
STATUTORY INSTRUMENTS

1994 No. 669

HEALTH AND SAFETY

**The Carriage of Dangerous Goods by Road and Rail
(Classification, Packaging and Labelling) Regulations 1994**

<i>Made</i>	- - - -	<i>9th March 1994</i>
<i>Laid before Parliament</i>		<i>10th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State, in exercise of powers conferred on him by sections 15(1), (2), (4),(5)(b), (6) (b) and (9), 18(2), and 82(3)(a) of, and paragraphs 1(1), (2), (3), and (4), 3 and 4(1) of Schedule 3 to, the Health and Safety at Work etc. Act 1974(1) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the said Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 and shall come into force on 1st April 1994.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“ADR” means the European Agreement concerning the International Carriage of Dangerous Goods by Road signed at Geneva on 30 September 1957(2), as revised or re-issued from time to time;

“ADR mark” means a mark allocated by the competent authority for that mark, being a mark specified in ADR to indicate that the packagings which bear it—

- (a) correspond with a design type which has been tested successfully in accordance with ADR; and
- (b) comply with the provisions relating to their manufacture which are required by ADR;

(1) 1974 c. 37; sections 15(1) and 50(3) were amended by the Employment Protection Act 1975 (1975 c. 71), Schedule 15, paragraphs 6 and 16(3) respectively. The general purposes of Part I referred to in section 15(1) were extended by section 117(2) of the Railways Act 1993 (1993 c. 43).
(2) Current edition (1993): ISBN 0 11 551114 8.

“approved” means approved in writing;

“approved carriage list” means the list described in regulation 4(1)(a) as revised in accordance with regulation 4(2);

“approved method” shall be construed in accordance with regulation 4(1)(b);

“approved test” means a test approved for the purposes of regulation 6(1)(e)(i) by a competent authority;

“approved testing laboratory” means a laboratory approved for the purposes of regulation 6(1)(e)(i) by a competent authority;

“carriage” means carriage by road or on a railway (in each case on a vehicle) and shall be construed in accordance with regulation 3(2), and related words shall be construed accordingly;

“certificate holder” means the person whose name is included in or is identifiable from the ADR mark, the RID mark, the UN mark or, as the case may be, the joint ADR and RID mark;

“classification” in relation to dangerous goods shall be construed as a reference to the classification of those goods ascertained in accordance with regulation 5 and “classified” shall be construed accordingly;

“competent authority” means a person or organisation in any country which is for the time being a competent authority for the purposes of—

- (a) the testing and certification of packagings;
 - (b) the approval of tests and laboratories;
 - (c) the certification of the completion of approved tests; and
 - (d) the allocation of ADR marks, RID marks, UN marks and joint ADR and RID marks,
- and for Great Britain the competent authority shall be the Secretary of State;

“consignor” shall be regarded as—

- (a) the person who, having a place of business in Great Britain, consigns (whether as principal or agent for another) dangerous goods for carriage; or
- (b) if no person satisfies the requirements of sub-paragraph (a) above, the consignee of dangerous goods insofar as that person has control over the carriage of those goods in Great Britain;

“danger sign” means the sign for dangerous goods shown in column 6 of Part I of Schedule 1 (which sign is further specified in Part II of that Schedule) and ascertained in accordance with regulation 5;

“dangerous goods” means any—

- (a) explosives;
 - (b) radioactive material;
 - (c) goods named individually in the approved carriage list (other than when so diluted or treated that they no longer have the hazardous properties of those goods); or
 - (d) any other goods which have one or more of the hazardous properties,
- and for the purposes of this definition “goods” means articles or substances;

“explosives” means explosive articles or explosive substances which—

- (a) have been assigned on classification in accordance with the Classification and Labelling of Explosives Regulations 1983(3) to Class 1; or
- (b) are unclassified;

“explosive article” means an article containing one or more explosive substances;

“explosive substance” means—

- (a) a solid or liquid substance; or
- (b) a mixture of solid or liquid substances or both,

which is capable by chemical reaction in itself of producing gas at such a temperature and pressure and at such a speed as could cause damage to surroundings or which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as a result of non-detonative self-sustaining exothermic chemical reactions;

“factory” has the meaning assigned to it by section 175 of the Factories Act 1961⁽⁴⁾;

“flash point” means the flash point of dangerous goods determined in accordance with the appropriate approved method;

“freight container” means an article of transport equipment which is—

- (a) of a permanent character and accordingly strong enough for repeated use;
- (b) designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading;
- (c) designed to be secured or readily handled or both, having corner fittings for these purposes;
- (d) of a size such that the area enclosed by the outer bottom corners is either—
 - (i) if the container is fitted with top corner fittings, at least 7 square metres, or
 - (ii) in any other case, at least 14 square metres,

and includes a container when carried on a chassis and a swap body but does not include a vehicle, packagings or any article of transport equipment designed solely for use in air transport;

“genetically-modified micro-organisms and organisms” means organisms and micro-organisms in which genetic material has been altered through genetic modification in a way that does not occur naturally;

“genetic modification” means the alteration of genetic material otherwise than by mating or natural recombination or both;

“goods named individually” in relation to the approved carriage list means those goods whose proper shipping names do not include either an asterisk or the letters “NOS”;

“harbour area” has the meaning assigned to it by regulation 2(1) of the Dangerous Substances in Harbour Areas Regulations 1987⁽⁵⁾;

“hazardous properties” means any of the properties of dangerous goods shown in column 2 of Part I of Schedule 1 and determined in accordance with the appropriate approved method;

“intermediate bulk container” means a rigid, semi-rigid or flexible portable packaging which has a capacity of 3 cubic metres or less, which is designed for mechanical handling and which satisfies the requirements of regulation 6(1)(e);

“joint ADR and RID mark” means a mark allocated by the competent authority for that mark, being a mark specified in ADR and RID to indicate that the packagings which bear it—

- (a) correspond with a design type which has been tested successfully in accordance with ADR and RID; and

(4) 1961 c. 34.

