

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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ELECTRIC STORAGE SYSTEMS

Watt hour marking in SP 188

Transmitted by the Dangerous Goods Advisory Council (DGAC)

Introduction

1. At its meeting in December 2008, the Sub-Committee included text in Special Provision 188 limiting transport of covered lithium ion batteries manufactured before 1st January 2009 without a Watt hour marking. Under the current text in SP 188, these batteries may not be transported after 31 December 2010. The change, as reflected in Add. 1 of the Committee report, reads:

SP188 In (b), at the end of the second sentence, after "case", add the following text: ", except those manufactured before 1st January 2009 which may be transported in accordance with this special provision and without this marking until 31 December 2010".

2. This new limitation will create certain problems for both consumers and businesses, particularly when returning equipment under warranty agreements. Such equipment distributed to retail outlets up until 31 December 2010 may still contain batteries not marked with the Watt-hour rating. The 31 December 2010 limit places consumers and businesses not familiar with Dangerous Goods Regulations in the position of unknowingly violating the regulations when returning this equipment under the warranty agreement when they act as the shipper in returning such equipment.

3. In addition, the provision creates problems for some manufacturers and suppliers who maintain large inventories of numerous design type lithium ion batteries, considering these batteries are normally considered to have a shelf life of 2 years or more. It would also complicate return transport of equipment on long term rental. In addition, the 31 December 2010 limit may also frustrate the transport of waste batteries for disposal.

4. DGAC notes that the provision against transporting unmarked batteries is unique in that it applies to batteries manufactured before the effective date of the Wh marking requirement. This is contrary to the approach taken in phasing in other new requirements. For example, the recent introduction of the stacking marks for IBCs (see 6.5.2.2.2 and note b in 6.5.2.2.1) does not apply retroactively to IBCs manufactured before the implementation of the stack mark requirement unless repaired or remanufactured.

Proposal

5. To provide for practical implementation of the lithium ion battery Wh marking requirement, DGAC proposes that the 31 December 2010 limit be deleted so that the added text in SP 188 (b) would read:

" , except those manufactured before 1st January 2009."
