

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

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Item 3 of the provisional agenda

Listing, classification and packing

Report from the correspondence group on the differentiation between UN 1950 and UN 2037

Transmitted by the expert from Germany

I. Introduction

1. At the sixty-first session of the Sub-Committee Germany presented document ST/SG/AC.10/C.3/2022/51 on the differentiation between UN 1950 (aerosols) and UN 2037 (gas cartridges) with the intention of proposing a clear distinction between both UN numbers in the *Model Regulations*. Before and during the session of the Sub-Committee many different views, opinions and ideas on this issue were expressed (e.g. see informal document INF.16 of the sixty-first session) and in response Germany offered to set up a correspondence group to address the feedback already received and to continue working on the proposal (see also report ST/SG/AC.10/C.3/122, paras. 35-37).

2. Germany presented a revised proposal to the group in an online meeting in May 2023 which identified the different purposes and functions of aerosols as opposed to gas cartridges as a suitable distinction between UN 1950 and UN 2037. Even though this proposal did not convince the group, the discussion showed general support for the continuation of the work and a preference to focus on the release device itself (see informal document INF.22 of the sixty-second session).

II. Report

3. Germany hosted a second online meeting on 7 June 2024 to present a new approach to the differentiation between UN 1950 and UN 2037 to the members of the correspondence group.

4. At the beginning of the meeting, Germany gave a short presentation on the new approach with the intention of providing a foundation for the following discussion. Starting at the status quo it was established that there are no direct safety concerns in connection to the transport of aerosols and gas cartridges. Nevertheless, the fact that the regulations allow the transport of the same article under UN 1950 and UN 2037 in receptacles of a similar or even same design informed and initiated the original proposal to the Sub-Committee. To resolve this issue in a new approach, Germany suggested to focus on the existence of a release device as the crucial characteristic to distinguish between an aerosol and a gas cartridge, i.e. an aerosol would be an article that is fitted with a release device (self-closing valve) and a gas cartridge would be an article not fitted with any kind of release device. In consequence, gas cartridges fitted with a release device would have to be reclassified under UN 1950.

5. The presentation concluded that this approach should offer a clear and user-friendly differentiation while emphasizing that the necessary reclassification would require careful consideration.

6. The following discussion first of all concentrated on the fundamental issue and the general intention of the proposal. In this context, it was emphasized that - in principle - it

should not be possible to classify the same article under two different UN numbers. Even though there are no safety concerns related to the transport of aerosols and gas cartridges, a consistent classification would be beneficial to manufactures as well as competent authorities. However, any changes to the status quo would have far-reaching implications and would have to be examined in detail.

7. After briefly exploring and ultimately dismissing alternative routes (e.g. the combination of both UN numbers) and ideas for a distinction (e.g. different function/pressure of receptacles, changes in the definition of UN 1950), the group focused on the proposed differentiation and identified the introduction of an extensive transitional period of 10 years as the essential prerequisite to implement the necessary reclassification of gas cartridges.

8. The group continued to examine the implications regarding the reclassification of gas cartridges under UN 1950. Even though the group assumed that such a reclassification would be extensive, the technical consequences (change of design, markings and conformity assessment for the European internal market) should be manageable given the long transitional period.

9. The group agreed that additional inquiries should be made to ensure that there are no high-pressure gas cartridges on the market that could not be reclassified as aerosols. It was also noted that the proposed differentiation does not have any consequences for the United States domestic market. In addition, it was greatly appreciated that several participants volunteered to use their contacts to make additional inquiries.

10. Germany would like to thank the members of the correspondence group for their continued interest and for sharing their expertise and constructive ideas in the discussion of the proposal.
