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2/9/04

DANGEROUS GOODS PANEL (DGP)

MEETING OF THE WORKING GROUP OF THE WHOLE

Abu Dhabi, 4 to 8 October 2004

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions* for incorporation in the 2007/2008 edition
2.4: Part 4 — Packing Instructions

EXCLUSIONS IN PI 650

(Presented by P. Steele)

1. INTRODUCTION

1.1 Paragraph 11 of Packing Instruction 650 reads, in part:

"11) Infectious substances assigned to UN 3373 which are packed and marked in accordance with this packing instruction are not subject to any other requirement in these Instructions except for the following:."

1.2 Paragraph 13 of the 2005 PI 650 reads:

13) Other dangerous goods must not be packed in the same packaging as Division 6.2 infectious substances unless they are necessary for maintaining the viability, stabilizing or preventing degradation or neutralizing the hazards of the infectious substances. A quantity of 30 ml or less of dangerous goods included in Classes 3, 8 or 9 may be packed in each primary receptacle containing infectious substances. When these small quantities of dangerous goods are packed with infectious this packing instruction no other requirements in these Instructions need be met.

The quantities in paragraph 13 align primarily with the quantities allowed for dangerous goods in excepted quantities.

1.3 These paragraphs have received a great deal of comment within our State both from industry and our own Inspectors relating to real and potential inconsistencies within the Instructions in their approach to dangerous goods that have similar or identical properties. As a regulatory body we are also concerned that perceived inconsistencies could weaken our position in the enforcement and judicial areas.

1.4 The "inconsistencies" relate to:

- Labeling requirements;
- Differences with excepted quantity packaging limitations;
- Loading restrictions;
- Manual requirements; and
- Training requirements.

Each of these is expanded following.

1.4.1 **Labeling**. Part 5; 3.2.4 reads:

> "In addition to the primary hazard label (Figure 5-15), infectious substances packages must bear any other label required by the nature of the contents." This means that for UN 2814 and UN 2900 etc contained within a medium that is itself dangerous goods, a subsidiary hazard label is required; yet for UN 3373 there is no requirement or means to indicate the presence of other Dangerous Goods. This is of particular significance to operators with aircraft that are specifically prohibited from carrying flammable cargo under their certification.

1.4.2 **Package limits.** With a limit of 30ml in each primary, the limitation for Dangerous Goods with UN 3373 is essentially the same as for Dangerous Goods when in excepted quantities. However, the total quantity allowed in each outer packaging can differ considerably. With excepted quantities the maximum permitted in an outer packaging (ref 1; 2.4.3) is 500g/ 500ml for PGII, or 1kg/1L for PGIII. With an outer package limit of 4L, a consignment of UN 3373 can easily exceed this.

1.4.3 **Loading restrictions.** Dangerous Goods in excepted quantities are subject to the loading restrictions of 7; 2.1. The wording in paragraph 13 of PI 650 excludes what could be greater quantities of similar Dangerous Goods from the same restrictions.

1.4.4 **Manual requirements.** The exclusions preclude our Inspectors from requiring operators have relevant normal and emergency procedures for UN 3373 in their manuals.

1.4.5 **Training requirements.** Dangerous Goods in excepted quantities are not excluded from the training requirements of the Instructions. Dangerous Goods with similar properties and quantities are excluded under PI 650 when substances of UN 3373 are included. This has led one shipper to complain to me that he could eliminate his considerable bi-annual training costs for shipping excepted quantities if he could procure some Category B substance to put in with it! This area is further complicated because a legal interpretation of paragraph 9 of PI 650 is that where a shipment of UN 3373 with 30ml of Class 3, 8 or 9 has dry ice or liquid nitrogen to keep it cold, all requirements of the Instructions apply, including the training provisions.

2. PROPOSAL

2.1 No proposals are offered at this stage. The Panel is invited to consider these comments. If necessary papers with appropriate proposals will be prepared for the next meeting.

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