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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### 103rd session

Geneva, 6–10 November 2017

Item 5 (b) of the provisional agenda

##### **Proposals for amendments to Annexes A and B of ADR: miscellaneous proposals**

### **Reference to the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)**

#### **Transmitted by the Government of Germany\***

##### *Summary*

**Executive summary:** At its 102nd session in May 2017, the Working Party adopted the proposal made by the Secretariat to make a reference to chapters 9 and 10 of the CTU Code.

In the light of the previous discussions with experts, Germany presented a comment aimed at extending that reference to all of the CTU Code. Therefore Germany proposes to amend footnote 1 referenced in 7.5.7.1.

**Action to be taken:** Discuss and amend the provisions in the footnote to 7.5.7.1 of ADR.

**Reference document:** ECE/TRANS/WP.15/237, paragraphs 36 to 37 and Annex I, ECE/TRANS/WP.15/2017/12 (Note by the secretariat), ECE/TRANS/WP.15/2014/7 (Note by the secretariat), ECE/TRANS/WP.15/2013/221, paragraphs 72 to 73;

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\* In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.1)).

## Introduction

1. At its 102nd session (May 2017), the Working Party adopted the proposal made by the secretariat to make a reference to Chapters 9 and 10 of the CTU Code in the footnote to 7.5.7.1 of ADR (see ECE/TRANS/WP.15/237, paragraphs 36 to 37 and Annex I).
2. Germany welcomes the decision of the Working Party to also make reference to the CTU Code in a footnote in ADR. This reference to the CTU Code had already been suggested to the Working Party in May 2014 with proposal ECE/TRANS/WP.15/2014/7 (Secretariat). Germany also supported that proposal to include a reference to the CTU Code in ADR.
3. Moreover, Germany is of the opinion that the reference appears generally necessary for all modes of transport and that it should not be limited to Chapters 9 and 10.
4. This is because there are definitions in other parts of the CTU Code, too, such as in Chapter 2 “Definitions” or in Chapter 6 “Properties” or general reference is made to the structure, and the latter is explained. Thus, it may actually make sense and be necessary to also take into account other chapters and therefore make reference to the whole CTU Code.
5. The CTU Code really only serves as guidance and, with it being guidance, its application is not mandatory. This means that if, for instance, some parts are not relevant to transport by road, a reference to the CTU Code is unproblematic.
6. Therefore, Germany believes that it is not helpful for the already decided inclusion of a reference to the CTU Code in ADR to only refer to individual parts of the CTU Code in the footnote. On the contrary, this would lead to the risk of relevant parts being lost.
7. Germany therefore proposes to amend the current provision. New text is underlined and deleted text struck through:

## Proposal

8. Amend footnote 1 referenced in 7.5.7.1 to read as follows:

“<sup>1</sup> *Guidance on the stowage of dangerous goods can be found in ~~Chapters 9 and 10 of the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code)~~ [(see e.g. chapter 9 Packing cargo into CTUs and chapter 10 Additional advice on the packing of dangerous goods)] and in the European Best Practice Guidelines on Cargo Securing for Road Transport published by the European Commission. Other guidance is also available from competent authorities and industry bodies.”*