

OTIF



ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL

INF. 15

4 August 2014

Original: German

RID/ADR/ADN

Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods
(Geneva, 15 - 19 September 2014)

Agenda item 6: Reports of informal working groups

Informal working group on carriage of live animals (Berlin, 16 and 17 June 2014)

Transmitted by Germany

Introduction

1. On 16 and 17 June 2014, the informal working group on the carriage of live animals met at the Fabeckstraße branch office of the Federal Institute for Materials Research and Testing (BAM) in Berlin. Representatives of Germany, France, Luxembourg, the Netherlands and Switzerland participated in the meeting. Dr Heinrich Maidhof, RKI (Germany) chaired the working group.

Background

2. At its meeting in March 2014, the Joint Meeting adopted the proposal submitted by Germany to set up an informal working group on the clarification and amendment of the provisions for the carriage of genetically modified live animals, also with a view to the UN Model Regulations, if necessary (see ECE/TRANS/WP.15/AC.1/2014/10).
3. The Joint Meeting also gave the working group the mandate to clarify the current provisions of RID/ADR/ADN concerning the carriage of genetically modified live animals, and if necessary to propose modifications to them, taking into account other applicable domestic or international regulations (see informal document INF.8 supplementing document ECE/TRANS/WP.15/AC.1/2014/10).

For reasons of cost, only a limited number of copies of this document have been made. Delegates are asked to bring their own copies of documents to meetings. OTIF only has a small number of copies available.

Work results

4. The informal working group on the carriage of live animals discussed the relevant currently applicable national and international regulations. Proposals for amending RID/ADR/ADN were developed.
5. The six questions included in the mandate of the working group were discussed and are summarised below in the proposals for amendments to RID/ADR/ADN.
6. Firstly, it was established that approximately 90% of carriage operations involving genetically modified live animals involve live animals (e.g. lab mice) that are not infected with pathogens of Class 6.2. These operations are to be assigned to Class 9 (UN No. 3245).

Thus, the majority of genetically modified animals are assigned to risk group 1, i.e., in accordance with the current state of scientific knowledge, such animals do not present a risk to human health and the environment. For explanations on the four levels of protection that are defined, see: Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents [at work \(http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:262:0021:0045:DE:PDF\)](http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:262:0021:0045:DE:PDF) or, to select the language version: [\(http://eur-lex.europa.eu/legal-content/DE/TXT/?qid=1404464972513&uri=CELEX:32000L0054\)](http://eur-lex.europa.eu/legal-content/DE/TXT/?qid=1404464972513&uri=CELEX:32000L0054).

I.

7. The following amendments to the wording of RID/ADR/ADN are proposed for entry into force on 1 January 2017:

(a) 2.2.9.1.11

The wording of NOTE 2 in 2.2.9.1.11 (incl. footnote 22/17) remains unchanged:

"GMMOs or GMOs are not subject to the provisions of RID/ADR/ADN when authorized for use by the competent authorities of the countries of origin, transit and destination.^{22/17}

Add a new **NOTE** (e.g. as NOTE 2.1) as follows:

"GMO (including live animals) assigned to risk group 1 in accordance with Directive 2001/18/EC and carried in closed and escape-proof receptacles that are suitable for safely preventing both the escape of the animals and unauthorized access to them are not subject to the provisions of RID/ADR/ADN.*

This note only applies to live animals and thus does not include plants.

The regulations laid down by IATA for air transport (Live Animals Regulations, LAR) can be drawn on as guidelines for suitable receptacles.

* Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC."

Explanation: This clarification serves to prevent the inappropriate application of dangerous goods law.

(b) 2.2.62.1.1

Amend NOTE 1 to read as follows:

*"Genetically modified microorganisms and organisms, biological products, diagnostic specimens and **intentionally** infected live animals shall be assigned to this Class if they meet the conditions for this class.*

The carriage of naturally infected animals is subject only to the relevant rules and regulations of the respective departure, transit and receiving states."

(c) 2.2.62.1.12.1

Paragraph 2.2.62.1.12.1, first sentence was discussed comprehensively and controversially within the group of experts. In particular, the possible interpretations of the first sentence in the current version were examined. Among other things, the following questions resulting from these possibilities were discussed:

- Is the carriage of live animals completely prohibited if infectious substances can also be carried otherwise?

The working group believes that this question is to be answered in the affirmative.

- May live animals be used to carry infectious substances if the carriage of the entire system offers a specific advantage?

The working group believes that this question too should be answered in the affirmative.

The working group unanimously concluded that the possible interpretations of 2.2.62.1.12.1, first sentence of RID/ADR/ADN should be forwarded to the Joint Meeting for decision and that a note on this should also be included, if appropriate.

8. Moreover, based on the wording of the current text in 2.2.62.1.1 of RID/ADR/ADN, it is suggested

(ca) to delete in 2.2.62.1.12.1

- footnote 7/6

and instead, to clarify which authority is the competent authority,

(cb) add in paragraph 2.2.62.1.12.1

- a new note reading as follows:

"The approval of the competent authorities shall be issued on the basis of the relevant rules for the carriage of live animals, taking into consideration dangerous goods aspects. The authorities that are competent to lay down these conditions and rules for approval shall be regulated at national level.

If there is no approval by a competent authority of an RID Contracting State/Contracting Party to ADR, the competent authority of an RID Contracting State/Contracting Party to ADR may recognize an approval issued by the competent authority of a country that is not an RID Contracting State/Contracting Party to ADR.

Rules for the carriage of livestock are, for example, contained in Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport (Official Journal of the European Community No L 3 of 5 January 2005) as amended."

II. Proposal by Switzerland on the approval of packagings for infectious substances in document ECE/TRANS/WP.15/AC.1/2014/28/Rev.

9. The delegations took note of the proposal by Switzerland on the approval of packagings for infectious substances in document ECE/TRANS/WP.15/AC.1/2014/28/Rev. After the discussion, it was noted that the text proposed by Switzerland is in accordance with the UN Model Regulations and that the proposal could be supported.

III Conclusion

10. The conclusions and proposed recommendations reflect the opinion of the working group. The Joint Meeting is asked to deal with the informal document that has been drafted at the autumn session 2014 (Geneva, 15 to 19 September 2014) and to accept the conclusions and recommendations of the working group.
-