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INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods
(Seventy-seventh session,
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AMENDMENT TO ANNEX A OF ADR

Amendments to Sub Chapter 1.1.4.2

Transmitted by the International Federation of Freight Forwarders Associations (FIATA)

SUMMARY	
Executive Summary:	A revised proposal regarding the inclusion of a reference in paragraph 1.1.4.2 for marking and placarding of vehicles and transport units prior to sea transport is hereby submitted. The change following the discussions resulted in an additional subparagraph confirming that e.g. tank vehicles shall bear the orange plates containing the identification number and the kemler code according to the provisions of ADR.
Action to be taken:	Add a new paragraph 1.1.4.2.2, and renumber existing paragraph 1.1.4.2.2 to 1.1.4.2.3. Deletion of note under paragraph 5.3.1.5.2.
Related documents:	TRANS/WP.15/2003/5; INF.10 of the seventy-fifth session; INF.5 of the seventy-sixth session.

Introduction/Justification

1. At the seventy-fourth session of WP.15, the FIATA paper TRANS/WP.15/2003/5 regarding marking of vehicles prior to a sea voyage was discussed. The representative of FIATA was invited to give the matter further thought and to submit a new proposal to the RID/ADR/ADN Joint Meeting (see TRANS/WP.15/174, paragraph 28).
2. After the matter had been investigated, it was noted that RID had dealt with wagons in paragraph 1.1.4.2.1 of RID and thus taken care of the problem for wagons. It is, therefore, noted that submission of a proposal to the RID/ADR/ADN Joint Meeting is unnecessary when marking of a wagon in accordance with the provisions of the IMDG Code prior to a sea voyage is already allowed for a RID transport.
3. At the seventy-fifth session of WP.15, the revised proposal INF. 10 was discussed. Some delegations were concerned that tank vehicles were not covered in the proposal and thus would not allow tank vehicles to carry the orange plates prescribed in chapter 5.3.2 of ADR. The proposal in this paper has taken care of the problem by adding a new paragraph 1.1.4.2.2 (renumbering the existing paragraph 1.4.2.2 to 1.1.4.2.3) instead of trying to change the existing text.
4. At the seventy-sixth session, INF.5 was discussed which lead to changes with the assistance of the secretariat.
5. In the IMDG Code, a clear distinction is made between “placarding” and “marking”. An example of a marking according to the Code is the MARINE POLLUTANT mark. Placarding of a vehicle according to the provisions of the IMDG Code prior to a sea transport has been considered in the note under paragraph 5.3.1.5.2. The note makes it mandatory to placard a vehicle prior to sea transport for carriage of classes other than 1 and 7. It is proposed to delete the note under paragraph 5.3.1.5.2 in conjunction with adopting this proposal and thus make it optional to mark and placard a vehicle or transport unit according to the IMDG Code for a road transport prior to a sea transport.

Proposal

Insert a new paragraph 1.1.4.2.2 and rename existing paragraph 1.1.4.2.2 to 1.1.4.2.3

1.1.4.2 Carriage in a transport chain including maritime or air carriage

- 1.1.4.2.1 Packages, containers, portable tanks, and tank-containers, which do not entirely meet the requirements for packing, mixed packing, marking, labelling of packages or placarding and orange plate marking, of ADR, but are in conformity with the requirements of the IMDG Code or the ICAO Technical Instructions, shall be accepted for carriage in a transport chain including maritime or air carriage subject to the following conditions:
 - (a) If the packages are not marked and labelled in accordance with ADR, they shall bear markings and danger labels in accordance with the requirements of the IMDG Code or the ICAO Technical Instructions;
 - (b) The requirements of the IMDG Code or the ICAO Technical Instructions shall be applicable to mixed packing within a package;
 - (c) For carriage in a transport chain including maritime carriage, if the containers, portable tanks or tank-containers, are not marked and placarded in accordance with Chapter 5.3 of this Annex, they shall be marked and placarded in accordance with Chapter 5.3 of the IMDG Code. In such case, only 5.3.2.1.1 of this Annex is applicable to the marking of

the vehicle itself. For empty, uncleaned portable tanks and tank-containers, this requirement shall apply up to and including the subsequent transfer to a cleaning station.

This derogation does not apply in the case of goods classified as dangerous goods in classes 1 to 8 of ADR and considered as non-dangerous goods according to the applicable requirements of the IMDG Code or the ICAO Technical Instructions.

New paragraph

1.1.4.2.2 Transport units composed of a vehicle or vehicles which are not placarded in accordance with the provisions of 5.3.1 of ADR but which are marked and placarded in accordance with Chapter 5.3 of the IMDG Code, shall be accepted for carriage in a transport chain including maritime transport provided that the orange-colour plate marking provisions of 5.3.2 of ADR are complied with.

Consequential amendments

Renumber existing paragraph 1.1.4.2.2 to 1.1.4.2.3

Delete the note under paragraph 5.3.1.5.2

Safety, Feasibility, Enforceability: No problems.