(5) S.I. 1987/37; relevant amending instrument is S.I. 1993/1746.

(b) comply with the provisions relating to their manufacture which are required by ADR and RID;

“mine” and “quarry” have the meanings assigned to them by section 180 of the Mines and Quarries Act 1954⁽⁶⁾;

“package” means the package in which dangerous goods are carried and which is liable to be individually handled during the course of the carriage, and includes—

- (a) the receptacle containing the goods and any other packagings associated with it; and
- (b) the dangerous goods being carried,

but does not include—

- (c) a freight container, (other than one which is also a tank container with a capacity of 3 cubic metres or less);
- (d) a tank container with a capacity of more than 3 cubic metres; or
- (e) a skip, a vehicle or other article of transport equipment;

“packagings” means the receptacle and any components, materials or wrappings associated with the receptacle for the purpose of enabling it to perform its containment function;

“packing group” means the group to which dangerous goods with relevant properties are allocated in accordance with regulation 5;

“petroleum-spirit” has the meaning assigned to it by section 23 of the Petroleum (Consolidation) Act 1928⁽⁷⁾;

“radioactive material” has the meaning assigned to it by section 1(1) of the Radioactive Material (Road Transport) Act 1991⁽⁸⁾;

“railway” means a system of transport employing parallel rails which provide support and guidance for vehicles carried on flanged wheels, except any such system which—

- (a) is a tramway within the meaning of section 67(1) of the Transport and Works Act 1992⁽⁹⁾; or
- (b) is operated wholly within a harbour area, factory, mine or quarry;

“receptacle” means a vessel or the innermost layer of packagings which is in contact with any dangerous goods therein and includes any closure or fastener;

“relevant properties” means the properties of dangerous goods which determine the packing group for those goods;

“RID” means the Regulations concerning the International Carriage of Dangerous Goods by Rail which form Annex 1 to Appendix B to the Convention concerning International Carriage by Rail⁽¹⁰⁾, as revised or re-issued from time to time (“COTIF”);

“RID mark” means a mark allocated by the competent authority for that mark, being a mark specified in RID to indicate that the packagings which bear it—

- (a) correspond with a design type which has been tested successfully in accordance with RID; and
- (b) comply with the provisions relating to their manufacture required by RID;

“road” means—

⁽⁶⁾ 1954 c. 70; relevant amending instrument is S.I. 1993/1897.

⁽⁷⁾ 1928 c. 32; relevant amending instruments are S.I. 1992/1811 and S.I. 1993/1746.

⁽⁸⁾ 1991 c. 27.

⁽⁹⁾ 1992 c. 42.

⁽¹⁰⁾ Cmnd 5897.

(a) in relation to England and Wales, a road within the meaning of section 192(1) of the Road Traffic Act 1988⁽¹¹⁾; and

(b) in relation to Scotland, a road within the meaning of the Roads (Scotland) Act 1984⁽¹²⁾;

“road tanker” means a goods vehicle within the meaning of section 92 of the Transport Act 1968⁽¹³⁾ which has a tank (in these Regulations referred to as a “carrying tank”) which is—

(a) attached to the frame of the vehicle (whether structurally or otherwise) and (except when empty) is not intended to be removed from the vehicle; or

(b) an integral part of the vehicle,

and includes a tube trailer; and any reference in these Regulations to the carrying tank of a road tanker shall, unless the context otherwise requires, be construed as a reference to each carrying tank attached to it or being an integral part of it as aforesaid;

“subsidiary hazard” means any hazard created by the hazardous properties of dangerous goods other than the most hazardous property;

“subsidiary hazard sign” means the sign for the subsidiary hazard of dangerous goods shown in column 2 of Part I of Schedule 2 (which sign is further specified in Part II of that Schedule) and ascertained in accordance with regulation 5;

“the supply Regulations” means the Chemical (Hazard Information and Packaging) Regulations 1993⁽¹⁴⁾;

“swap body” means a freight container which is specially designed for carriage by rail and road only and is without stacking capability and top lift facilities;

“tank” means a tank which is—

(a) used for the carriage of a liquid, gaseous, powdery or granular material or a sludge; and

(b) so constructed that it can be securely closed (except for the purpose of relieving excess pressure) during the course of carriage;

“tank container” means a tank, whether or not divided into separate compartments, having a total capacity of more than 450 litres (other than an intermediate bulk container or the carrying tank of a road tanker or tank wagon) and includes a tube container and a tank swap body;

“tank swap body” means a tank which is specially designed for carriage by rail and road only and is without stacking capability;

“tank wagon” comprises a superstructure, consisting of one or more tanks (including their openings and closures), their items of equipment, and an underframe fitted with its own items of equipment (including running gear, suspension, buffing, traction, braking gear and inscriptions);

“tube container” means a group of gas cylinders connected together with a total capacity of more than 450 litres, fitted into a framework suitable for lifting on or off a vehicle and intended to be used for the carriage of compressed gases;

“tube trailer” means a trailer which has more than one gas cylinder structurally attached to, or forming part of, the trailer and which is intended to be used for the carriage of compressed gases;

“UN mark” means a mark allocated by the competent authority for that mark, being a mark specified in the United Nations Recommendations to indicate that the packagings which bear it—

(11) 1988 c. 52.

