
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 247

Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations (Northern Ireland) 1997

Part II

Classification, Packaging and Labelling

Classification and ascertainment of other particulars of dangerous goods

5.—(1) A person shall not consign dangerous goods for carriage unless the classification for those goods and the particulars specified in paragraphs (2) to (5) have been ascertained in accordance with those paragraphs.

(2) In the case of goods which are named individually in the Approved Carriage List (subject to any special provisions relating to those goods in column 10 of the List)—

- (a) the classification shall be that specified in column 2 of Table 1 in the explanatory notes to the Approved Carriage List for the classification code specified in the corresponding entry in column 1 of that Table which code is indicated in column 3 of the entry for those goods in the List; and
- (b) the particulars to be ascertained are as follows—
 - (i) the packing group, if any, specified in column 9 of the entry for those goods in the List; and
 - (ii) the subsidiary hazards, if any, specified in column 2 of Table 2 of the explanatory notes to the Approved Carriage List for the subsidiary hazard code specified in the corresponding entry in column 1 of that Table, which code is indicated in column 4 of the entry for those goods in the List.

(3) In the case of all other goods—

- (a) the classification shall be that specified in column 1 of Part I of Schedule 1 for the most hazardous property of the goods specified in the corresponding entry in column 2, which property shall be determined in accordance with the appropriate approved method; and
- (b) the particulars to be ascertained are as follows—
 - (i) the packing group, if any, shall be that specified in column 4 of Part I of Schedule 1 for the relevant property of the goods specified in the corresponding entry in column 3, which property shall be determined in accordance with the appropriate approved method, and where there is more than one relevant property, the packing group shall be that group with the lowest number, except in the case of goods classified either as flammable solids because they are self-reactive substances or as organic peroxides, when the packing group shall be II; and

- (ii) the subsidiary hazards, if any, determined in accordance with the appropriate approved method.
- (4) In the case of all goods, other particulars to be ascertained are as follows—
- (a) the designation comprising one of the proper shipping names of the goods specified in column 1 for the entry for those goods in the Approved Carriage List together with additional information determined in accordance with the explanatory notes to the List;
 - (b) the UN number specified in column 2 for the entry for the goods in the Approved Carriage List;
 - (c) the danger sign shown in column 6 of Part I of Schedule 1 for the classification of the goods specified in the corresponding entry in column 1 of that Part; and
 - (d) the subsidiary hazard sign, if any, shown in column 2 of Schedule 2 for each subsidiary hazard of the goods specified in the corresponding entry in column 1 of that Schedule.
- (5) In the case of goods which are not named individually in the Approved Carriage List, the entry for the goods in that List for the purpose of ascertaining the particulars in paragraph (4)(a) and (b) shall be that which most fully and accurately describes those goods.

Consignment of dangerous goods in packages

6.—(1) The consignor shall not consign any dangerous goods for carriage in packages unless those packages are suitable, and in particular, unless—

- (a) the packages, and any packagings or overpack associated with the packages are designed, constructed, maintained, filled and closed so as to prevent any of the contents of those packages from escaping when subjected to the stresses and strains of normal handling and conditions encountered in carriage, except that this shall not prevent the fitting of a suitable safety device;
- (b) the packages, and any packagings or overpack associated with the packages are, insofar as they are likely to come into contact with the contents of those packages, made of materials which are liable neither to be adversely affected by those contents to the extent that a risk to the health or safety of any person is likely to be created nor, in conjunction with them, to form any substance which is likely to create such a risk;
- (c) where the receptacles are fitted with replaceable closures, those closures are designed so that the receptacles concerned can be repeatedly re-closed without their contents escaping;
- (d) any conditions relating to the packaging or packing of the goods specified in the explanatory notes to the Approved Carriage List opposite the Special Provision code for those goods, which code is indicated in column 10 of the entry for those goods in the List, are complied with; and
- (e) subject to paragraph (3)—
 - (i) the packagings are of a design type which has been tested by an approved testing laboratory using approved tests;
 - (ii) the competent authority which approved the tests referred to in head (i) has issued a certificate confirming that they have been satisfactorily completed; and
 - (iii) the packagings have been allocated an ADR mark, a RID mark, a UN mark or a joint ADR and RID mark by a competent authority and bear that mark,or, alternatively, the packagings are packagings which meet the requirements of heads (i) to (iii) and which have been reconditioned in accordance with a specification approved by a competent authority and have been allocated an ADR mark, a RID mark, a UN mark or a joint ADR and RID mark by that competent authority and bear that mark.

