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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods

Bern, 8-11 September 2009 and
Geneva, 14-18 September 2009
Item 7 (a) of the provisional agenda

MISCELLANEOUS PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Pending issues

Provisions in 6.4.22.6 (a)

Transmitted by the Government of Switzerland^{1, 2}

SUMMARY

Executive summary:	Clarification of the provisions concerning to the package designs which require a unilateral approval
Decision to be taken:	Change the first sentence in 6.4.22.6 (a)
Related documents:	—

¹ In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2009/12.

Introduction

1. Sub-section 6.4.22.6 contains certain terms which should be specified:

"6.4.22.6 Any design that requires unilateral approval originating in a country Contracting Party to ADR / COTIF member state shall be approved by the competent authority of this country; if the country where the package has been designed is not a Contracting Party to ADR / a COTIF member state, carriage is possible on condition that:

(a) A certificate has been supplied by this country, proving that the package satisfies the technical requirements of ADR/RID, and that this certificate is countersigned by the competent authority of the first country Contracting Party to ADR / COTIF member state reached by the consignment;

(b) If no certificate and no existing package design approval by a country Contracting Party to ADR / COTIF member state has been supplied, the package design is approved by the competent authority of the first country Contracting Party to ADR / COTIF member state reached by the consignment."

2. 6.4.22.6 (a) indicates that it is enough to supply a certificate attesting that the package satisfies the technical requirements of ADR in order to allow the carriage. With 6.4.22.6 (b) on the other hand an approval of the package design is required.

3. According to 6.4.22.6 (a) it would not be necessary that the package is in conformity with a package design. It would be enough to provide a certificate attesting that the package in question is in conformity with the technical specifications of ADR/RID while according to 6.4.22.6 (b) it is necessary that the model of package is approved.

4. However, it is not for an individual package that a certificate has to be supplied but for a package design. The competent authority of the country having approved the package design shall thus provide a certificate attesting that the package design is in conformity with the technical requirements of ADR/RID.

5. This is confirmed by the fact that as well the title of 6.4.22 as the contents of all the section always relate to the approval of package design and not to approval of individual packages. Consequently, it seems to us that the text of 6.4.22.6. (a) should be modified in order to reflect this matter of fact and to avoid that one could think that individual packages can be approved independently of the package design.

Proposal

6. In 6.4.22.6 (a) in the first sentence add "design" after "package".
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