(12) 1984 c. 54.

(13) 1968 c. 73.

(14) S.I. 1993/1746, amended by S.I. 1993/3050.

- (a) correspond with a design type which has been tested successfully in accordance with; and
- (b) comply with the provisions relating to their manufacture required by,
the United Nations Recommendations;

“UN number” means United Nations Serial Number, that is to say, one of the four digit numbers devised by the United Nations and specified in the approved carriage list as a means of identification for dangerous goods;

“the United Nations Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods (based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Council at its twenty-third session (Resolution 645 G (XXIII) of 26th April 1957))(15), as revised or re-issued from time to time;

“vehicle” means any conveyance which is used for carrying goods by road or by rail.

- (2) Unless the context otherwise requires, any reference in these Regulations to—
 - (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;
 - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears;

(3) Any reference in these Regulations to a document as revised or re-issued from time to time shall, for a period of 6 months after any such revision or re-issue, be a reference to either the document as it was immediately before that revision or re-issue took effect or the document as revised or re-issued.

Application of these Regulations

3.—(1) Subject to paragraph (2), these Regulations shall apply to and in relation to the carriage of any dangerous goods except where—

- (a) the carriage concerned is part of an international transport operation within the meaning of COTIF and the goods are packaged and labelled in accordance with the provisions of that Convention or of Regulations made under it;
- (b) the carriage concerned is part of an international transport operation which is subject to any special bilateral or multilateral agreement made under the terms of COTIF to which the United Kingdom is a signatory and conforms with any conditions attached to such an agreement;
- (c) the carriage concerned is part of an international transport operation within the meaning of article 1(c) of ADR and the carriage complies with the provisions of Annex A or Annex B or both to that Agreement;
- (d) the carriage concerned is part of an international transport operation which is subject to any special bilateral or multilateral agreement made under the terms of article 4.3 of ADR to which the United Kingdom is a signatory and conforms with any conditions attached to such an agreement;
- (e) the vehicle carrying the goods is not for the time being subject to the provisions of ADR by reason only that it is a vehicle belonging to, or under the orders of, the armed forces of a country which is a signatory to ADR;
- (f) the goods are being carried for or in connection with the carriage of those goods by sea and the goods are packaged and labelled in accordance with the appropriate provisions of

- the International Maritime Dangerous Goods Code issued by the International Maritime Organization(**16**), as revised or re-issued from time to time;
- (g) the goods are being carried for or in connection with the carriage of those goods by air and the goods are packaged and labelled in accordance with the appropriate provisions of the Technical Instructions for the Safe Transport of Dangerous Goods by Air issued by the International Civil Aviation Organization(**17**), as revised or re-issued from time to time;
 - (h) the vehicle in which the goods are being carried is not being used for, or in connection with, work;
 - (i) the vehicle carrying the dangerous goods is delivering those goods—
 - (i) between private premises and another vehicle situated in the immediate vicinity of those premises, or
 - (ii) between one part of private premises and another part of those premises situated in the immediate vicinity of that first part;
 - (j) the goods are being carried by or under the control of the emergency services to a suitable place solely in order that they can be re-packed or disposed of there, provided any packagings in which the goods are being carried are clearly marked to indicate that those goods are dangerous and sealed so as to prevent the goods from escaping;
 - (k) the goods are a sample taken by an authority responsible for the enforcement of any requirement imposed by or under any enactment;
 - (l) the goods are being carried on a railway from one part of a harbour area, factory, mine or quarry to another part of that harbour area, factory, mine or quarry, as the case may be;
 - (m) the goods are explosives;
 - (n) the goods are live animals;
 - (o) the goods are—
 - (i) intended for use as animal feeding stuff within the meaning of section 66(1) of the Agriculture Act 1970(**18**) as modified by regulation 19(1) of the Feeding Stuffs Regulations 1991(**19**), and
 - (ii) in a finished state intended for the final user;
 - (p) the goods are—
 - (i) intended for use as food within the meaning of section 1 of the Food Safety Act 1990(**20**), and
 - (ii) in a finished state intended for the final user;
 - (q) the goods are—
 - (i) intended for use solely as fuel in connection with the operation of the vehicle carrying the goods concerned, and
 - (ii) being carried in a tank which forms part of or is permanently attached to that vehicle or is in a battery;
 - (r) the goods are petroleum-spirit which is—
 - (i) intended for use solely as fuel in any internal combustion engine,
 - (ii) neither wholly nor partly for sale, and

(16) Current edition: Volumes I to IV ISBN 92 801 1243 0; Volume V ISBN 92 801 1248 1.

(17) Current edition and supplement (1993-1994): Doc 9284-AN/905.

(18) 1970 c. 40.

(19) S.I. 1991/2840.

(20) 1990 c. 16.

