

**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 3(a) of the provisional agenda

LISTING, CLASSIFICATION AND PACKING

Comments on ST/SG/AC.10/C.3/2007/29

Transmitted by the expert from the United States of America

1. In ST/SG/AC.10/C.3/2007/29, the expert from Canada proposes new criteria for classifying articles within Division 1.4S and a new 6(d) test method. The paper proposes significant amendments to the classification criteria for 1.4S articles based on a limited number of tests performed on select shaped charge articles. The paper provides insufficient data to demonstrate that the current classification and testing criteria prescribed in the UN Manual of Tests and Criteria prescribed for Division 1.4S articles are inadequate. It is not clear whether the problem raised by Canada is limited to shaped charges only or to all types of 1.4S articles. The expert from the United States of America suggests that that Canada should present further data including detailed test results in order to better illustrate their concerns in order for the Sub-Committee to consider this matter on the merits of the test data. The U.S. is not opposed to further evaluating any additional data concerning shaped charges to determine whether the present requirements adequately address their risk in transport, however the proposed arbitrary changes to the 1.4S classification criteria would affect all types of explosive articles and there does not appear to be sufficient justification for such a significant change to a system which has worked well for many years. In addition, 2007/29 contains several ambiguous and inconsistent provisions which are briefly explained in the following paragraphs.
 2. The proposed new text (Section 16.2.2, Paragraph 4 of 2007/29) related to when it is necessary to conduct the proposed Test 6(d) would rely on the judgment of the competent authority. There would be no other way to determine whether a 1.4S classification is appropriate or whether the results of Test 6(d) would be more severe than that of Test 6(c). It should be noted that the competent authority always has the discretion to conduct Test 6(a) without confinement. This further diminishes the need for a new 6(d) test.
 3. The proposed criteria for 1.4S (Section 16.7.1.4 of 2007/29) are in conflict with the existing classification criteria for 1.4 and 1.4S (Current UN Test Manual, Section 16.6.1.4.5 and 16.6.1.4.6). This would create a gap between the current 1.4 criteria and the proposed 1.4S criteria. In addition, Canada is proposing that the competent authority may make a judgment to assess the test results. This provision is already in the Test Manual and introducing an additional provision does not add value.
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