



Economic and Social Council

Distr.: General
17 August 2018

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

105th session

Geneva, 6-9 November 2018

Item 5 (b) of the provisional agenda

Proposals for amendments to annexes A and B of ADR: miscellaneous proposals

Correction of footnote b to the instructions in writing (paragraph 5.4.3.4)

Transmitted by the Government of Germany*

Summary

- Executive summary:** Error in footnote b to the instructions in writing (paragraph 5.4.3.4) is corrected.
- Action to be taken:** Correction of footnote b to the instructions in writing.
- Background documents:** Informal document INF.22 of the 104th session of WP.15 (submitted by the Government of Germany) and ECE/TRANS/WP.15/242, paragraph 38.

Introduction

1. At the 104th session of the Working Party in May 2018, Germany raised a question (see informal document INF.22 from the 104th session) concerning an error in paragraph 5.4.3.4 footnote b to the instructions in writing in ADR.
2. The outcome from the meeting was the following (extract from the report):

* In accordance with the programme of work of the Inland Transport Committee for 2018-2019, (ECE/TRANS/WP.15/237, annex V, (9.1)).

“38. Several delegations supported the proposal of Germany. Other delegations mentioned, however, that it was not desirable to amend the instructions in writing too frequently and it would be preferable to group the proposed amendment with others that could be considered during the biennium and taken into account in ADR 2021. Several delegations wondered whether the equipment mentioned in note b would be useful in the case of an accident involving lithium batteries. After considering the proposal, the Working Party considered that it had been submitted in an informal document, too late for implementation from 1 January 2019. The representative of Germany informed the Working Party that she would submit an official document to the next session.”

3. Some states expressed concern that supplementing the instructions in writing would entail high costs. This argument has been taken into account. Therefore, the amendment is proposed for the entry into force of ADR 2021. Thus, in the course of this period – i.e. 2 biennia – it will still be possible to collect further proposals for a necessary correction or a possible adjustment.

4. Furthermore, a new transitional measure will be added.

5. In the current version of ADR, footnote b to the instructions in writing in paragraph 5.4.3.4 only makes reference to danger label number 9.

6. A review has shown that footnote b to the instructions in writing in paragraph 5.4.3.4 should not only make reference to danger label number 9 but also to danger label number 9A.

7. Therefore, in the new version of ADR 2021, the enumeration of danger label numbers in footnote b to the instructions in writing in paragraph 5.4.3.4 should be amended accordingly.

Proposal for amendments

8. Paragraph 5.4.3.4, replace “8 or 9” in the enumeration of danger label numbers in footnote b by “8, 9 or 9A”.

9. Paragraph 1.6.x.x , add the following new transitional measure:

“The instructions in writing in accordance with the requirements of ADR applicable up to 31 December 2020, but which do not, however, conform to the requirements of 5.4.3 applicable as from 1 January 2021, may continue to be used until 30 June 2023.”

Feasibility

10. No problems are foreseen.