- (iii) being carried in a receptacle which conforms with the requirements of—
 - (aa) the Petroleum-spirit (Motor Vehicles, &c.) Regulations 1929⁽²¹⁾, or
 - (bb) regulations 3 to 7 of the Petroleum-Spirit (Plastic Containers) Regulations 1982⁽²²⁾;
 - (s) the goods are radioactive material other than radioactive material which meets the criteria of regulation 20(a) or (b) of the Radioactive Substances (Carriage by Road) (Great Britain) Regulations 1974⁽²³⁾.
- (2) For the purposes of these Regulations, dangerous goods shall be deemed to be carried from the time when they are placed on a vehicle for the purpose of carrying them by road or on a railway until either—
- (a) they are removed from the vehicle; or
 - (b) any receptacle containing the goods which is on the vehicle has been cleaned or purged so that any of the goods or their vapour which remain in the receptacle is not sufficient to cause a risk to the health or safety of any person,
- and in either case whether or not the vehicle is on a road or, as the case may be, railway at the material time.

Meaning of and revisions to the approved carriage list and the approved methods

4.—(1) The Health and Safety Commission shall approve and publish for the purposes of these Regulations documents entitled—

- (a) “Information Approved for the Classification, Packaging and Labelling of Dangerous Goods for Carriage by Road and Rail”, hereinafter referred to as the “approved carriage list”, which shall contain—
 - (i) a list of dangerous goods for which the Commission has approved the following information
 - (aa) in column 1, the proper shipping name of the goods and other relevant information,
 - (bb) in column 2, the UN number,
 - (cc) in column 3, the code for the classification for carriage,
 - (dd) in column 4, the code for any subsidiary hazard,
 - (ee) in column 5, the emergency action code, if any,
 - (ff) in column 6, the hazard identification number, if any,
 - (gg) in column 7, whether the goods may be carried in tanks,
 - (hh) in column 8, whether the goods may be carried in bulk,
 - (ii) in column 9, the packing group, if any,
 - (jj) in column 10, the code for any special provision, and
 - (ii) explanatory notes and other material which are requisite for its use; and
- (b) “Approved Methods for the Classification and Packaging of Dangerous Goods for Carriage by Road and Rail” which shall contain—
 - (i) the appropriate methods for ascertaining—
 - (aa) the hazardous properties of dangerous goods in order of degree of hazard,

⁽²¹⁾ S.R. & O. 1929/952, to which there are amendments not relevant to these Regulations.

⁽²²⁾ S.I. 1982/630.

⁽²³⁾ S.I. 1974/1735.

- (bb) the flash points of dangerous goods,
 - (cc) the relevant properties of dangerous goods, and
 - (dd) the suitability of packagings for dangerous goods, and
- (ii) explanatory notes and other material which are requisite for its use.

(2) The Health and Safety Commission may approve a revision of either of the documents referred to in paragraph (1) and, when it does so, the Commission shall within 3 months of the date of that approval publish a notice specifying the revision, the date on which it was approved and the date on which it takes effect, which last-mentioned date shall be not less than 6 months after the date of the approval of the revision.

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 the following paragraphs of this regulation 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 of that Part, 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 2 of that Part, 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 for that purpose, and in particular, unless—

- (a) the packages, and any packagings or pallets (or other devices which enable more than one receptacle containing dangerous goods to be handled as a unit) 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 pallets (or other devices which enable more than one receptacle containing dangerous goods to be handled as a unit) 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) of this sub-paragraph 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.
- (2) The consignor of any dangerous goods for carriage in packages shall ensure that—
- (a) the packagings referred to in sub-paragraph (e) of paragraph (1) are used in accordance with—
 - (i) any conditions specified in the certificate issued by the competent authority, and
 - (ii) the appropriate approved method; and
 - (b) the marks referred to in head (iii) of that sub-paragraph 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 gas cylinders or other receptacles containing goods which have been classified as flammable gas, toxic gas or non-flammable, non-toxic gas, together with any associated packagings;
 - (b) they are tank containers;
 - (c) they have a capacity exceeding 3 cubic metres;
 - (d) they are individual receptacles containing 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) in quantities not exceeding those specified in the corresponding entry in column 3 of that Schedule,provided that the total gross mass of any package containing any receptacles such as are referred to above shall not exceed 30 kilogrammes;
 - (e) the entry for the goods in the approved carriage list so indicates; or
 - (f) in relation to particular dangerous goods, the appropriate approved method so indicates.

Use of marks on packagings

7.—(1) No person shall 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) No person shall 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; and
- (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) and (4) 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) the subsidiary hazard sign, if any.

(3) In the case 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) In the case where dangerous goods are consigned in individual receptacles which, in accordance with regulation 6(3)(d), are not required to meet the requirements of regulation 6(1)(e), such receptacles 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 2 or more receptacles, in which case the package shall be required to show the particulars specified in sub-paragraphs (c) and (d) of paragraph (2).

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

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 of these Regulations, it shall be sufficient compliance with those regulations if the package shows in accordance with regulation 11 the particulars specified in the following paragraphs of this regulation.

(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 paragraph (2)(a), (b), (c)(ii), (iii) and (iv) (or (3)(a), (b), (c)(i), (iii), (iv) and (vi) in the case of preparations) of regulation 9 of the supply Regulations and paragraph (2)(b), (c) and (d) of regulation 8 of these Regulations.

(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 of these Regulations.

(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 paragraph (3)(a), (b), (c)(i), (iii), (iv) and (vi) of regulation 9 of the supply Regulations and paragraph (2)(b), (c) and (d) of regulation 8 of these Regulations.

