

INLAND TRANSPORT COMMITTEE

Working Party on the Transport  
of Dangerous Goods

(Seventy-seventh session, agenda item 4 (a),  
Geneva, 25-28 October 2004)

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Miscellaneous proposals

Suggested amendments to TRANS/WP.15/2004/41 (Spain) "Delivery-sale transport"

Transmitted by the European Industrial Gases Association (EIGA)

Introduction

1. EIGA welcomes the simplification in local distribution (so-called delivery-sale transport) operations proposed by Spain. The additions suggested by Spain will meet a widespread need and not lead to any reduction in safety. However, its experts believe that the proposal can be improved upon and make a revised proposal which is on the next page. The reasons for the changes are as follows.
2. The French "*Livraison vente*" does not translate directly into English and EIGA suggests using the English "Sale on delivery" to describe the type of operation foreseen in the proposal.
3. The definition depends crucially upon the meaning of "local distribution at request" which is insufficiently descriptive. The defining feature of these operations is that the consignees are unknown at the start of the journey, so it is necessary to explain that the sale is not made until the customer identifies himself and specifies his requirements at the point of delivery. The definition has been revised accordingly.
4. Paragraph (a) of the definition requires a monitoring system enabling the quantities already delivered and remaining to be determined. In EIGA's view, this requirement is already specified clearly in the second sentence of 5.4.1.4.1 which reads:

"In case of multiple consignees, the name and address of the consignees and the quantities delivered enabling the nature and quantities carried to be evaluated at any time, may be entered in other documents which are to be used or in any other documents made mandatory according to other specific regulations and which shall be on board the vehicle."

Introducing different text on this subject will lead to difficulties in enforcement, when some enforcement agencies will expect to see a system differing from that already practised on journeys involving multiple consignees. (The example appended to 2004/41 is only practicable in

the context of e.g. LPG distribution delivering one substance in a very limited number of package sizes.)

5. The definition of “local distribution” will inevitably lead to further enforcement debates and it is suggested that a time limit could be one way of defining what is meant by local. The duration of 72 hours proposed is generous to enable delivery to the more remote customers in widely dispersed populations. In more densely populated areas it allows for intervening public holidays and weekends.

6. Other editorial changes have been made such as replacing “transport” by “carriage”.

7. The variations from the original proposal in 2004/41 are shown underlined.

### **Proposal**

1. Add the following definition to 1.2.1:

““Sale on delivery” means carriage of goods of all classes except Classes 1, 5 (Division 5.2) and 7 comprising local distribution for which the sales are made at the points of delivery at the customers’ requests provided that;

- (a) the documentation conditions for multiple consignees of 5.4.1.4.1 are met;  
and
- (b) the carrier returns within 72 hours to the same loading point after the entire transport operation (loading, delivery and return to the loading point).”

2. Add a new second sentence to 5.4.1.1.1 h) as follows (new text is shown in bold):

- “h) the name and address of the consignee(s). **When the carriage is “sale on delivery”, the name and address of the consignor may replace the name and address of the multiple consignees;**”

### **Justification**

The information on dangerous goods identity and quantity available at any point on the journey will be of the same quality as on other multiple consignee delivery round.

The definition more clearly specifies the type of local distribution.

The final destination of the journey is defined by the consignor’s address.

The proposed time limit should reduce the likelihood of dispute on of the meaning of local delivery.

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