

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

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

(Sixty-eighth session, Geneva, 15-19- May 2000)

Agenda Item 3)

**Transmitted by
the International Federation of Freight Forwarders Associations (FIATA)**

Certification

DOC. TRANS/WP.15/159/Add. 4 (Chapter 5.4)

Proposal:

FIATA proposes to delete chapter 5.4.1.3.

Justification:

In general there is no need to require a special certification stating that regulations are carried out correctly. Especially for port-to-port freight and distribution freight the administrative costs do not meet any safety benefit. Regardless to a certificate any dangerous goods information has to be correctly transmitted. As the consigner is already part of the transport document it is no problem for the checking authorities to turn to the sending company in order to fine whoever is responsible for any incorrectness.

According to the present ADR (marg. 2002(9)) as well as the suggested text of chapter 5.4.1.3 a certificate is only required for some regulations (e.g. classification, packagings, IBC, containers and labelling). This list is not exhaustive and therefore insignificant. The ADR could as well require from the carrier to certify in writing that his vehicles are in conformity with the regulations or that his drivers have an ADR certificate.

This obligation is only addressing one participant in the transport chain: the consigner. As a matter of fact the consigner has to certify the conformity with regulations which adress other participants. The packer for example (1.4.3.2) shall comply with the requirements concerning packing conditions or mixed packing conditions whereas the consigner shall certify that these packages are in conformity with the regulations. In many cases freight forwarders or trading companies are acting as consigners (*see definitions – 1.2.1 - : „if the transport operation is carried out under a contract for carriage, consignor means the consignor according to the contract of carriage“*) who never physically handle dangerous goods. These companies have no possibility to check the conformity with the packing regulations.

As a result the consigner's certification is insignificant and not practical.