(5) Where, to facilitate handling, a package consists of two or more smaller packages mounted on a pallet or similar device 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 of these Regulations because it shows the particulars required by any of the transport rules specified in regulation 3(1)(a) to (g) it shall be a sufficient compliance with regulation 9 of the supply Regulations if the package shows the particulars specified in the following paragraphs of this regulation.

- (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 paragraph (2)(a), (b), (c) (ii), (iii) and (iv) (or (3)(a), (b), (c)(i), (iii), (iv) and (vi)) of regulation 9 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 its 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.

(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 regulations 9 or 10, packages are permitted to be labelled in accordance with regulation 9 of the supply Regulations, those packages may be marked or labelled in accordance with regulation 14 of those Regulations.

Exemption certificates

12.—(1) Subject to paragraph (2), the Health and Safety Executive may, by a certificate in writing, exempt any person or class of person or any dangerous goods or class of dangerous goods from all or any of the requirements or prohibitions imposed by or under these Regulations, and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by a further certificate in writing.

(2) The Executive shall not grant any such exemption unless, having regard to the circumstances of the case, and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any requirements imposed by or under any enactments which apply to the case,

it is satisfied that the health or safety of persons who are likely to be affected by the exemption will not be prejudiced by it.

Defence

13. In any proceedings for an offence consisting of a contravention of these Regulations, it shall be a defence for the accused to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Transitional defences

14.—(1) In any proceedings for an offence consisting of a contravention of these Regulations prior to 1st July 1995 it shall be a defence for the accused to prove that the goods were classified, packaged and labelled in accordance with the supply Regulations as in force immediately before these Regulations came into force.

(2) In any proceedings for an offence consisting of a contravention of these Regulations on or after 1st July 1995 and before 1st January 1999, it shall be a defence for the accused to prove—

- (a) that the goods were classified, packaged and labelled for carriage prior to 1st July 1995 in accordance with the supply Regulations as in force immediately before these Regulations came into force, and
 - (i) the goods have not been removed from their package or receptacle since then, and
 - (ii) the label has not been altered or removed since then; and
- (b) that it was not reasonably practicable either—
 - (i) to repackage and re-label the goods before they were consigned for carriage, or
 - (ii) to consign the goods for carriage on a date earlier than they were in fact consigned.

(3) In any proceedings for an offence consisting of a contravention of regulation 8(1) on or after 1st July 1995 and before 1st July 2005 in relation to the consignment of goods for carriage in gas cylinders, it shall be a defence for the accused to prove—

- (a) that the packages were labelled for carriage prior to 1st July 1995 in accordance with the supply Regulations as in force immediately before these Regulations came into force;
- (b) that the label has not been altered or removed since then; and
- (c) that the goods have no subsidiary hazards.

(4) In any proceedings for an offence consisting of a contravention of regulation 6(1)(e) on or after 1st July 1995 in relation to the consignment of goods for carriage in metallic intermediate bulk containers or stainless steel or aluminium drums it shall be a defence for the accused to prove that the containers, or drums, whichever is the case, were manufactured less than 15 years prior to the date of consignment of the goods and before 1st July 1995.

(5) In any proceedings for an offence consisting of a contravention of regulation 6(1)(e) on or after 1st July 1995 and before 1st January 1999, in relation to the consignment of goods for carriage in plastic packagings or metal packagings other than those specified in paragraph (4), it shall be a defence for the accused to prove that the packagings were manufactured less than 5 years prior to the date of consignment of the goods and before 1st July 1995.

Amendments.

15.—(1) Where a package is required to show particulars in accordance with these Regulations and shows such particulars, those particulars shall be deemed to satisfy the requirements of—

- (a) section 5 of the Petroleum (Consolidation) Act 1928 including that section as applied to any dangerous substance by an Order in Council made under section 19 of that Act;
- (b) regulations 6 and 7 of the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972(24);

insofar as those requirements require the package to be marked or labelled.

(24) S.I. 1972/917; relevant amending instrument is S.I. 1989/2169.

(2) For sub-paragraph (2) of paragraph 14 of Part I of Schedule 1 to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985(25) substitute the following sub-paragraph—

“(2) In this paragraph “dangerous substance” means any substance which falls within the definition of “dangerous goods” in regulation 2(1) of the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I.1994 No.669\)](#) other than explosives or radioactive material.”

(3) The Dangerous Substances in Harbour Areas Regulations 1987 shall be amended in accordance with Schedule 4.

(4) In the Control of Asbestos at Work Regulations 1987(26)—

(a) in regulation 18(3) for sub-paragraph (a) insert the following sub-paragraph—

“(a) where the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I.1994 No.669\)](#) apply, in accordance with those Regulations;” and

(b) in paragraph 1(1)(a) of Schedule 2, after the words “(S.I.1993 No. 1746)” insert the words “and the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I.1994 No.669\)](#)”.

(5) In regulation 7(3) of the Road Traffic (Carriage of Explosives) Regulations 1989(27) for the words “is dangerous for carriage within the meaning of the [Chemicals \(Hazard Information and Packaging\) Regulations 1993 \(S.I.1993 No.1746\)](#)” substitute the words “falls within the definition of “dangerous goods” in regulation 2(1) of the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I.1994 No.669\)](#)”.

(6) The Health and Safety (Enforcing Authority) Regulations 1989(28) shall be amended in accordance with Schedule 5.

