

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

Comments on paper ST/SG/AC.10/C.3/2009/21, "De minimis" quantities of dangerous goods

Transmitted by the expert from the United Kingdom

1. The expert from the United States of America presents at the current session of the Sub-committee a paper to start discussions on the implementation of *de minimis* quantities (ST/SG/AC.10/C.3/2009/21). The expert from the United Kingdom very much welcomes the submission by the expert of the United States to initiate discussion of the introduction of provisions to address *de minimis* quantities of dangerous goods in transport.
2. The expert from the United Kingdom has consulted with a number of national industry and government bodies on this topic. This paper presents examples where dangerous goods are sent in *de minimis* quantities in a wide range of contexts. In addition it presents some thoughts on the questions posed by the United States proposal in ST/SG/AC.10/C.3/2009/21.
3. Examples of *de minimis* quantities:
 - (a) Aerosols (UN 1950): These can be carried as salesman's demonstration articles in small quantities. As such, the aerosols would not be packaged as Limited Quantities or Excepted Quantities.
 - (b) Small quantities of flammables: Examples of this include antiseptic hand wipes (UN 3175), marker pens containing flammable ink (UN 1210) or glue in puncture repair kits (UN 1133). Often these are transported in very small quantities without any LQ or EQ packaging.
 - (c) Water testing kits: Water testing kits (for example those used when installing sewage plants) contain very small quantities of reagents. These fall under dangerous goods regulations despite the negligible risk posed.

- (d) Small quantities of clinical waste (UN 3291): Health workers often have difficulty in classifying clinical waste taken from patient's homes or local treatments centres. Such waste has a low but difficult to quantify risk level so is usually classified as UN 3291. It should be emphasised that sharps such as used hypodermic needles are carried in compliance, but bags of clinical waste can cause more problems.
- (e) Experimental pharmaceutical chemicals (UN 2810/2811, PG I): The pharmaceutical industry ships tiny quantities (<1g or <1ml) of new materials, where the exact properties are unknown. The quantities of substances produced are also too small to test in order to determine their classification. Where a risk cannot be determined, they are shipped as Class 6.1, UN 2810/2811 PG I as a precaution. Subsequent testing at a later stage of development show that most substances do not qualify as dangerous goods, and of those that do, most fall into Packing Group III. This can cause problems, as certain carriers such as some major airlines will not accept Class 6.1 PG I for carriage.
- (f) Museum specimens: The May meeting of the Working Group of the ICAO Dangerous Goods Panel raised the issue of small quantities of flammable liquids (such as alcohol) used for preserving biological museum specimens such as insects (see paper 2009/61). When these are moved from museum to museum, they fall under Dangerous Goods regulation despite the negligible risk involved.

4. The examples in paragraph 3 illustrate the varied circumstances where very small amounts of dangerous goods are transported, but where the existing provisions for Limited Quantities or Excepted Quantities might not be appropriate. When considering a possible *de minimis* regime, the expert from the United Kingdom believes that substances should not be excluded solely on the basis of their intrinsic properties but that the determining factor should rather be the real risk, or otherwise, that they pose in transport. In addition "end use" should not be the sole determining factor in making appropriate judgements. It is the view of the expert from the United Kingdom that all classes of dangerous goods could be considered for inclusion in a *de minimis* regime, with the possible exception of class 7.

5. Regarding the quantity of such dangerous goods falling under such a regime, the expert from the United Kingdom is of the view that this should vary depending on which class of goods is addressed. For example, a class 6.1 toxic substance may require a smaller *de minimis* threshold than a class 4.1 flammable solid, whereas a category A infectious substance may not be appropriate for *de minimis* at all.

6. It is clear that robust packaging would be required for the transport of dangerous goods in *de minimis* quantities. The packaging provisions prescribed for the transport of dangerous goods in Excepted Quantities might seem an obvious starting point, particularly from a multi-modal perspective. However, the expert from the United Kingdom believes that this would be overly prescriptive for *de minimis* quantities and that some relaxation might be appropriate.

7. The expert from the United Kingdom is happy to participate in further discussions on this issue and is willing to support the expert from the United States in his future efforts.
