

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

21 February 2023

Bern, 20-24 March 2023

Item 5 (a) of the provisional agenda

Proposals for amendments to RID/ADR/ADN:

Pending issues

Comments on document ECE/TRANS/WP.15/AC.1/2023/22 from COSTHA

Transmitted by the Government of France

Introduction

1. France thanks COSTHA for the new proposal concerning the introduction of specific provisions in relation with grocery delivery services.
2. France believes that the documents are dealing with a real issue and that adapting the regulatory provisions governing this sector of activity would help. We recognize that there are a lot of progress and implements concerning this proposal.
3. However, in our view there are still some problems with the proposals as drafted by COSTHA. To facilitate the discussion in the meeting, France would like to propose an amended text. More precisely, the main issues are as follows:
 - (a) The distance seems exaggerated in the context of land transport in Europe. We would like to propose a shorter distance of 50 kilometers.
 - (b) To align the new proposal with exemption regimes from 1.1.3.1 (c) and 1.1.3.6.3, the total quantity of dangerous goods carried in a transport unit shouldn't exceed 333 kilograms or litres. Indeed, it's not logical to have a wider exemption with bigger quantities.
 - (c) For safety reasons, the quantities of Class 2 materials, except aerosols (UN 1950) and gas cartridges (UN 2037), should not exceed 50 kilograms or litres. Otherwise, it would be possible to carry one hundred twenty 2.75 kg gaz cylinders under this exemption.
 - (d) The last sentence of the proposal should be modified and be introduced at the beginning of the text. Naturally leakages should be excluded in all cases anyway.

Proposal

4. Introduce new exemption in 1.1.3.1 and modify the wording proposed in document ECE/TRANS/WP.15/AC.1/2023/22 as follows (new text in **bold underlined**, deleted text in ~~strike through~~):

“**1.1.3.1 Exemption related to the nature of the transport operation**

The provisions laid down in ADR do not apply to:

...

- (g) The carriage of dangerous goods by or on behalf of a consignor which consigns the goods directly to the final consumer (business to end consumer), where the consignment is packaged for retail sale (online, in a brick-and-mortar storefront,

through direct sales, or direct mail) is intended for the personal or domestic use of the consignee (i.e., end consumer or recipient), **provided that measures have been taken to prevent leakages of content in normal conditions of carriage**, if:

- The distance between consignor and consignee does not exceed ~~150~~ **50** km;
- Measures have been taken to prevent any leakage of contents in normal conditions of carriage;
- The maximum quantity of dangerous goods contained in each packaging does not exceed 5 kilograms or litres;
- **The total quantity of Class 2 materials carried in the transport unit except aerosols (UN 1950) and gas cartridges (UN 2037), does not exceed 50 kilograms or litres; and**
- The total quantity of all dangerous goods, **including Class 2 materials**, carried in the transport unit does not exceed ~~400~~ **333** kilograms or litres; and
- The goods are packed:
 - i. in inner packagings derived from packages conforming with the provisions on limited quantities in accordance with Chapter 3.4; **or**
 - ii. in inner packagings derived from combination packagings conforming to Chapter 4.1; **or**
 - iii. in single packagings conforming to Chapter 6.1; or
 - iv. **in accordance with the requirements of special provision 188 (in the case of carriage of lithium batteries).**

Shipments (returns) from the original consignee back to the original consignor are also included under these provisions. This exemption does not apply to dangerous goods from Classes 1, 4.2, 6.2 and 7, ~~provided that measures have been taken to prevent leakage of contents in normal conditions of carriage.~~”