- (2) The consignor of any dangerous goods for carriage in packages shall ensure that—
- (a) the packagings referred to in paragraph (1)(e) are filled, closed and used in accordance with—
 - (i) any conditions specified in the certificate issued by the competent authority and the associated test report; and
 - (ii) the appropriate approved method; and
 - (b) the marks referred to in paragraph (1)(e)(iii) are durable, legible and large enough to be readily visible.
- (3) Packagings shall not be required to meet the requirements of paragraph (1)(e) if—
- (a) they are transportable pressure receptacles or aerosols, together with any associated packagings;
 - (b) they have a capacity exceeding 3 cubic metres;
 - (c) they contain goods which appear in or have a classification which is specified in column 1 of Schedule 3—
 - (i) insofar as they are within the packing group, if any, specified in the corresponding entry in column 2 of that Schedule; and
 - (ii) are contained in individual receptacles containing quantities not exceeding those specified in the corresponding entry in column 3 of that Schedule (or, in the case of gas, contained in individual receptacles not exceeding the volumes specified in that column), provided that the total gross mass of any package containing any receptacles such as are referred to above shall not exceed 30 kilogrammes;
 - (d) the entry for the goods in the Approved Carriage List so indicates;
 - (e) in relation to particular dangerous goods, the appropriate approved method so indicates; or
 - (f) they have a nominal capacity of 25 litres or less, are uncleaned empty and are being consigned to a suitable place for no other purpose than cleaning or disposal.
- (4) In this regulation “reconditioned” in relation to packagings means packagings which have been—
- (a) cleaned back to the original materials of construction with all contents, internal and external corrosion and external coatings and labels removed;
 - (b) restored to their original shape and contour, with chimes (if any) straightened and sealed and all non-integral gaskets replaced; and
 - (c) inspected after cleaning but before painting, with rejection of packagings with visible pitting, significant reduction in material thickness, metal fatigue, damaged threads or closures or other significant defects.

Use of marks on packagings

7.—(1) A person shall not mark any packagings with a mark which is liable to be confused with an ADR mark, a RID mark, a UN mark or a joint ADR and RID mark.

(2) A person shall not mark any packagings with an ADR mark, a RID mark, a UN mark or a joint ADR and RID mark—

- (a) other than in accordance with any requirements specified by the competent authority in relation to that mark; or
- (b) without the authority of the certificate holder unless the mark is a duplicate of a mark the use of which by that person has been authorised by the holder.

Particulars to be shown on packages containing dangerous goods

8.—(1) Subject to paragraphs (3) to (6) and regulation 9, a consignor shall not consign dangerous goods for carriage in a package unless—

- (a) the package in which those goods are carried clearly shows in accordance with regulation 11 the particulars specified in paragraph (2) or permits those particulars when shown on the receptacle or on inner packagings to be clearly seen; and
- (b) any conditions relating to the particulars to be shown on that package specified in the explanatory notes to the Approved Carriage List opposite the Special Provision code for the goods in question, which code is indicated in column 10 of the entry for those goods in the List, are complied with.

(2) The particulars required under paragraph (1)(a) shall be the following particulars ascertained in accordance with regulation 5 namely—

- (a) the designation of the goods;
- (b) the UN number (in all cases preceded by the letters “UN”);
- (c) the danger sign; and
- (d) any subsidiary hazard signs.

(3) Where two or more dangerous goods having the same classification or the same subsidiary hazard are consigned in a package in separate receptacles, nothing in paragraph (2) shall prevent a single danger sign or subsidiary hazard sign, as the case may be, from being shown for all the goods concerned.

(4) Where dangerous goods are consigned in individual receptacles which, in accordance with regulation 6(3)(c) and Schedule 3, are not required to meet the requirements of regulation 6(1)(e), such receptacles and any packages in which they are contained shall not be required to show the particulars referred to in paragraph (1) and specified in paragraph (2) unless, subject to paragraph (5), they are consigned in a package containing two or more receptacles, in which case the package shall be required to show the particulars specified in paragraph (2)(a) and (b), or where the package contains dangerous goods of more than one designation, either—

- (a) the words “Dangerous Goods in Limited Quantities of Class(es) X, Y, etc.”, where X, Y, etc. are the codes specified in column 3 of the Approved Carriage List; or
- (b) the particulars specified in paragraph (2)(b),

for each of the dangerous goods in the package.

