT CARGO AIRCRAFT ONLY)		
10. Vessel /flight No. and	11. Port / place of		9. Additional handling information	
12. Port / place of	13.			
14. Shipping marks	Number and kind of packages; description of		Gross mass	Net
			Cube (m ³)	
	Toluene diisocyanate solution, Class 6.1 UN 2078, P.G. II 4 plastic drums EmS 6.1-02		1000 kg	
	Allyl alcohol, 6.1, UN 1098, I 10 Steel drums EmS 6.1-01		2000 kg	
	Flammable liquid, n.o.s. (Ethanol and dodecylphenol), Class 3, UN 1993, II, (-18° C) MARINE POLLUTANT 50 Steel drums EmS 3-07		10 000 kg	
	Acrolein, stabilized, 6.1, UN 1092, PG I, (3), MARINE POLLUTANT 3 Steel drums EmS 6.1-01		700 kg	
15. Container identification No./	16. Seal number (s)	17. Container/vehicle size &	18. Tare (kg)	19. Total gross mass
XXX XXX XX	XXX XXX XX	XXX XXX XX	XXX XXX XX	XXX XXX XX
CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified above in accordance with the applicable provisions MUST BE COMPLETED AND SIGNED FOR ALL CONTAINER/VEHICLE LOADS BY PERSON RESPONSIBLE FOR PACKING/ LOADING		21. RECEIVING ORGANISATION RECEIPT Received the above number of packages/containers/trailers in apparent good order and condition		
20. Name of		Haulier's name	22. Name of company (OF SHIPPER PREPARING THIS	
Name / Status of		Vehicle reg.	Name / Status of	
Place and date		Signature and date	Place and date	
Signature of		Driver's signature	Signature of	

SHIPPER'S DECLARATION FOR DANGEROUS GOODS

APPENDIX 2

Shipper Dangerous Goods Ltd 255 Europe street Denver, Texas USA		Air Waybill No. xxx xxxx xxxx Page 1 of 1 Pages Shipper's Reference Number (optional)		
Consignee Sailing Yacht AB Box 1234 123 45 Gothenburg Sweden				
Two completed and signed copies of this Declaration must				
<p>TRANSPORT DETAILS</p>				
This shipment is within the limitations prescribed for: (delete non-applicable)	Airport of DENVER	WARNING Failure to comply in all respects with the applicable Dangerous Goods Regulations may be in breach of the applicable law, subject to legal penalties. This Declaration must not, in any circumstances, be completed and/or signed by a consolidator, a forwarder or an IATA cargo agent		
<table border="1"> <tr> <td>PASSENGER AND CARGO AIRCRAFT</td> <td>CARGO AIRCRAFT ONLY</td> </tr> </table>	PASSENGER AND CARGO AIRCRAFT		CARGO AIRCRAFT ONLY	Airport of Paris, Charles de Gaulle
PASSENGER AND CARGO AIRCRAFT	CARGO AIRCRAFT ONLY			
Shipment type: (delete non- <table border="1"> <tr> <td>NON-RADIOACTIVE</td> <td>RADIOACTIVE</td> </tr> </table>		NON-RADIOACTIVE	RADIOACTIVE	
NON-RADIOACTIVE	RADIOACTIVE			

NATURE AND QUANTITY OF DANGEROUS GOODS
 Proper shipping name, Class or Division, UN Number or Identification Number, Packing Group (if required), and all other required information.

- Nicotine, 6.1, UN1654, II // 1 Steel drum 20L // 611
- Self-reactive solid type D (Benzene sulphohydrazide), 4.1, UN3226
1 Fibreboard box 10kg // 430
- Paint, 3, UN1263, II // 2 Fibreboard boxes x 4L // 305
- Paints, 3, UN1263, III // 1 Fibreboard box 30L // 309
- Chemical kits, 9, UN3316, II // 1 Fibreboard box 3kg // 915

Additional Handling Information

The packages containing UN3226 must be shaded from direct sunlight, stored away from all sources of heat in a well ventilated area and not overstowed with other cargo.

I hereby declare that the contents of this consignment are fully and accurately described below by the proper shipping name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and governmental regulations.

Name/Title of Signatory
 G. Berg, Sailor
 Place and Date
 Denver, 1 April 2001



Signature
 (see warning above)