
MULTILATERAL AGREEMENT M323 under section 1.5.1 of the ADR

concerning the carriage of cobalt dihydroxide in flexible intermediate bulk containers

By derogation of packing instruction IBC07 from the provisions of ADR, cobalt dihydroxide that requires testing according to paragraph 2.2.61.1.3 and meets the criteria for packing group I for inhalation toxicity by dusts as specified in paragraph 2.2.61.1.7, may be transported in flexible Intermediate bulk containers (fIBCs) under the entry UN3288, TOXIC SOLID, INORGANIC, N.O.S. (cobalt dihydroxide), PG I if the following conditions are met:

- The fIBC shall be of the design type 13H3 or 13H4 and shall have been tested and approved in accordance with the applicable provisions of chapter 6.5.6 of the ADR. In addition to these provisions, no egress of dust or loss of matter of any kind shall be observed during testing. In any case shall the drop, topple and righting test be performed with the actual cobalt dihydroxide for which it is intended to be used.
- The maximum permissible gross mass shall be clearly indicated in the UN approval mark of the fIBC and shall not exceed 1005 kg.
- The fIBCs shall be carried in closed vehicles or in closed containers, in sheeted vehicles or in sheeted containers. The sheet shall be of an impermeable and non-combustible material.
- No other goods of any kind, dangerous or non-dangerous, shall be transported with cobalt dihydroxide meeting the criteria for PG I for inhalation toxicity in fIBCs in the same container or vehicle at the same time. Alternatively, mixed loading of cobaltdihydroxide with other goods is allowed if additional protective measures have been taken to protect the cobaltdihydroxide unit loads from any physical impact or stresses of other cargo in the same transport unit that may occur under normal/expected conditions of transport. These protective measures shall be of sufficient strength, taking into account the nature of these other goods and its position in relation to the cobaltdihydroxide unit loads in the transport unit.
- Special care shall be given that all goods in the transport unit are properly stowed and secured in accordance with the provisions of the European standard EN12195-1:2010 or the IMO/ILO/UNECE CTU Packing Code of Practice for Packing of Cargo Transport Units
- Cobaltdihydroxide shall not be loaded with foodstuffs, other articles of consumption and animal feeds in the same transport unit.
- Before loading, an interior and exterior inspection of the container or vehicle shall be performed by the consignor/Loader. During these inspections, special attention shall be given that:
 - The container or vehicle is free from major damage, with no broken flooring or protrusions such as nails, bolts, special fittings etc. which could cause injury to persons or damage to the cargo
 - The interior and exterior of a container or vehicle shall be inspected prior to loading to ensure that there is no damage that could affect its integrity or that of the packages to be loaded in it.
- The fIBCs containing cobaltdihydroxide shall be loaded onto a full plastic load board. Alternatively, wooden pallets may be used but the fIBC shall be protected from direct contact with the timber from the pallets by means of a slip sheet or equivalent.
- The palletized load with cobaltdihydroxide shall be sufficiently secured by means of either shrink-wrapping or stretch-wrapping of sufficient strength.
- The cobaltdihydroxide unit loads shall be tightly stowed so that void spaces are reduced to a minimum. In case of a full container load, any void spaces shall be filled by means of dunnage bags or equivalent means to avoid any shifting of the cargo.

- The cobalt dihydroxide unit loads shall be adequately protected from any direct contact with other securing materials than dunnage bags that might harm the unit load during transport. By example the unit loads shall be protected from any transverse battens, intended to restrain the cargo in front of the door, by means of cardboard or plywood of sufficient strength.
- The use of nails, for example used for scantlings or timber battens, shall be reduced to an absolute minimum. Any direct contact with the unit load shall be avoided.
- If lashings are used for securing the cargo, it shall be observed that no unit loads are overstressed or are at risk of being damaged during transport.
- Before and during loading, the packages containing the cobaltdihydroxide shall be inspected. Any packages found to be damaged, leaking or sifting shall not be packed into a container or vehicle.
- Particular attention shall be given to the handling of packages during their preparation for transport. The method of loading shall be such that accidental damage is not caused through dragging or mishandling.
- Depending on the level of refinement and the particle size, cobalt dihydroxide may contain very fine particles. As a result of its natural flow and the settling of the product a significant reduction of the volume is observed after filling of the fIBC. For this reason, the following requirements shall be taken into account:
 - No stacking of cobaltdihydroxide unit loads within the container or vehicle is allowed under any circumstances. In compliance with paragraph 6.5.2.2.2 of the ADR every fIBC shall accordingly be marked with the symbol for 'IBCs NOT capable of being stacked'.
 - In order to avoid inadequate securing, the cargo shall only be palletized, shrink-or stretch wrapped, loaded and secured in the container or vehicle with a delay after filling, allowing the product to sufficiently 'settle' and the reduction in volume to take place. It is up to the manufacturer / consignor to determine this delay, taking into account the unique physical properties of the refined cobalt dihydroxide.
- The consignor shall, in addition to any other relevant and obligatory information concerning the consignment, inform any other parties involved in transport and the supply chain of the consignment that:
 - The cargo is toxic by inhalation
 - Before opening the doors of the container or vehicle, the nature of the contents and the possibility that leakages may have caused an unsafe condition and toxic environment, shall be considered.
 - Suitable personal protective clothing shall be worn when opening the container or vehicle.
 - After opening and before commencing unloading, the cargo shall be inspected for leakage or damage.
 - After unloading it shall be ensured that there is no contamination of the container or vehicle.
 - In case of mixed loading in the same transport unit, special attention shall be given that all goods are properly stowed and secured.

All other relevant provisions of the ADR shall be complied with.

The consignor shall enter the following in the transport document: "Carriage agreed under the terms of paragraph 1.5.1 of the ADR".

A copy of this agreement shall be carried on board of the transport unit at all times.

The purpose of this agreement is only to serve as a transitional solution in order to not impede the transport of cobalt dihydroxide during future ongoing discussions on the development of long-term provisions and their subsequent implementation in regulation.

This agreement shall be valid for 2 years after the date of signature for the carriage on the territories of those ADR Contracting Parties signatory to this agreement. If it is revoked before then by one of the signatories, it shall remain valid until the above-mentioned date only for carriage on the territories of those ADR Contracting Parties signatory to this agreement which have not revoked it.

Done in Brussels on **02 AVR. 2020**

The competent authorities for ADR in Belgium

The competent authority
for ADR in Flanders

Getekend door: Filip Boelaert (Signature)
Getekend op: 2020-03-09 19:56:03 +01:00
Reden: Ik keur dit document goed

Filip Boelaert

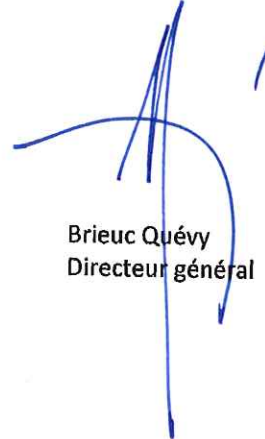
Ir. Filip Boelaert
Secretaris-generaal

The competent authority
for ADR in Brussels



Ir. Christophe Vanoerbeek
Directeur général

The competent authority
for ADR in Wallonia



Briec Quévy
Directeur général