



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, 19-29 September 2023

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
new proposals****Amendments to Table A, special provision 645 and
5.4.1.2.1 (g)****Transmitted by the Government of the Netherlands* ******Introduction**

1. In the 2019 version of the Model Regulations (21st revised edition) assignment of articles to UN No. 0431 was added to provision 2.1.3.5.2 for those used for theatrical effects meeting the definition for article type 1.4G specification in the default fireworks classification table in 2.1.3.5.5. Assignment of articles to UN No. 0431 may be made on the basis of analogy without the need for testing these articles according to test series 6.
2. During the harmonization work in 2019 this amendment in the 21st revised edition in the Model Regulations was lined up with RID/ADR/ADN 2021 version into provision 2.2.1.1.7.2.
3. Regarding and in addition to provision 2.2.1.1.7.2 also special provision 645 and provision 5.4.1.2.1 (g) in RID/ADR/ADN apply. According to special provision 645 a classification approval certificate shall be given by the competent authority. When classification is based on the default fireworks classification table, the competent authority may require test data from test series 6 to verify the default classification of the article.
4. Special provision 645 is not assigned to UN No. 0431 in Table A of Chapter 3.2, nor is UN No. 0431 added to provision 5.4.1.2.1 (g) in RID/ADR/ADN. However, in the view of the Netherlands it is necessary to include UN No. 0431 into special provision 645 and provision 5.4.1.2.1 (g). The rationale in this is to prevent that articles which are within the scope of UN No. 0431 mentioned in 2.2.1.1.7.2, and also could be used as fireworks such as mines, fountains and rockets can be transported according to RID/ADR/ADN without an approval of the competent authority, while for the same articles, transported as fireworks under UN Nos. 0333, 0334, 0335, 0336 and 0337, an approval is demanded.

* A/77/6 (Sect.20), para. 20.76.

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5. It seems to be an undesired gap regarding transport of articles which are within the scope of UN No. 0431 and mentioned in 2.2.1.1.7.2. It is very likely that during the harmonization work this was overlooked and which omission should be resolved. However, since UN No. 0431 covers also 1.4G articles other than those used for theatrical effects, the wording of special provision 645 and provision 5.4.1.2.1 (g) should be adapted. It should state that, for UN No. 0431, it would be only applicable to articles of UN No. 0431 used for theatrical effects meeting the definition for article type and 1.4G specification in the default fireworks classification table.

Proposal 1

6. In Table A of Chapter 3.2, in column (6), for UN No. 0431 add "645".

Proposal 2

7. In Chapter 3.3, amend special provision 645 to read (new wording is underlined and in bold):

"645 The classification code as mentioned in Column (3b) of Table A of Chapter 3.2 shall be used only with the approval of the competent authority of a [*Contracting Party to ADR*][*Contracting Party to ADN*][*Contracting State to RID*] prior to carriage. The approval shall be given in writing as a classification approval certificate (see 5.4.1.2.1 (g)) and shall be provided with a unique reference. When assignment to a division is made in accordance with the procedure in 2.2.1.1.7.2, the competent authority may require the default classification to be verified on the basis of test data derived from Test Series 6 of the Manual of Tests and Criteria, Part I, Section 16. **The classification approval certificate shall be only given for articles of UN No. 0431 used for theatrical effects meeting the definition for article type and 1.4G specification in the default fireworks classification table.**"

Proposal 3

8. Amend the first and second paragraph in 5.4.1.2.1 (g) to read (new wording is underlined and in bold):

"When fireworks of UN Nos. 0333, 0334, 0335, 0336 and 0337 **and articles of UN No. 0431 only used for theatrical effects meeting the definition for article type and 1.4G specification in the default fireworks classification table** are carried, the transport document shall bear the inscription:

'Classification of fireworks or **articles (as appropriate)** by the competent authority of XX with the firework **or article (as appropriate)** reference XX/YYZZZZ'."

Justification

9. The aim of this document is to resolve an undesired gap regarding transport of articles under UN No. 0431 that are only used for theatrical effects meeting the definition for article type and 1.4G specification in the default fireworks classification table.

10. Ensuring a more systematic approach and a better rationale in RID/ADR/ADN helps to develop clearer legal texts and avoid different criteria among different Contracting Parties/States and inspection services, and thus helps to implement the United Nations Sustainable Development Goal number 16: Peace, justice and strong institutions.
