International Civil Aviation Organization

WORKING PAPER

DGP-WG/05-WP/45
12/4/05

DANGEROUS GOODS PANEL (DGP)

MEETING OF THE WORKING GROUP OF THE WHOLE

Montreal, 18 to 22 April 2005

Agenda Item 5: Discussion of miscellaneous dangerous goods issues

LIMITED QUANTITIES AND CONSUMER COMMODITIES

(Presented by R. Richard)

1. INTRODUCTION

1.1 Despite a concerted effort by a number of delegations, the UN Sub-Committee of Experts on the Transport of Dangerous Goods (TDG SC) was unable to reach a consensus to further harmonize dangerous goods small quantity exceptions (commonly referred to as limited quantity and consumer commodity requirements) during its last biennium. Two important issues for the air mode remain:

a) providing a UN number and proper shipping name for ICAO's ID 8000 consumer commodity entry; and

b) including excepted quantity provisions similar to those in ICAO 1;2.4 in the Model Regulations.

1.2 While the ICAO TI has provisions for limited quantities and consumer commodities, these provisions are significantly different from those of the other modes. The TI uses the same terms "limited quantities" and "consumer commodities" and definitions but the requirements in the TI are significantly different. For instance, limited quantity packagings are required to bear hazard labels and the inner packaging quantities are much less than those permitted in other modes of transport. For limited quantities the only exception provided in the TI is that packagings are not required to be tested and marked in accordance with Part 6, although according to 3;4.4 they must be capable of passing a 1.2 meter drop test and a 24 hour stacking test.

1.3 Based on the recent survey of Panel members and discussion at WG04, there does not appear to be much support for changing the current requirements of the TI although several members indicated support for considering whether the Class 9 label for consumer commodities could be replaced with a universal package mark similar to what is used for Category B infectious substances. During the UN TDG SC discussions many participants advocated a multimodal approach and cited the air mode as being the furthest from the requirements of the other modes. Differing views on how to harmonize with the air mode requirements was one factor that hampered progress. Considering that the ICAO concept of

limited quantities is so far removed from that of the other modes, the DGP should consider whether to refer to the provisions in 3;4 of the TI as limited quantities at all. Likewise the consumer commodity requirements for air transport are much different and hence they need to be separate and distinct from the other modes due to the very conservative and restrictive requirements that appropriately apply for these goods in the TI. The other modes should not be bound by the conservative air mode requirements applicable to limited quantities and consumer commodities. On the other hand, the air mode requirements need to be clearly and distinctly communicated. The requirements should be such that the potential for non-compliant packages of dangerous goods to be offered for transport by air is reduced to the greatest extent practicable.

1.4 The deadline for submitting formal papers for the July 2005 session of the TDG SC will have already passed by the time WG05 meets and the deadline for submitting papers for the December 2005 TDG SC session will have passed by the DGP 20 meeting in October 2005. The DGP should discuss this matter, reconfirm its previous decisions and develop a consensus position. The Secretary should be requested to develop a formal proposal for the December 2005 session of the UN TDG SC. If agreed the DGP, through the Secretary, should request that a UN 8000 entry be assigned for air shipments of consumer commodities and should endorse the inclusion of excepted quantity provisions in the UN Model Regulations. This intention could be communicated to the UN TDG SC through an information paper submitted for the July session of the TDG SC. In addition a report of discussions resulting from the issues addressed in this paper, previous working group meetings and the panel member survey should be provided consistent with the TDG SC's request for modal comments.

1.5 The Working Group should consider whether there is a consensus view in support of amending the TI to remove the term "limited quantities. This could be achieved through amendments where any mention of the words "limited quantities" is simply replaced with alternative terminology (e.g. "packaging exceptions for small quantities of dangerous goods"). The shipping paper annotation in 5; 4.1.5.2 and package marking requirements in 5;2.4.10 could be replaced with an alternative indication to convey that the packaging need not be tested and marked according to Part 6 of the TI to avoid frustrated shipments. For instance, the Y packaging instruction number (e.g. Y3XX) as opposed to "limited quantity" or "ltd qty" could be marked on the package. On this basis 3;4.5.2 could be revised to read:

> *"Packages containing small quantities of dangerous goods prepared in accordance with this chapter must be marked with the appropriate Y packaging instruction number (e.g. Y3XX)."*

The introductory text in Part 3, Chapter 4 could be revised to clearly explain the differences between limited quantity packagings in other modes and the packaging exception for small quantities of dangerous goods in the TI. These are only preliminary examples for discussion purposes. Other alternatives are welcomed should be considered. A transition period could be provided to minimize any burden the changes may impose on shippers and operators. If there is general support from DGP members, the Panel member nominated by the United States is prepared to develop a paper for further consideration at DGP 20 taking into account comments provided during WG05.

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