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REPORT OF INFORMAL WORKING GROUPS

**Comments on the proposals for conformity assessment procedures for gas
cartridges in paper ECE/TRANS/WP.15/AC.1/2009/39**

Transmitted by the Government of the United Kingdom

Introduction

1. The UK supports paper 2009/39 presented by Germany, but after further study, it has identified some problems with the text concerning the conformity assessment of gas cartridges in the proposed section 1.8.8. The following paragraphs give suggested changes to solve these problems.

Identification of Problems by Paragraph Number and Suggested Text Changes

2. 1.8.8 Note

Problem identified:

A type A body is not defined in 6.2.3.6.1; replacing type A with Xa, which is defined, will align this section with other conformity assessment procedures.

Proposed text:

“If the procedures of 1.8.8 are applied, the supervision of manufacture shall be carried out by ~~a type A~~ an Xa body and the tests as required in 6.2.6 shall be carried out either by that ~~type A~~ Xa body or by an IS body approved by that ~~type A~~ Xa body; for definition of ~~type A~~ Xa and ~~type~~ IS body see definitions in 6.2.3.6.1.

3. 1.8.8.1.1

Problems identified:

- a) The procedures of 1.8.8 cannot be applied in accordance with the table in 6.2.3.6.1 since this includes type approval by Xa; the procedures are applied as shown in the Note under 1.8.8. Only the procedures of 1.8.7 are applied according to the table in 6.2.3.6.1.
- b) The term “gas receptacles” is not defined in RID/ADR and in any case the procedures of 1.8.7 are general and not linked to any type of equipment.

- c) It is difficult to understand how to apply the provisions of 6.2.3.6.2 since this refers to 6.2.1.7.1 which is not applicable to gas cartridges. It would be better to state the requirement directly.

Proposed text:

When assessing the conformity of gas cartridges, one of the following procedures shall be applied ~~according to the table in 6.2.3.6.1:~~

- (a) *the procedure in section 1.8.7 ~~for gas receptacles~~, with the exception 1.8.7.5, according to the table in 6.2.3.6.1 or*
- (b) *the procedure in section 1.8.8.*

The provisions of 6.2.3.6.2 shall be applied. Conformity assessment shall be carried out under the responsibility of a competent authority of a Member State of OTIF/Contracting Party to ADR.

4. 1.8.8.1.3 (d)

Problems identified:

- a) “Address” seems to be the wrong verb and “apply to” should be used.
b) “relevant body” is used in 1.8.7, but not defined in 1.8.8. The term Xa body is in alignment with the Note at the start of 1.8.8.

Proposed text:

- (d) *~~address~~ apply for the approval of his quality system for supervision of manufacture and for testing to one relevant Xa body of his choice of the Member State/Contracting Party; if the applicant is not established in a Member State/Contracting Party he shall ~~address~~ apply to one relevant Xa body of a Member State/Contracting Party prior to first transport into a Member State/ a Contracting Party;*

5. 1.8.8.1.4

Problem identified:

There is a missing element in the description of the inspection body.

Proposed text:

Where the applicant, as well as enterprises assembling and/or filling gas cartridges according to the instructions of the applicant, can demonstrate to the satisfaction of the competent authority or its delegate or inspection body conforming to 1.8.6.2, 1.8.6.4, 1.8.6.5 and 1.8.8.6 and accredited according to EN ISO/IEC 17020:2004 type A, they may establish an in-house inspection service which may perform part or all of the inspections and tests specified in 6.2.6.

6. 1.8.8.6

Problem identified:

The requirements of 1.8.7.6.2 and 1.8.7.6.3 which are not preceded by a bracketed letter also apply. It would be more accurate to list the excluded clauses.

Proposed text:

For such applications, the provisions of ~~1.8.7.6.1 (a) to (e), 1.8.7.6.2 (a), (e) and (d), 1.8.7.6.3 (a) to (e) and 1.8.7.6.4~~ 1.8.7.6 shall be applied, excluding 1.8.7.6.1 (d) and 1.8.7.6.2 (b).
