

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 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-first session of this Sub-Committee the definition of recycled plastics material in 1.2.1 was amended (see ST/SG/AC.10/C.3/122/Add.1). Part of this definition is a regulation on repeating the testing of packagings and IBCs produced from recycled plastics material which reads *“In addition, the packaging or IBC manufacturer's quality assurance programme under 6.1.1.4 or 6.5.4.1 shall include performance of the appropriate mechanical design type tests in 6.1.5 or 6.5.6 on packagings or IBCs, manufactured from each batch of recycled plastics material.”*

II. Discussion

2. For packagings a comparable regulation is included in 6.1.5.1.3.

3. In the English language version, 6.1.5.1.3 reads *“Tests shall be repeated on production samples at intervals established by the competent authority.”*, which leaves room for interpretation whether all tests or only some tests shall be repeated.

4. In the French language version, 6.1.5.1.3 reads *“Les épreuves doivent être répétées sur des échantillons de production à des intervalles fixés par l'autorité compétente.”* and in the Spanish language version, 6.1.5.1.3 reads *“Los ensayos se repetirán con muestras de producción a intervalos fijados por la autoridad competente.”*. Both linguistic versions could be interpreted in such a way that all tests have to be repeated because a specific article is used (“les” and “los” respectively).

5. Due to the differences between the current wording in 1.2.1 (“Recycled plastics material”) and 6.1.5.1.3 on one hand and the different options for interpretation in the different linguistic versions on the other hand, we propose a clarification in 6.1.5.1.3 that only appropriate mechanical design type tests need to be repeated (see paragraph 10 below). An alternative is presented in paragraph 13 hereafter.

6. An example of a test which might be considered by the competent authority as not being appropriate, i.e. not necessary as a repeated test on production samples, is the stacking test on metal packagings.

7. Identical regulations on repeated testing exist in 6.3.5.1.3 for Class 6.2 packagings and in 6.6.5.1.3 for large packagings. Hence, if the proposal given in paragraph 10 below should be adopted it would be consequential to adopt the proposals for Class 6.2 packagings (paragraph 11) and for large packagings (paragraph 12) as well.

8. IBC regulations comparable to 6.1.5.1.3, 6.3.5.1.3 and 6.6.5.1.3 are not included in chapter 6.5. Therefore, no proposal is presented for IBCs.

9. 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. Proposals

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

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

11. Amend 6.3.5.1.3 as follows (new text is underlined, deleted text is stricken-through):

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

12. Amend the first sentence of 6.6.5.1.3 as follows (new text is underlined, deleted text is stricken-through):

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

13. Alternatively, the French and Spanish language versions of 6.1.5.1.3, 6.3.5.1.3 and 6.6.5.1.3 could be amended by replacing the specific article (“les” and “los” respectively) by the corresponding indefinite article. In this case it might be beneficial to include a clarification on the scope of the affected paragraphs into the report, i.e. that the current wording in the English language version already gives the competent authority the right to waive some of the tests.
