



**Economic and Social  
Council**

Distr.  
GENERAL

TRANS/WP.15/2005/5  
15 February 2005

Original: ENGLISH

**ECONOMIC COMMISSION FOR EUROPE**

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods  
(Seventy-eighth session, agenda item 6,  
Geneva, 9-13 May 2005)

**NEW PROPOSALS OF AMENDMENTS TO RID/ADR/ADN**

**Proposal of amendment to Section 5.4.3**

**Instruction in writing**

**Transmitted by the Government of Italy**

<b>SUMMARY</b>	
<b>Executive Summary:</b>	Solve the contradiction between subsections 5.4.3.1(a) and 5.4.3.7 regarding the instructions in writing for group of goods presenting the same dangers.
<b>Action to be taken:</b>	Modify section 5.4.3, making reference to the Classification Code as the parameter defining goods presenting the same dangers.
<b>Related documents:</b>	INF 25 of the seventy-seventh session. INF 12 of the seventy-sixth session.

**Introduction**

In the previous INF.25 of the seventy-seventh session (INF.12 of the seventy-sixth session), a difficulty of interpretation of section 5.4.3 was underlined.

In subsection 5.4.3.1 of ADR, it is pointed out that “... *the driver shall be given instructions in writing, specifying concisely for each dangerous substance or article carried or for each group of goods presenting the same dangers to which the substance(s) or article(s) carried belong(s):*”

- (a) *the name of the substance or article or group of goods, the Class and the UN number or for a group of goods the UN numbers of the goods for which these instructions are intended or are applicable; .....*

In subsection 5.4.3.7 of ADR, it is pointed out that “*in case of mixed loads of packaged goods including dangerous goods which belong to different groups of goods presenting the same dangers, the instructions in writing may be restricted to one instruction per Class of dangerous goods carried on board of the vehicle. In such case no name of goods, or UN number has to be mentioned in the instructions*”.

The use of plural form related to “UN numbers” in subsection 5.4.3.1(a) would let intend that using only one written instruction for different substances carried on the same vehicle, all their UN numbers should be indicated.

This is in partial contradiction with what is indicated in subsection 5.4.3.7.

Besides it is not clear what must be intended for “*goods presenting the same dangers*”. It is difficult to understand if they are goods belonging just to the same Class or goods belonging to the same Class but also identified e.g. by the same Classification Code. Making reference only to the same Class could not be sufficient if the Class includes heterogeneous categories of products (e.g. “Environmentally hazardous substances” and “Elevated temperature substances” are both in Class 9).

On the basis of that it is proposed to revise the content of Section 5.4.3 making reference to the Classification Code as the parameter defining goods presenting the same dangers.

The basis for the proposal are:

- (a) Dangerous goods of the same Class, with the same Classification Code, need only one written instruction;
- (b) Dangerous goods of the same class, but with different Classification Codes, one of which covers the dangerous characteristics of the others (i.e. flammable, toxic, corrosive liquid covers the characteristics of flammable liquid, flammable toxic liquid and flammable toxic corrosive liquid), need only the written instruction of the goods which covers the dangerous characteristics of the others.
- (c) In the case of (b), it is sufficient to mention the “name” of the Classification Code instead of the Proper Shipping Names and UN numbers.

### **Proposal**

Modify Section 5.4.3 as in the following:

### 5.4.3 Instructions in writing

- 5.4.3.1 As a precaution against any accident or emergency that may occur or arise during carriage, the driver shall be given instructions in writing.
- 5.4.3.2 A specific instruction shall be given for each dangerous substance or article. However only one instruction is sufficient for substances and articles which are classified in the same Class and with the same classification code. Moreover only one instruction can be used for substances and articles of the same class, but with different classification codes, provided that the instruction refers to the substances and articles which entail the higher hazard (for instance: if the given instruction is appropriate for goods of Class 3, with classification code FTC, other goods of Class 3, with classification codes F, FT and FC, can also be transported without providing a different instruction).
- 5.4.3.3 Each instruction shall concisely specify for each dangerous substance or article carried or for each group of goods presenting the same dangers to which the substance(s) or article(s) carried belong(s) (i.e. with the same Class and the same classification code)
- (a) the Proper Shipping Name, the Class and the UN number of the substance or article, or, for a group of goods with the same Class and the same classification code, the Class and the name (i.e. the heading of the classification code), such as:  
3 FLAMMABLE LIQUID, TOXIC, CORROSIVE;
  - (b) the nature of the danger inherent in these goods as well as the measures to be taken by the driver and the personal protection equipment to be used by the driver;
  - (c) the general actions to be taken, e.g. to warn the road users and passers-by and call the police/fire brigade;
  - (d) the additional actions to be taken to deal with minor leakages or spillages to prevent their escalation, if this can be achieved without personal risk;
  - (e) the special actions to be taken for certain goods, if applicable;
  - (f) the necessary equipment for additional and/or special actions, if applicable.
- 5.4.3.4 These instructions shall be provided by the consignor and shall be handed out to the driver at the latest when the dangerous goods are loaded on the vehicle. Information on the content of the instructions shall be supplied to the carrier at the latest when the carriage order is given, so as to enable him to take the necessary steps to ensure that the employees concerned are aware of these instructions and are capable of carrying them out properly and to ensure that the necessary equipment is on board the vehicle.
- 5.4.3.5 The consignor shall be responsible for the content of these instructions. They shall be provided in a language the driver(s) taking over the dangerous goods is (are) able to read and to understand, and in all languages of the countries of origin, transit and destination. In the case of countries with more than one official language, the competent

authority shall specify the official language or languages applicable throughout the territory or in each region or part of the territory.

5.4.3.6 These instructions shall be kept readily identifiable in the driver's cab.

5.4.3.7 Instructions in writing according to this section which are not applicable to the goods which are on board of the vehicle, shall be kept separate from pertinent documents in such a way as to prevent confusion.

5.4.3.8 The carrier shall ensure that the drivers concerned understand and are capable of carrying out these instructions properly.

EDITORIAL NOTE: The existing paragraph 5.4.3.7 has been deleted

5.4.3.9 These instructions shall be drafted according to the following format:

**LOAD**

- Mention of the following details concerning the goods for which these instructions are intended or applicable:
  - the name of the substance or article, or, for groups of goods of the same class, the name of the classification code;
  - the Class; and
  - the UN number or the classification code.
  - Description shall be restricted to e.g. the physical state with indication of any colour and mention of any odour, to aid identification of leakages or spillages.

.....  
.....

**Justification**

There is a contradiction between subsections 5.4.3.1(a) and 5.4.3.7 about the indication of the name and UN number in the transport of mixed loads of packaged goods. There is also a problem of misunderstanding of what are "goods presenting the same dangers" if it is not specified also the Classification Code.

**Safety implications**

None.

**Feasibility**

The proposal will not lead to problems.

**Enforceability**

No problem.

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