(7) The Dangerous Substances (Notification and Marking of Sites) Regulations 1990(29) shall be amended as follows—

(a) In regulation 2(1)—

(i) for the definition of “the 1993 Regulations” substitute ““the 1994 Regulations” means the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I.1994 No.669\)](#)”;

(ii) in the definition of “classification” for the words “regulation 7 of the 1993 Regulations” substitute the words “regulation 5 of the 1994 Regulations”, and

(iii) in the definition of “dangerous substance” for the words “is dangerous for carriage within the meaning of the 1993 Regulations” substitute the words “falls within the definition of “dangerous goods” in regulation 2(1) of the 1994 Regulations”; and

(b) in sub-paragraph (d) of paragraph 1 of Schedule 1—

(i) the words “supplied or” shall be deleted, and

(ii) for the words “the 1993 Regulations” substitute the words “the 1994 Regulations”.

(8) For sub-paragraph (b) of the definition of “explosives” in regulation 2(1) of the Packaging of Explosives for Carriage Regulations 1991(30) substitute the following sub-paragraph—

(25) S.I. 1985/2023; relevant amending instrument is S.I. 1993/1746.

(26) S.I. 1987/2115, to which there are amendments not relevant to these Regulations.

(27) S.I. 1989/615; relevant amending instrument is S.I. 1993/1746.

(28) S.I. 1989/1903.

(29) S.I. 1990/304, amended by S.I. 1993/1746.

(30) S.I. 1991/2097.

“(b) have not been classified under the 1983 Regulations or under regulation 5 of the [Carriage of Dangerous Goods by Road and Rail \(Classification, Packaging and Labelling\) Regulations 1994 \(S.I. 1994 No.669\)](#);”

(9) The Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992(31) shall be amended in accordance with Schedule 6.

(10) The Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992(32) shall be amended in accordance with Schedule 7.

(11) The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992(33) shall be amended in accordance with Schedule 8.

(12) The supply Regulations shall be amended in accordance with Schedule 9.

Signed by the Authority of the Secretary of State for Transport.

9th March 1994

Roger Freeman
Minister of State,
Department of Transport

(31) S.I. [1992/742](#), amended by S.I. [1992/1213](#) and S.I. [1993/1746](#).

(32) S.I. [1992/743](#), amended by S.I. [1992/1213](#) and S.I. [1993/1746](#).

(33) S.I. [1992/744](#), amended by S.I. [1992/1213](#), S.I. [1993/1122](#) and S.I. [1993/1746](#).


SCHEDULE 1

Regulation 5



CLASSIFICATION AND ASCERTAINMENT OF
OTHER PARTICULARS OF DANGEROUS GOODS

PART I

TABLE OF CLASSIFICATIONS AND OTHER PARTICULARS


(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
Non- flammable, non-toxic gas	A substance which— (a) at 50°C has a vapour pressure greater than 300 kilopascals absolute or is completely gaseous at 20°C at a standard pressure of 101.3 kilopascals; and (b) is carried at an absolute pressure of not less than 280 kilopascals or in liquefied form, other than a toxic gas or	—	—	2.2		COMPRESSED GAS

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
	a flammable gas.					
Toxic gas	A substance which at 50°C has a vapour pressure greater than 300 kilopascals absolute or is completely gaseous at 20°C at a standard pressure of 101.3 kilopascals and which is toxic.	—	—	2.3		
Flammable gas	A substance which— (a) at 50°C has a vapour pressure greater than 300 kilopascals absolute or is completely gaseous at 20°C at a standard pressure of 101.3 kilopascals and is flammable; or (b) is packed	—	—	2.1		

(1)	(2)	(3)	(4)	(5)	(6)	(7)
<i>Classification</i>	<i>Hazardous properties</i>	<i>Relevant properties</i>	<i>Packing Group</i>	<i>Class number</i>	<i>Danger sign</i>	<i>Optional lettering</i>
	<p>in an aerosol dispenser where that dispenser contains either—</p> <p>(i) more than 45 per cent by mass of a flammable substance,</p> <p>or</p> <p>(ii) more than 250 grammes of a flammable substance,</p> <p>and in this sub-paragraph flammable substance means a highly flammable gas or flammable liquid having a flash point equal to or less than 100°C.</p>					


*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
Flammable liquid	A liquid with a flash point— (a) above 61°C and which is carried at a temperature above its flashpoint; or (b) of 61°C or below except— (i) a liquid which has a flashpoint equal to or more than 35°C, and when tested in accordance with the appropriate approved method does not support combustion, (ii) a viscous substance	(a) (in the case of any liquid having a flash point of less than 23°C and containing either not more than 5% of toxic or corrosive substances with a packing group of I or II or not more than 5% of flammable liquids with a packing group of I and	III	3		FLAMMABLE LIQUID

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
		which complies with the provisions of Part III of this Schedule, or (iii) a substance which is classified as a flammable gas because it has the hazardous properties specified in sub- paragraph (b) of this column corresponding to the entry for a “flammable gas” in column 1 of this Part.	a subsidiary hazard of toxic or corrosive)– (i) less than 3% of it separates out into a clear solvent layer following a suitable solvent separation test, (ii) the flash point of it is specified in column 1 of the table set out in Part IV of this Schedule, and (iii) the kinematic			

Status: This is the original version (as it was originally made). UK
 Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			viscosity of it is within the range specified in column 2 of the table set out in Part IV of this Schedule which is opposite to the flash point of that liquid referred to in head (ii) of this sub- paragraph, or			
		(b) (in the case of any other liquid)				

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
		it has—				
		(i) an initial boiling point not greater than 35°C,	I			
		(ii) an initial boiling point above 35°C and a flash point of less than 23°C, or	II			
		(iii) an initial boiling point above 35°C and a flash point of 23°C or above.	III			
Flammable solid	A solid which is readily combustible under conditions encountered in carriage or which may cause or contribute to	A solid which—		4.1		FLAMMABLE SOLID

Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
	fire through friction.					

