



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

Sub-Committee of Experts on the Transport of Dangerous Goods

Sixty-fourth session

Geneva, 24 June-3 July 2024

Item 6 (b) of the provisional agenda

Miscellaneous proposals for amendments to the Model Regulations on the Transport of Dangerous Goods:

Packagings, including the use of recycled plastics material

Performance and frequency of tests

Transmitted by the expert from Germany*

I. Introduction

1. During the sixty-third session of this Sub-Committee the expert from Germany presented informal document INF.6 seeking for a clarification on the scope of the tests to be carried out on production samples as stated in 6.1.5.1.3, 6.3.5.1.3 and 6.6.5.1.3.
2. As indicated in the report of the sixty-third session (see ST/SG/AC.10/C.3/126¹) “most delegations who spoke were of the opinion that the current text of the first sentence in 6.1.5.1.3 allows the competent authorities to decide which tests (i.e. all, partially or even none) should be repeated on production samples and also at what intervals”. The Sub-Committee agreed to resume consideration of this subject.

II. Discussion

3. The discussion during the sixty-third session showed that the current English language version leaves much room for interpretations ranging from “repeat all tests” to “do not repeat any tests”, whereas other language versions leave less or no room for interpretation, e.g. the Spanish language version of the *Model Regulations* or the German language version of the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Therefore, Germany believes that an amendment might be useful.
4. As it seems to be quite difficult to find a short but unambiguous text for an amendment, Germany proposes to make a rather simple amendment to the current text as shown in paragraphs 7 to 9 below together with a unified interpretation in the report of this sixty-fourth session as presented in paragraph 10 below. The amendments presented in paragraphs 7 to 9

* A/78/6 (Sect. 20), table 20.5.

¹ [Report of the Sub-Committee of Experts on the Transport of Dangerous Goods on its sixty-third session | UNECE](#).



in the English language version would lead to amendments in other linguistic versions, which might help to resolve the differences in the different linguistic versions. The unified interpretation given in paragraph 10 below would help to clarify the scope.

5. In addition, Germany would like to clarify that we chose the phrase “*appropriate mechanical design type tests*” in our initial proposal in informal document INF.6 of the sixty-third session of the Sub-Committee for two reasons. On one hand, the intention was to utilize existing text as this phrase is already used in 1.2.1 in the definition of “*Recycled plastics material*”. On the other hand, the original intention was to restrict the scope to the mechanical testing, i.e. chemical compatibility testing (as e.g. in 6.1.5.2.5 and 6.1.5.2.6 of ADR) and permeability testing (as e.g. in 6.1.5.7 of ADR) would have been explicitly excluded. In the discussion during the sixty-third session it became clear that the simpler wording “*appropriate tests*” would already allow for waiving chemical compatibility testing as well as permeability testing.

6. This document supports Sustainable Development Goal 16.6 – Develop effective, accountable and transparent institutions at all levels of the UN Agenda 2030 by avoiding different requirements within the *Model Regulations* as well as its linguistic versions.

III. Proposal

7. Amend the first sentence of 6.1.5.1.3 as follows (new text is underlined, deleted text is stricken-through):

“Appropriate tests~~Tests~~ shall be repeated on production samples at intervals established by the competent authority.”

8. Amend 6.3.5.1.3 as follows:

“Appropriate tests~~Tests~~ shall be repeated on production samples at intervals established by the competent authority.”

9. Amend the first sentence of 6.6.5.1.3 as follows:

“Appropriate tests~~Tests~~ shall be repeated on production samples at intervals established by the competent authority.”

10. Add to the session’s report (under agenda item 11) a “Unified Interpretation” on the meaning of the phrase “appropriate tests” that “*the word ‘appropriate’ means in this context that only those tests on production samples according to 6.1.5.1.3, 6.3.5.1.3 and 6.6.5.1.3 are to be waived where experience has shown that it is very unlikely that the test will not be passed during a design type test, for instance the stacking test on metal large packagings commonly used today*” just to give one example as an indication.