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**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****Fifty-fourth session**

Geneva, 26 November-4 December 2018

Item 6 of the provisional agenda

**New proposals for amendments to the Model Regulations  
on the Transport of Dangerous Goods****Articles containing dangerous goods in excepted quantities****Transmitted by the experts from Germany\*****Introduction**

1. Between 2013 and 2016, the Sub-Committee discussed the classification of dangerous goods in articles. In the twentieth edition of the UN Model Regulations, twelve new UN numbers were included for articles that have to be classified in accordance with the provisions in 2.0.5 of the Model Regulations. The scope of application of UN 3363 was limited to articles which only include dangerous goods within the limited quantity amounts as permitted in Column 7a of the Dangerous Goods List.

2. Within the framework of the discussion, the issue of a possible exemption for articles only containing dangerous goods in excepted quantities as permitted in Column 7b of the Dangerous Goods List was also addressed. In several proposals (see ST/SG/AC.10/C.3/2015/33, ST/SG/AC.10/C.3/2016/34 and ST/SG/AC.10/C.3/2016/54), it was suggested that the following sub-section be inserted:

**“1.1.1.10 Dangerous goods in articles**

Articles containing dangerous goods shall not be subject to these regulations where the quantity of dangerous goods contained within the article is below the quantity permitted in Excepted Quantities as indicated in Column 7b of the Dangerous Goods List in Chapter 3.2 for all the dangerous goods contained.”

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\* In accordance with the programme of work of the Sub-Committee for 2017–2018 approved by the Committee at its eighth session (see ST/SG/AC.10/C.3/100, paragraph 98 and ST/SG/AC.10/44, paragraph 14).

3. However, the opinions on this exemption differed so that, after the discussion in the lunch time working group during the fiftieth session of the Sub-Committee, the exemption for articles containing dangerous goods in excepted quantities was not adopted, see ST/SG/AC.10/C.3/100, para 34 and INF.54 (50<sup>th</sup> session). The reason for this was that it was easier to achieve an agreement on the complete amendment package with a conservative approach and that it was not clear what articles this exemption might cover.

4. In the meantime, the mode-specific bodies have met and agreed to incorporate the new provisions for articles containing dangerous goods for the IMDG Code and European land transport. In ADR/RID/ADN, this even leads to the existing exemption for dangerous goods in machinery and equipment in accordance with 1.1.3.1 (b) of ADR/RID/ADN being deleted. This means that in the future many more articles will be subject to dangerous goods provisions.

5. Against this background, the issue of a possible exemption for articles containing dangerous goods in excepted quantities should be discussed again. One example of such an article is an odorizing device that is used for the addition of odorants in stationary fire-fighting installations. This odorizing device consists of a brass casing and contains 10 ml of a flammable liquid of UN 1993, packing group III. Another example is an injector containing 3,2 ml of UN 1203, used in the automotive industry.

6. The expert from Germany is of the opinion that a lower limit for the application of the dangerous goods regulations to articles containing small amounts of dangerous goods should be introduced. Without such a limit, it is likely that many articles will not be classified at all or will be classified incorrectly. It has to be assumed that such articles are already being transported without classification by air or sea even if they formally have to be assigned to UN 3363, as, due to the small amount of dangerous goods and the extensive exemption in ADR/RID/ADN, this piece of information on the dangerous good contained gets lost. The application of dangerous goods regulations in all cases does not result in a greater level of safety.

## Proposal

7. Insert a new subsection 1.1.1.10 as follows:

“1.1.1.10 Articles containing dangerous goods in excepted quantities

Articles containing dangerous goods shall not be subject to these Regulations where the quantity of dangerous goods contained within the article is below the quantity permitted in excepted quantities as indicated in Column 7b of the Dangerous Goods List in Chapter 3.2 for all the dangerous goods contained.”

8. Add a second sentence at the end of the Note in 2.0.5 as follows:

*“For articles which do not have an existing proper shipping name and which contain dangerous goods within the permitted excepted quantity amounts specified in Column 7b of the Dangerous Goods list, see 1.1.1.10.”*