

COMMITTEE OF EXPERTS ON THE TRANSPORT OF DANGEROUS GOODS AND ON THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS

Sub-Committee of Experts on the Transport of Dangerous Goods

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Item 6 of the provisional agenda

MISCELLANEOUS PROPOSALS OF AMENDMENTS TO THE MODEL REGULATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Definition of closed (cargo) transport unit

Transmitted by the expert from Australia

SCOPE

This proposal aims to recommend that a definition of ‘closed transport unit’ be incorporated into section 1.2.1.

RELATED DOCUMENTS

UN/SCETDG/23/INF.23 - (Australia) Approval of Intermediate Bulk Containers.
UN/ST/SG/AC.10/C.3/2003/56 - (Australia) Approval of Intermediate Bulk Containers.
UN/SCETDG/26/INF.40 - (Australia) Definition of Transport Units and Closed Transport Units.
UN/ST/SG/AC.10/C.3/2005/3 - (Australia) Definition of Transport Units and Closed Transport Units.
UN/ST/SG/AC.10/C.3/52 - Report of the Sub-Committee of Experts on its 26th Session.
UN/ST/SG/AC.10/32/Add.1 - Report of the Committee of Experts on its 2nd Session.
UN/ST/SG/AC.10/C.3/54- Report of the Sub-Committee of Experts on its 27th Session.

Introduction

1. During the 27th session the Australian expert presented UN/ST/SG/AC.10/C.3/2005/3 relating to the definitions of ‘transport unit’ and ‘closed transport unit’. As noted in section 66 of the report of the 27th session although several experts suggested the inclusion of definitions for transport units in section 1.2.1, some experts did not support the proposal as drafted. Some experts felt that the term ‘cargo transport unit’ used in the IMDG Code would be more appropriate to avoid confusion with the term ‘transport unit’ used in the ADR with a different meaning. Others expressed concern at the second sentence “Transport units with fabric sides or tops are not closed transport units”, since in the ADR and RID other options are mentioned (‘open’, ‘closed’, ‘sheeted’). In view of this concern the proposal has been divided into two different papers to allow the issue to progress. This paper deals with the inclusion of a definition of ‘closed transport unit’ to section 1.2.1 and with the term ‘closed cargo transport unit’ to avoid confusion with that used in the ADR.

Issue

2. The term ‘closed transport unit’ is not defined anywhere within the 14th edition of the Model Regulations or the amendments to it but is also used in both volumes of the Model Regulations as indicated below. This term has critical implications for the application of the relevant packing instructions. It should also be noted that the term ‘closed cargo transport unit’ has been used in lieu of ‘closed transport unit’ in a number of places. There appears to be scope for confusion and ambiguity in this regard.

Table 1: References to Closed Transport Unit

Volume	Reference to Closed Transport Unit
Volume 1	SP299
Volume 2	Section 4.1.2.3 P001 special instruction PP1 (see note 1), P002 special instruction PP7 and PP12, P002 special instruction PP37 (see note 1), P002 special instruction PP38 (see note 1), P410 – Note ‘d’, P900, IBC Special packing provision B1 and B2

Note 1: The term ‘closed cargo transport unit’ was used in this reference.

3. While there is no definition provided within the Model Regulations for ‘closed transport unit’ there appear to be no inconsistencies in the employment of the term ‘closed transport unit’ (or ‘closed cargo transport unit’) between each of the references in table 2 and the definition employed for ‘closed cargo transport unit’ in the IMDG Code. The same cannot be said of the ADR. The terms ‘closed vehicle’, ‘sheeted vehicle’ and ‘sheeted container’ are used to describe a vehicle body that can be closed and a sheeted load respectively. The sheeted vehicle or container, as defined in the ADR, does not appear to meet the requirements for a closed (cargo) transport unit as intended in the UN Model Regulations.

Table 2: Comparison of References between UN14 and ADR2005

UN Reference	Terms used in respect of the reference	
	UN14	ADR2005
SP299	Closed Transport Unit	SP299 not included in the 2005 ADR
Section 4.1.2.3	Closed Transport Unit	No requirement in respect of closed vehicle or container
P001 special Instruction PP1	Closed Cargo Transport Unit	No requirement in respect of closed vehicle or container
P002 special Instruction PP7 & PP12	Closed Transport Unit	Closed vehicles or containers
P002 special Instruction PP37 & 38	Closed Cargo Transport Unit	Closed vehicles or containers
P410 – Note ‘d’	Closed Transport Unit	Closed vehicles or containers
P900	Closed Transport Unit	P900 reserved in the 2005 ADR
IBC Special Packing provision B1 and B2	Closed Transport Unit	B1 and B2 not included in the 2005 ADR

4. As shown in table 2 the ADR uses the term 'closed container' as well as 'closed vehicle'. The definition for 'closed container' is very similar to 'closed transport unit' as used in the IMDG Code with the exception that it relates only to freight containers (and is allowed to have a removable/closable roof). The only terms used in the ADR that would not comply in respect of the two significant references above (P002 and P410) are the terms 'sheeted vehicle' or 'sheeted container'. In the other cases the use of the term 'closed vehicles or containers' is effectively the same as 'closed transport unit' for the purposes of the packing instructions as they are applied. The reference to sheeted means:

Sheeted container; means an open container equipped with a sheet to protect the goods loaded;

Sheeted vehicle; means an open vehicle provided with a sheet to protect the load.

Proposal

5. To ensure terms used in the UN Model Regulations and the IMDG Code cannot be misconstrued for those used in the ADR it is recommended that the term 'closed cargo transport unit' is used in lieu of 'closed transport unit'. Further, in order to ensure the fact that sheeted containers and vehicles do not comply with the requirement for a closed conveyance it is recommended this be addressed in the definition. As noted in UN/ST/SG/AC.10/C.3/2005/3 it is recommended that the definition of 'closed cargo transport unit' be included in section 1.2.1 of the UN Model Regulations but amended to address the issue related to sheeted units:

Closed Cargo Transport Unit; means a cargo transport unit which totally encloses the contents by permanent structures. Cargo transport unit, with fabric sides or tops, including sheeted vehicles and sheeted containers, are not closed cargo transport units.

Note: Permanent structures are those that are solid and weatherproof.

6. To promote inter-modal consistency and limit the possibility of confusion it is also recommended that the terms and definitions for 'sheeted vehicle' and 'sheeted container' be included in section 1.2.1 of the Model Regulations to ensure the definition of 'closed cargo transport unit' cannot be misconstrued.