(5) Notwithstanding paragraph (4), where dangerous goods are consigned in a package containing two or more receptacles to a retail outlet the package shall not be required to show the particulars specified in paragraph (2)(a) and (b) (or, as the case may be, the particulars specified in paragraph (4) (a) or (b)), provided the goods therein are intended for consumption by individuals for the purposes of personal care or household use.

(6) The requirements of paragraph (1)(a) shall not apply in relation to dangerous goods to the extent that they are disapplied by the special provisions for those goods in the Approved Carriage List, the code for such provision being in column 10 of the said List.

Derogations from regulation 9 of the supply Regulations and regulation 8 of these Regulations

9.—(1) Where a package would otherwise be required to show the particulars required by both regulation 9 of the supply Regulations and regulation 8, it shall be sufficient compliance with the aforementioned provisions if the package shows in accordance with regulation 11 the particulars specified in paragraphs (2) to (6).

(2) Except in the case of a pesticide, where the package consists only of a single receptacle, the specified particulars are the particulars required by regulation 9(2)(a), (b), (c)(ii), (iii) and (iv) in the case of substances (or regulation 9(3)(a), (b), (c)(i), (iii), (iv) and (vi) in the case of preparations) of the supply Regulations and regulation 8(2)(b), (c) and (d).

(3) Except in the case of a pesticide, where the package consists of one or more receptacles in outer packagings, the specified particulars are either the particulars required by paragraph (2) or the particulars required by regulation 8.

(4) In the case of a pesticide (whether the package consists only of a single receptacle or of one or more receptacles in outer packagings), the specified particulars are the particulars required by regulation 9(3)(a), (b), (c)(i), (iii), (iv) and (vi) of the supply Regulations and regulation 8(2)(b), (c) and (d).

(5) Where, to facilitate handling, a package consists of two or more smaller packages held together in such a way that the labels on those smaller packages can be clearly seen, then it shall be sufficient compliance with paragraph (3) or (4) if those smaller packages are labelled in accordance with the relevant paragraph.

(6) In this regulation “pesticide” and “preparations” have the same meanings as in the supply Regulations.

Derogations from regulation 9 of the supply Regulations

10.—(1) Where a package is required to show the particulars required by regulation 9 of the supply Regulations, but is excepted from showing the particulars required by regulation 8 because it shows the particulars required by any of the transport rules specified in regulations 3(1)(a) to (f), it shall be a sufficient compliance with regulation 9 of the supply Regulations if the package shows the particulars specified in paragraphs (2) and (3).

(2) Where the package consists only of a single receptacle, the specified particulars are—

- (a) the particulars required by whichever of the transport rules is appropriate; and
- (b) the particulars required by regulation 9(2)(a), (b), (c)(ii), (iii) and (iv) in the case of substances (or regulation 9(3)(a), (b), (c)(i), (iii), (iv) and (vi) in the case of preparations) of the supply Regulations in accordance with regulation 11.

(3) Where the package consists of one or more receptacles in outer packagings, the specified particulars are those required by whichever of the transport rules is appropriate.

Methods of marking or labelling packages

11.—(1) The particulars required to be shown by regulations 8 to 10 shall be—

- (a) displayed so that they can be read easily when the package is placed in an attitude in which it may normally be expected to be placed;
- (b) such that they stand out from their background so as to be readily noticeable;
- (c) either clearly and indelibly marked on the package or clearly and indelibly printed on a label which, subject to paragraph (2), is securely fixed to the package with one entire surface in contact with it; and
- (d) in English, except that (other than in the case of the designation of goods required to be shown in accordance with regulation 8) where goods are supplied to a recipient in another member State, the particulars may be in an official language of that State.

(2) Where it is not reasonably practicable to attach a label in accordance with paragraph 1(c) the label shall be attached in some other appropriate manner.

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(3) Subject to paragraph (4), danger and subsidiary hazard signs shall have a side length of at least 100 millimetres.

(4) If the package is an awkward shape or so small that it is not possible to display the relevant sign in accordance with paragraph (3) the sign shall be as large as is practicable.

(5) Where, by virtue of regulation 9 or 10, a package is labelled in accordance with regulation 9 of the supply Regulations, that package shall be marked or labelled in accordance with regulation 11 of those Regulations.