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

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Sub-Committee of Experts on the Transport of Dangerous Goods

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Item 3 of the provisional agenda

Listing, classification and packing

Precedence of classes - corrections to 2.0.3.1 and 2.8.2.4 to align with 2.6.2.2.4.1

Transmitted by the experts from Canada and the Republic of Korea

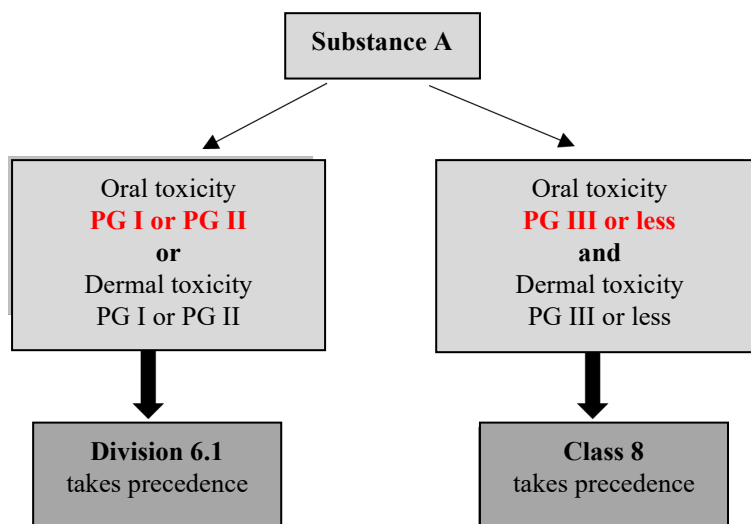
This informal paper presents amendments to paper ST/SG/AC.10/C.3/2023/11 with changes indicated in ~~striketrough~~ for deletions and in **bold** for new text.

Introduction

1. The precedence of classes in the Model Regulations is clearly outlined in 2.0.3. However, when a substance meets the criteria of Class 8 with an inhalation toxicity to dusts and mists in the range of packing group (PG) I, there are some discrepancies in determining if Division 6.1 or Class 8 takes precedence. As such, different clauses can lead to different primary class allocations. Therefore, consignors do not have a consistent way of determining the precedence of class in this situation.
2. Although this may seem like editorial corrections, Canadian consignors have faced real challenges because of the conflicting allocations of primary in these situations.
3. This proposal builds on the issues highlighted in informal document INF.14 of the sixty-first session, submitted by the Republic of Korea.

Explanation

4. For a substance that meets the criteria for Class 8 and has an inhalation toxicity to dust and mists in the range of PG I (“Substance A”), the current text of the Model Regulations leads to contradictory allocations to a primary class.
5. The following schematic demonstrates the appropriate allocation of the primary class for “Substance A” as defined in the note of 2.6.2.2.4.1.



6. In accordance with the note of 2.6.2.2.4.1, if a substance meets the criteria for PG I or PG II for either dermal toxicity or oral toxicity, then Division 6.1 takes precedence. Therefore, for Class 8 to take precedence, both dermal toxicity and oral toxicity must be in the range of PG III or less. If either of them (dermal toxicity or oral toxicity) is not in the range of PG III or less, then Division 6.1 must take precedence as stated above.

Proposal

7. To ensure a uniform approach to the determination of the precedence of classes, the following changes are proposed (deleted text in ~~strike~~ and new text in underline):

8. Amend footnote 3 of 2.0.3.1 to read as follows:

³ Except substances or ~~preparations~~ ~~mixtures~~ meeting the criteria of Class 8 having an inhalation toxicity of dusts and mists (LC₅₀) in the range of packing group I, but toxicity through oral ingestion and ~~or~~ dermal contact ~~only~~ in the range of packing group III or less, which shall be allocated to Class 8 (see note under 2.6.2.2.4.1 and 2.8.2.4)."

9. Amend the Note in 2.6.2.2.4.1 to read as follows:

"NOTE: Substances ~~or mixtures~~ meeting the criteria of Class 8 and with an inhalation toxicity of dusts and mists (LC₅₀) leading to packing group I are only accepted for an allocation to Division 6.1 if the toxicity through oral ingestion or dermal contact is at least in the range of packing group I or II. Otherwise, an allocation to Class 8 is made when appropriate (see footnote 3 ~~under in~~ 2.0.3.1 and 2.8.2.4)."

10. Amend 2.8.2.4 to read as follows:

"2.8.2.4 ~~As~~ Substances or mixtures meeting the criteria of Class 8 having an inhalation toxicity of dusts and mists (LC₅₀) in the range of packing group I, but toxicity through oral ingestion ~~or~~ and dermal contact ~~only~~ in the range of packing group III or less, shall be allocated to Class 8 (see footnote 3 ~~under in~~ 2.0.3.1 and note under 2.6.2.2.4.1)."