

## Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

25 October 2021

### Sub-Committee of Experts on the Transport of Dangerous Goods

#### Fifty-ninth session

Geneva, 29 November-8 December 2021

Item 3 of the provisional agenda

#### Listing, classification and packing

## Assignment of packing groups to articles

### Transmitted by the expert from Spain

#### Introduction

1. In 2012 the Sub-Committee decided to delete the packing groups assigned to all articles in the Dangerous Goods List, and additionally introduced text into 2.0.1.3 and the Guiding Principles expressing this rule. This decision of the Sub-Committee was based on document ST/SG/AC.10/C.3/2012/61 and informal documents INF.11 and INF.57 of the forty-second session presented by IATA.
2. Nevertheless, for UN 2870, ALUMINIUM BOROXYDRIDE IN DEVICES (second entry to UN 2870) and for UN 3165 AIRCRAFT HYDRAULIC UNIT FUEL a packing group was still retained. These specific entries were discussed in informal document INF.57 (42<sup>nd</sup> session), and it was decided to keep the packing groups in these cases. The relevant texts are reproduced below:

*"In the discussion of paper ST/SG/AC.10/C.3/2012/61 and informal document INF.11 there was some comment on the removal of the packing group for the entry for UN 2870 ALUMINIUM BOROXYDRIDE IN DEVICES. Unlike fuel cell cartridges and many other articles there is no specification or definition of what constitutes a "device" for the purposes of this entry, consequently it has been decided to leave this entry as currently shown in the dangerous goods list.*

*Similarly, for UN 3165, AIRCRAFT HYDRAULIC UNIT FUEL TANK in looking at the existing assigned packing instruction, P301, there is no requirement for specification packaging, although the packaging specified is very robust and would appear to exceed Packing Group I performance standards. On that basis it has been decided to leave the entry as is."*

3. Currently, 2.0.1.3 explicitly indicates that articles are not assigned to packing group, and that requirements for packaging performance levels are to be found in the applicable packing instructions.

#### Discussion

4. The assignment of a packing group to UN 2870 (second entry) and UN 3165 is a contradiction to the principle expressed in 2.0.1.3. Having contradictory statements in a regulation is the source of misunderstandings and errors in its application, therefore the expert from Spain suggest eliminating these.
5. There are two possible solutions to avoid such contradiction:
  - (a) Add to the wording in 2.0.1.3 the word "generally", as is already now contained in the Guiding Principles for part 2. This would adjust the rule enough to allow the assignment of packing groups to articles in specific conditions, as may be

applicable to UN 2870 and UN 3165. Nevertheless, this would also allow the assignment of packing groups to other articles in the future, further diluting the rule of not applying packing groups to articles.

(b) Delete the packing group from the two mentioned entries.

6. The second solution (b) is possible, because:

(c) For UN 2870 (second entry), no further amendments would be needed, as special packing provision PP13 applicable to P002 for UN 2870 already states "...only combination packagings meeting the packaging group I performance level are authorized".

(d) For UN 3165, packing instruction P301 is applicable (and only applicable to this entry); it would be possible to include there a sentence similar as those included in other packing instructions reading "Packagings shall conform to the packaging group I performance level."

7. The Sub-Committee is asked to consider the possible options and to decide which of the texts proposed below would fulfil the above mentioned objective.

8. Spain favours the second option proposed below. As agreed in the past by the Sub-Committee, an article should not have a packing group assigned, and the deletion of the packing group for UN 2870 (second option) and UN 3165 would permit to enhance this principle.

## Proposal

9. Option 1: Adjustment of the text in 2.0.1.3.

In 2.0.1.3 amend the last paragraph to read as follows (new text underlined, deleted text ~~stricken through~~):

"Generally, aArticles are not assigned to packing groups. For packing purposes, specific packaging performance level is set out in the applicable packing instructions."

10. Option 2: Elimination of packing groups for UN 2870 (second entry) and UN 3165:

In Chapter 3.2 Dangerous Goods List, delete the entry for packing group I in column (5) of UN 2870 (second entry) and UN 3165.

In 4.1.4.1 amend P301 by adding the following sentence at the end of the packing instruction:

"Packagings shall conform to the packaging group I performance level."

In the Guiding Principles<sup>1</sup>, Part 2, amend the eighth paragraph, to read as follows (new text underlined, deleted text ~~stricken through~~):

"Generally, aArticles are not assigned to packing groups. For packing purposes any requirement for a specific packaging performance level is set out in the applicable packing instruction."

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<sup>1</sup> Available at: <https://unece.org/guiding-principles>