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## **Economic Commission for Europe**

### **Inland Transport Committee**

#### **Working Party on the Transport of Dangerous Goods**

##### **Ninetieth session**

Geneva, 3-5 May 2011

Item 4 of the provisional agenda

##### **Interpretation of ADR**

### **Interpretation of orange-coloured plate marking - 5.3.2.1.6 ADR**

#### **Transmitted by the Government of Germany**

1. Unpackaged solids or articles may be carried in bulk in transport units with fixed load compartments or in transport units with demountable (bulk) containers.

2. In accordance with paragraph 5.3.2.1.4 of ADR, transport units and containers carrying unpackaged solids or articles in bulk shall in addition display on the sides of each transport unit or container orange-coloured plates bearing the hazard identification number and the UN number for each of the substances carried.

Germany is of the opinion that this provision has to be interpreted to mean that, in the case of transport units with containers (and not with fixed load compartments), the lateral markings have to be affixed directly to the demountable container.

If the lateral plates were affixed to the carrying vehicle, and if a container was then demounted in the course of the carriage (e. g. short-term storage for the purpose of transferring the container from one vehicle to another), this would result in the container only being marked with placards but no longer with orange-coloured plates.

3. Paragraph 5.3.2.1.6 of ADR provides for an exemption as regards this lateral marking:

For transport units carrying only one dangerous substance and no non-dangerous substance, the lateral plates shall not be necessary, provided that the (orange-coloured) plates displayed at the front and rear in accordance with paragraph 5.3.2.1.1 of ADR bear the hazard identification number and the UN number prescribed for that substance.

4. However, unlike paragraph 5.3.2.1.4 of ADR, paragraph 5.3.2.1.6 does not expressly mention containers. Against the background of the distinction in 5.3.2.1.4 of ADR, this should be understood to mean that the exemption only applies to transport units with fixed load compartments but not to transport units with containers.

5. This interpretation is consistent if, in the case of containers, the lateral plates with the hazard identification number always have to be affixed directly to the container and not just to the carrying vehicle. There would then be no possibility or necessity to make use of the exemption of paragraph 5.3.2.1.6 of ADR also for containers, since the container itself does not have "orange-coloured plates displayed at the front and rear" that could be used. This is only the case with transport units that have fixed load compartments.

6. The interpretation, that the marking has to be affixed on the container, would accord to the provisions in 3.4.13 b), 5.3.1.2 and 5.3.1.3 ADR.

7. The German delegation would like to know if WP.15 shares the presented view.

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