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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 5 (b) of the provisional agenda:

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

Comments on the document INF.7- Proposal to align the use of packaging for UN 3549 with those of other category A dangerous goods

Transmitted by the Government of Switzerland

Summary

Executive summary: Packagings for medical waste of Category A (UN 3549) should be subject to the same requirements as those for substances of UN 2814 and 2900. Furthermore, it should be possible to use plastic packagings for UN 3549 for more than 5 years, as for packagings for other Category A infectious substances of UN 2814 and 2900.

Action to be taken: Amend 4.1.8 and P622

Introduction

1. The following change in 4.1.8.6 is proposed in informal document INF.7:
 - 4.1.8.6 At the end of the sentence, add “, nor to UN No. 3549 MEDICAL WASTE, CATEGORY A, AFFECTING HUMANS or MEDICAL WASTE, CATEGORY A, AFFECTING ANIMALS”.
2. The fact that the RID-ADR-ADN establishes in 4.1.8.6 that subsections 4.1.8.1 to 4.1.8.5 are not applicable to UN 3549 is problematic. Why would the provisions of these subsections with the exception of those of 4.1.8.3 not be relevant to UN 3549 packaging?
3. Unlike the provisions for other infectious substances of category A (UN 2814 and 2900), the provisions for medical waste of category A of UN 3549 (SP 395, P622, LP622) do not refer to 4.1.8. As a consequence, contrary to UN 2814 and 2900 in 4.1.8.2, for medical waste the period of use permitted for plastics drums and jerricans is limited according to 4.1.1.15 and the provisions for reuse of the empty packaging of 4.1.8.4 are not applying. Contrary to P620, for UN 2814 and 2900 there is no cross reference to 4.1.8 foreseen in P622 for medical waste of UN 3549.
4. There are some arguments which would justify to apply for UN 3549 the same rules as for UN 2814 and 2900:

Regarding 4.1.8.2:

Because 4.1.1.15 is not applicable to UN 2814 and 2900, the possibility to extend the period of use of plastic packaging beyond what is foreseen in 4.1.1.15 (5 years) exists according to

the list of applicable provision mentioned in 4.1.8.2., This means that only for this two entries the use of plastic packaging above the limits of use in 4.1.1.15 is allowed. For UN 3549 the texts don't allow to use plastic packaging above the period specified in 4.1.1.15. Hospitals must however have these packaging urgently available when a patient appears with a disease of this type, so that these packaging must exist in the hospital stock. However, as this type of disease is relatively rare, it is likely that packagings will not be used regularly and will remain in hospital stocks for a long time without being used. The 5-year limit only applicable to plastic packaging for medical waste of Category A is not justified. This limit of use is maybe justified for packagings which have been used with different contents or filled with dangerous goods under ambient conditions likely to influence the performances of the packaging. As in case of packagings for UN 2814/2900, this should not be the case for new packagings stored in hospitals, awaiting the arrival of patients with diseases of category A or for packagings dedicated to the carriage of UN No. 3549. The outer packaging are not directly in contact with the products and the solid infectious substances are unlikely to be so aggressive that they could change the structure of the packagings at all.

One could argue that only packaging agreed according to Chap. 6.3 (P620) subject to stricter tests (9 m drop test), that are more expensive and whose code for designating types display the marking "class 6.2", are allowed to be used after the five year period. Altogether, this means that these packagings have a dedicated use for category A infectious substances. As a matter a fact, this is not the case with the packaging for UN 3459 in the new P622. It is therefore conceivable that they are intended first for other products and then for the transport waste of UN 3549. Reuse, whether for other products or for UN 3549, is also not excluded and the test, particularly the drop test of 9 m is more strict then the drop text of 1,8 m for PG I packaging for UN 3549.

We wonder if the 9 m drop test applying to UN 2814 and 2900 according to in P620 and Chapter 6.3 is the explanation justifying to exceed 5 years. We believe instead that it is more the type of products transported, that is infectious materials having no influence on the resistance of the packaging in the long term, which determines the possibility to extend their use after 5 years. It seems then that the same criteria should apply for UN 3549. This means that for plastics drums and jerricans only the kind of product carried during the 5 years period is relevant. If it is guaranteed that P622 plastic packaging are only used for infectious materials, it could be considered to give them a duration of use of more than 5 years without the approval on a case-by-case basis of the authority as provided for on 4.1.1.15. In principle, the plastic packagings would have the same use as those for UN 2814/2900.

