

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

Thirty-fifth session
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Item 5 of the provisional agenda

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

Report of the Informal Working Group on “de minimis” quantities

Transmitted by the United States of America

1. After the presentation of 2009/21, INF. 24 and INF.52, the Sub-Committee agreed to hold an informal lunch-time working group to discuss the suggestion to include provisions in Model Regulations for packages containing de minimus quantities of dangerous goods.
2. The group clarified that the objective of the working session was to document some general principles that could be provided to the US in preparing a more specific proposal for the next session.
3. The group discussed the need for this provision and gave opinions as to why the current provisions are either adequate or whether there is a need to more appropriately address the issue. Many delegates expressed an interest in addressing this problem within existing provisions. For example, this issue could possibly be covered through an extension of the excepted quantities provision in Chapter 3.5 or provisions for samples in 2.0.4. Other participants expressed the need to be consistent with existing regulatory provisions and ensuring that any future amendments provide for a simplified regime.
4. Problems experienced in practice with transporting these minute quantities as expressed by members of the working group include:
 - (a) Classification. There are some situations in which the quantities for research purposes are of such minute quantities that there is not enough product to perform the classification testing. The group discussed if there is a need to apply the full classification procedure to these situations. Samples of pharmaceutical products are an example.

- (b) Quantity. Some quantities are so minute that they pose negligible risk in transport. Since they are consigned in such minute quantities there is not a safety concern or could we accept a further exception if the total quantity of such goods within the transport unit is smaller.
- (c) Complications with acceptance by operators or by post. Some delegates expressed the problem with operators not accepting packages marked as dangerous goods and questioned the value of identifying these packages as dangerous goods taking into account the minimal risk in transport.
- (d) Repackaging. It is common for inner retail packaging to be removed from the outer shipping package which leads to difficulties in re-offering these packages for transport.
- (e) Training. Is the full scope of the training provisions necessary or only minimum training related to the transport of packages containing de minimus quantities.
- (f) Packaging testing. What package testing or capability is necessary? Some delegates felt if these packages are considered not dangerous, then no additional provisions should be applied.

5. The Working Group Chairman included suggestions for additional consideration based on evaluating the risk in transport for packages as well as container loads. He suggested a future proposal take into the account the risk in transport compared to the danger posed by the packaging material in the event of a fire. The comparative mass of the dangerous goods is extremely small compared to the mass of the package. It is possible to consider these consignments posing such a small risk that even with a container load, there is negligible risk. If there is concern about full container loads, the provisions could be developed to deal with small package consignments.

6. The Chairman concluded by stating that the majority of the group seemed to prefer the possibility of addressing this issue within existing provisions. The application of a possible de minimus regime should be consistent with these existing provisions.

7. Further, the Chairman summarized that in general, the acceptable hazard classes and divisions would include: Class 3, 4, Division 5.1 and 6.1, Class 8 and 9. Other hazard classes and divisions could be considered but should have a more specific review.

8. The US expressed their intention to come back with a more specific proposal for the December 2009 session taking into account the comments received.
