



---

**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Dangerous Goods****Joint Meeting of the RID Committee of Experts and the  
Working Party on the Transport of Dangerous Goods**

Geneva, 21 September – 1 October 2021

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:  
new proposals****Paints and printing inks classified as environmentally  
hazardous substance of UN 3082 and the requirements for  
performance tests****Transmitted by The European Council of the Paint, Printing Ink, and  
Artist's Colours Industry (CEPE)\*, \*\*, \*\*\*****Introduction**

1. At the last session of the RID/ADR/ADN Joint Meeting in March 2021 CEPE submitted informal document INF.17, which described the issue of paints becoming classified as environmentally hazardous substances due to the implementation of the fifteenth Adaptation to Technical Progress (ATP) of the European Union Regulation on Classification, Labelling and Packaging of substances and mixtures (CLP Regulation). The representative of CEPE was requested to prepare a revised proposal for consideration as an official document (see paragraph 36 of the report ECE/TRANS/WP.15/AC.1/160).

2. There has been a consistent move from solvent-borne paints and inks to water-borne versions. This trend reduces volatile organic solvents (VOCs) to protect the environment. It is done to meet regulatory obligations or, voluntarily, for social responsibility reasons. The move results in an increase in the number of paint and printing inks coming into the scope of the transport of dangerous goods regulations because of classification as environmentally hazardous under the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). However, it has created problems and concerns within industry as water-borne paints contain biocides to protect against spoilage of the product. Most recently the fifteenth ATP to the CLP Regulation has adopted changes in classification which will mean that products containing more or equal than 0.025 % of the preservatives 4,5-dichloro-2-

---

\* A/75/6 (Sect.20), para 20.51.

\*\* Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2021/37.

\*\*\* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control.

octyl-2H-isothiazol-3-one (DCOIT), octhiline (OIT) and zinc pyrithione (ZnPT) will be classified as UN 3082, PG III.

3. Preservatives are important to ensure that the performance and shelf-life of the products are maintained to avoid spoilage and unnecessary waste. Due to the lack of availability of alternatives substitution of these preservatives can be difficult.

4. Under CLP Regulation, companies have eighteen months to make labelling changes in response to a change in classification. The fifteenth ATP applies from **1 March 2022**. As dangerous goods, these products will come within the scope of the packaging requirements for dangerous goods.

5. UN approved packaging required to carry these products in quantities above 5 litres is not yet available for all product types as they are not very well suited for the paint industry. Plastic packaging is predominantly used for water-borne paints, due to the type of closure used allowing for the product to be reopened and closed for in-store tinting. Previously, the requirement for UN approved packaging for water-borne decorative paints has been very limited and the availability for this type of packaging in the market reflects this. The consequence of not having suitable packaging available would result in the increased use of packaging as products will need to be carried in smaller quantities, alternatively, without a resealable closure for in-store tinting the product will need to be decanted in to new packaging once tinted, which would lead to an increase in packaging waste.

6. The current timeframe to make these changes to ensure products can continue to be carried under RID/ADR is insufficient. It is technically challenging throughout the whole value chain to develop UN packaging to meet the requirement for decorative paints both in plastic and metal within eighteen months. The packaging industry need time to adapt to changes in regulation and develop new packaging solutions.

7. Special packing provision PP1 in packing instruction P001 exempts packaging of paints and inks, assigned to UN 3082 in quantities of 5 litres or less per packaging from the requirement to use UN approved packaging if carried in accordance with provisions detailed in PP1. Furthermore, small quantities up to 5 litres of UN 3082 are not subject to any other provisions of RID/ADR, provided that the packaging meets the general provisions of 4.1.1.1, 4.1.1.2 and 4.1.1.4 to 4.1.1.8.

## Proposal

8. In Chapter 1.6 of RID/ADR, insert the following new transitional provision:

**"1.6.1.x** (a) Notwithstanding the requirements of RID/ADR applicable as from 1 January 2023, adhesives, paint and paint related materials, printing inks and printing ink related materials and resin solutions assigned to UN 3082 environmentally hazardous substance, liquid, n.o.s., PG III as a consequence of Regulation (EU) 2020/1182 (fifteenth ATP)<sup>1</sup> containing equal to or more than 0.025 % of the following substances, on their own or in combination; 4,5-dichloro-2-octyl-2H-isothiazol-3-one (DCOIT), octhiline (OIT) and zinc pyrithione (ZnPT), may until 30 June 2025 be carried in metal or plastic packaging, which are not required to meet the requirements of 4.1.1.3 and the performance tests in Chapter 6.1, when in quantities of 30 litres or less per packaging;

(b) The products mentioned in (a), must be carried:

- In palletized loads, a pallet box or unit load device, e.g. individual packagings placed or stacked and secured by strapping, shrink or stretch-wrapping or other suitable means to a pallet; or
- As inner packaging of combination packagings with a maximum net mass of 40 kg;

---

<sup>1</sup> Commission Delegated Regulation (EU) 2020/1182 ([EUR-Lex - 32020R1182 - EN - EUR-Lex \(europa.eu\)](#)).

(c) GHS/CLP and all other mandatory requirements in RID/ADR must continue to be met."

9. CEPE hopes that the Joint Meeting will recognise the importance of the issues raised in this document and will be minded to adopt the change for Class 9 products in accordance with the proposal.

## **Justification for Proposal**

10. Paint and printing inks are extremely high volume commodities in the global marketplace. Current data suggests that some 50% of the paint and printing ink shipped is water-borne, a high percentage of which will now be regulated in Class 9. In the European Union alone, this is estimated to exceed some five million tonnes per annum. These water-borne and high flash-point products have historically been transported as unregulated products, as they presented little or no safety risk, when compared with those of PG III for flammability or corrosivity.

11. A transitional period for paints, printing inks and related materials, which will now be assigned to UN 3082, PG III, would ensure industry are able to continue transporting these materials whilst the necessary changes are made to the formulation or packaging without prejudicing safety or the work of emergency responders.

---