(a) is I
water-
wetted
and
(when
in
a
dry
state)
required
to
be
classified
(as
defined
by
regulation 2(1)
of
the
Classification
and
Labelling
of
Explosives
Regulations
1983)
in
pursuance
of
regulation 3(2)
(a)
of
those
Regulations;

(b) a II
self-
reactive
substance
which,
when
ignited,
burns
very
vigorously
or
intensely
and

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
------------------------------	--	---------------------------------------	---------------------------------	--------------------------------	-------------------------------	--------------------------------------

is
difficult
to
extinguish;
or

- (c) when ignited, it burns vigorously or intensely.

Spontaneously combustible substance
A substance which is liable to spontaneous heating under conditions encountered in carriage or to heating in contact with air being then liable to catch fire.

A substance which is—

4.2



SPONTANEOUSLY
COMBUSTIBLE

- (a) a pyrophoric substance which ignites instantly on contact with air;
- (b) liable to ignite on contact with air within a short space

Status: This is the original version (as it was originally made). UK
 Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
------------------------------	------------------------------------	-----------------------------------	-----------------------------	----------------------------	---------------------------	----------------------------------

of time, particularly under conditions of spillage; or

(c) any III other substance which is liable to ignite on contact with air.

Substance which in contact with water emits flammable gas

A substance which in contact with water is liable to become spontaneously combustible or to give off a flammable gas.

A substance which—

4.3




(a) either reacts vigorously with water at ambient temperatures and demonstrates generally a tendency for the gas

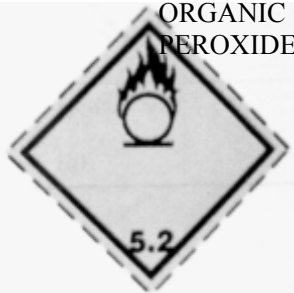

(1)	(2)	(3)	(4)	(5)	(6)	(7)
<i>Classification</i>	<i>Hazardous</i>	<i>Relevant</i>	<i>Packing</i>	<i>Class</i>	<i>Danger</i>	<i>Optional</i>
<i>properties</i>	<i>properties</i>	<i>properties</i>	<i>Group</i>	<i>number</i>	<i>sign</i>	<i>lettering</i>
			produced to ignite spontaneously or reacts readily with water at ambient temperatures so that the rate of evolution of flammable gas is equal to or greater than 10 litres per kilogram of substance over any period of one minute;			
		(b) reacts readily with water at ambient temperatures so that the				


Status: This is the original version (as it was originally made). UK
 Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			maximum rate of evolution of flammable gas is equal to or greater than 20 litres per kilogram of substance per hour; or			
		(c) reacts slowly with water at ambient temperatures so that the maximum rate of evolution of flammable gas is greater than 1 litre per kilogram of substance				

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
Oxidizing substance	A substance other than an organic peroxide which, although not necessarily combustible, may by yielding oxygen or by a similar process cause or contribute to the combustion or other material.	A substance which exhibits oxidizing properties to a degree— (a) greater than potassium bromate; (b) equal to or greater than ammonium perchlorate; or (c) equal to or greater than ammonium persulphate.	per hour.	5.1		

Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
Organic peroxide	A substance which is— (a) an organic peroxide and (b) an unstable substance which may undergo exothermic self-accelerating decomposition.	Any substance classified as an organic peroxide.	II	5.2		ORGANIC PEROXIDE
Toxic substance	A substance known to be toxic to man or which, in the absence of adequate data on human toxicity, is presumed to be toxic to man.	A substance which has been allocated to—		6.1		TOXIC
		(a) packing group I in accordance with the criteria set out in Part V of this Schedule;				
		(b) packing group II in				

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			accordance with the criteria set out in Part V of this Schedule; or			
			(c) packing group III in accordance with the criteria set out in Part V of this Schedule.			
Infectious substance	A substance — which either contains viable micro- organisms that are known or reasonably believed to cause disease in animals or humans or genetically- modified micro- organisms and organisms	—	—	6.2		

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
------------------------------	--	---------------------------------------	---------------------------------	--------------------------------	-------------------------------	--------------------------------------

in which genetic material has been altered through genetic modification in such a way which does not occur naturally and which may be infectious.

Corrosive substance

A substance which by chemical action will-

A substance which-

8




- | | |
|---|---|
| <p>(a) cause severe damage when in contact with living tissue;</p> <p>(b) materially damage freight or equipment if leakage occurs.</p> | <p>(a) causes full thickness destruction of skin tissue at the site of contact with an observation period of 60 minutes starting after testing on the</p> |
|---|---|

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			intact skin of an animal for a period of 3 minutes or less,			
		(b)	causes full thickness destruction of skin tissue at the site of contact with an observation period of 14 days starting after testing on the intact skin of an animal for a period of more than 3			

Status: This is the original version (as it was originally made). UK
 Statutory Instruments are not carried in their revised form on this site.