A further argument in favour of the use of plastics drums and jerricans after 5 years is that the limitation of 5 years does not exist for plastic large packagings conforming to LP622 used for UN 3549. The reason is because large packaging are not in contact with the products as is also the case of plastics drums and jerricans used as outer packaging according to P622.

Regarding 4.1.8.4

We wonder if the intention was to forbid the reuse of packagings. Even if such a possibility is not possible at every disposal plant, there is no real reason to forbid it. During the development of the texts for the new entry UN 3549 by the Sub-Committee of experts on dangerous goods, the possibility of reuse had been suggested by one of the participants but has not been maintained in the text in the final version presented during the July 2017 session. There is however nothing intended to prohibit the reuse of packaging conforming to P622.

5. Apart from the issue of information about the content in 4.1.8.3, the other provisions of 4.1.8 seem to be appropriate also for wastes of UN 3549.

6. In order to achieve the purpose for plastics drums and jerricans for UN 3549 to follow the same rules as the pacakagings for UN 2814 and 2900, the same approach as in packaging instruction P621 for wastes of infectious substances of category B should be introduced by means of an exclusion of 4.1.1.15 in P622, under the condition of dedicated use to substances of class 6.2. This should guarantee a safe transport event if the packaging was used before the 5 years or in case of new packaging which have exceeded the 5-years period. In order to apply the same rules, the text for 4.1.8.6 in INF.7 should not be adopted. Instead, 4.1.8.6 should be written as in Proposal a) below and, to restrict the scope of plastic packaging that exceeds 5 years to Class 6.2 materials, an additional provision 8 should be added to the P622 as in Proposal b) below. In addition like in P621, the applicability of 4.1.8 should be introduced in P622 in INF.7 and the limitation of the use above 5 years of plastics drums and

jerricans used as outer packaging for UN 3549 should be introduced on the list of additional requirements in P622.

Proposal

7. In INF.7, delete the amendment for 4.1.8.6 and introduce the following amendments:

- a) 4.1.8.6 At the end of the first sentence, add “ Paragraphs 4.1.8.1, 4.1.8.2, 4.1.8.4 and 4.1.8.5 apply to UN No. 3549 MEDICAL WASTE, CATEGORY A, AFFECTING HUMANS or MEDICAL WASTE, CATEGORY A, AFFECTING ANIMALS.”.

The whole sub-section will then read:

4.1.8.6 Paragraphs 4.1.8.1 to 4.1.8.5 only apply to infectious substances of Category A (UN Nos. 2814 and 2900), **Paragraphs 4.1.8.1, 4.1.8.2 except for plastics drums and jerricans, 4.1.8.4 and 4.1.8.5 apply to UN No. 3549 MEDICAL WASTE, CATEGORY A, AFFECTING HUMANS or MEDICAL WASTE, CATEGORY A, AFFECTING ANIMALS.** They do not apply to UN No. 3373 BIOLOGICAL SUBSTANCE, CATEGORY B (see packing instruction P650 of 4.1.4.1), nor to UN No. 3291 CLINICAL WASTE, UNSPECIFIED, N.O.S. or (BIO) MEDICAL WASTE, N.O.S. or REGULATED MEDICAL WASTE, N.O.S.

- b) 4.1.4.1, P622 Amend the second sentence to read as follows (the added text is shown in bold):

“The following packagings are authorized provided the general provisions of 4.1.1, ~~and 4.1.3~~ **and 4.1.8** are met”

Add an additional requirement 8. in P622 as follows:

“8. Paragraph 4.1.1.15 does not apply for plastics drums and jerricans used as outer packaging dedicated to the carriage of UN No. 3549”.

Justification

8. The proposal a) excludes only 4.1.8.3 because there is no need to detail the content of the waste of UN 3549. The other provisions can easily be applied except that the exclusion of 4.1.1.15 existing in 4.1.8.2 shall not be applicable to plastics drums and jerricans. This means they are limited to 5 years according to 4.1.1.15. The possibility to use them above 5 years is introduced in b) under the conditions of exclusive use for UN 3549.