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**Committee of Experts on the Transport of Dangerous Goods  
and on the Globally Harmonized System of Classification  
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Forty-sixth session**

Geneva, 1 – 9 December 2014

Item 2 (b) of the provisional agenda

**Recommendations made by the Sub-Committee on its forty-third,  
forty-fourth and forty-fifth sessions and pending issues: listing, classification and packing****Proposed amendments to the Model Regulations and Guiding  
Principles based on the informal discussion group on  
document ST/SG/AC.10/C.3/2014/23 – classification  
inconsistencies****Transmitted by the expert from Belgium and the United States of  
America<sup>1</sup>****Introduction**

1. Reference is made to the discussions that took place at the last session on how to address classification inconsistencies as proposed by the European Chemical Industry Council (CEFIC) in ST/SG/AC.10/C.3/2014/23. The CEFIC proposals were referred to a coffee-break working group whose proposals were laid out in informal document INF.58, and the expert from Belgium was asked to submit them officially at this forty-sixth session (see ST/SG/AC.10/C.3/90, paras. 48-49).

2. Since then, the expert from Belgium has communicated with the expert from the United States of America and with the secretariat in order to try to improve editorially the proposals to include text in both the Model Regulations and in the Guiding Principles. The resulting proposals for consideration by the Sub-Committee are contained hereafter.

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<sup>1</sup> In accordance with the programme of work of the Sub-Committee for 2013-2014 approved by the Committee at its sixth session (refer to ST/SG/AC.10/C.3/84, para. 86 and ST/SG/AC.10/40, para. 14).

### **Proposed text for the UN Model Regulations**

3. Add the following sentences in 2.0.0:

A consignor who is aware, on the basis of test data, that a substance listed by name in column 2 of the Dangerous Goods List in Chapter 3.2 meets classification criteria for a hazard class or division that is not identified in the list, may, with the approval of the competent authority, consign the substance:

- Under the same UN number and name but with additional hazard communication information as appropriate to reflect the additional subsidiary risk(s) (documentation, label, placard) provided that the primary hazard class remains unchanged and that any other transport conditions (e.g. limited quantity, packing and tank provisions) that would normally apply to substances possessing such a combination of hazards are the same as those applicable to the substance listed; or
- Under the most appropriate generic or n.o.s. entry reflecting all hazards.

4. Include the following sentence in 2.0.2.2:

The substances listed by name in column 2 of the Dangerous Goods List in Chapter 3.2 shall be transported according to their classification in the list or under the conditions specified in 2.0.0.

### **Proposed text for the Guiding Principles**

“In principle, substances listed by name in column 2 of the Dangerous Goods List should be transported according to the classification indicated in the list. It may happen that new or additional test data provided by experts (e.g. national authorities, industry stakeholders) show that a substance possesses one or more additional hazards not identified in the list. In such a case, a consignor who is aware of this or these additional hazards identified on the basis of test data, may – with the approval of the competent authority and provided that the competent authority has confirmed that it would take steps to inform the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods with the view to amending the current classification of the substance – elect to:

- Use the same UN number and name but to reflect the additional hazard(s) in the various hazard communication elements required by the Model Regulations (labels, placards, transport documents) provided that the additional hazard(s) would not justify more stringent transport conditions other than those related to hazard communication;
- Use the most appropriate generic or N.O.S. entry to ensure that all hazards are communicated in transport.

When a competent authority grants such approvals, it should inform the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods accordingly and submit a relevant proposal of amendment to the list of substances. Should the proposed amendment be rejected, the competent authority should withdraw its approval.”

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