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			minutes but not more than 60 minutes, or			
		(c)	(i) It causes full thickness destruction of skin tissue at the site of contact with an observation period of 14 days starting after testing on the intact skin of an animal for a period of more than 60 minutes but not more than			

(1) <i>Classification</i>	(2) <i>Hazardous properties</i>	(3) <i>Relevant properties</i>	(4) <i>Packing Group</i>	(5) <i>Class number</i>	(6) <i>Danger sign</i>	(7) <i>Optional lettering</i>
			4 hours; or			
		(c) (ii)	It causes corrosion in steel or aluminium surfaces at a rate exceeding 6.25 mm a year at a test temperature of 55°C.			
Other dangerous substance	A substance which is listed in the approved carriage list and which may create a risk to the health or safety of persons in the conditions encountered in carriage whether or not it has any of the characteristic properties referred to above.	—	—	9		

PART II

SPECIFICATION OF DANGER SIGNS

1. The danger signs to be used shall be those shown in column 6 of Part I of this Schedule for the classification of the goods shown in the corresponding entry in column 1 of that Part and the signs shall conform in form and colour to those shown in the said column 6, except that in the case of the signs for the classifications “non-flammable non-toxic gas”, “flammable gas”, “flammable liquid” and “substance which in contact with water emits flammable gas”, the symbol may be in white;

2. The words in column 7 of Part I of this Schedule may be included in the lower half of the relevant sign shown in the corresponding entry in column 6 of that Part and where included shall conform in form and colour to those shown in the said column 7, except that—

- (a) in the case of the signs for the classifications “non-flammable non-toxic gas”, “flammable gas”, “flammable liquid”, “spontaneously combustible substance” and “substance which in contact with water emits flammable gas” any lettering may be in white;
- (b) in place of the word “toxic”, the word “poison” may be used wherever it occurs; and
- (c) in place of the word “flammable”, the word “inflammable” may be used wherever it occurs.

3. Each danger sign shall be in the form of a square set with its sides at an angle of 45° to the vertical.

4. Danger signs shall have a line of the same colour as the symbol, 5 millimetres inside the edge and running parallel to it. (The broken line which surrounds each sign as depicted in column 6 of Part I of this Schedule delineates the edge of that sign and need not be shown.)

PART III

VISCOUS SUBSTANCES NOT REQUIRED TO BE CLASSIFIED AS FLAMMABLE LIQUIDS

For the purposes of Part I of this Schedule, substances which comply with the following conditions shall not be classified as flammable liquids, namely—

- (a) the substance does not have the hazardous properties of a toxic or corrosive substance;
- (b) the substance is a solution or homogeneous mixture which does not contain more than 20% nitro-cellulose;
- (c) the flash point of the substance is equal to or greater than 23°C;
- (d) in a suitable solvent separation test, the solvent which separates is not more than three per cent. of the volume of the substance; and
- (e) the viscosity of the substance when determined at 23°C in a flow cup conforming to the International Standards Organisation Standard ISO 2431-1984 or British Standard BS 3900: Part A6-1986 and having a jet diameter of 6 mm is—
 - (i) in a case where the substance contains not more than 60 per cent. of a flammable liquid with a flash point of 61°C or less, not less than 40 seconds,
 - (ii) in any other case, not less than 60 seconds.

PART IV

TABLE OF FLASH POINTS AND KINEMATIC VISCOSITY RANGES OF GOODS WHICH HAVE BEEN CLASSIFIED AS FLAMMABLE LIQUIDS IN ACCORDANCE WITH REGULATION 5 OF THESE REGULATIONS, WHICH HAVE A FLASH POINT OF LESS THAN 23°C AND CONTAIN EITHER NOT MORE THAN 5% OF TOXIC OR CORROSIVE SUBSTANCES WITH A PACKING GROUP OF I OR II, OR NOT MORE THAN 5% OF FLAMMABLE LIQUIDS WITH A PACKING GROUP OF I AND A SUBSIDIARY HAZARD OF TOXIC OR CORROSIVE

(1) <i>Flash point</i>	(2) <i>Kinematic viscosity γ (extrapolated at near-zero shear rate) (mm^2/s at 23°C)</i>
Above 17°C	$20 < \gamma \leq 80$
Above 10°C	$80 < \gamma \leq 135$
Above 5°C	$135 < \gamma \leq 220$
Above -1°C	$220 < \gamma \leq 300$
Above -5°C	$300 < \gamma \leq 700$
-5°C and below	$700 < \gamma$

PART V

CRITERIA FOR ASCERTAINING PACKING GROUPS OF GOODS WHICH HAVE BEEN CLASSIFIED AS TOXIC SUBSTANCES IN ACCORDANCE WITH REGULATION 5 OF THESE REGULATIONS

Toxic substances shall be allocated into packing group I, II or III in accordance with the criteria given in the table below:

Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.

(1) <i>Packing group</i>	(2) <i>Oral toxicity LD₅₀ (mg/kg)</i>	(3) <i>Dermal toxicity of LD₅₀ (mg/kg)</i>	(4) <i>Inhalation toxicity of dust or mists LC₅₀ (mg/m³)</i>	(5) <i>Inhalation toxicity of vapours where V is the saturated vapour concentration produced by the substance at 20°C expressed by reference to LC₅₀ (ppm)</i>
I	≤5	≤40	≤500	V ≥ 10 × LC ₅₀ and LC ₅₀ ≤ 1000
II	>5 to ≤50	>40 to ≤200	>500 to ≤2000	V ≥ LC ₅₀ and LC ₅₀ ≤ 3000 but not placed in packing group I
III	solids: >50 to ≤200 liquids: >50 to ≤500	>200 to ≤1000	>2000 to ≤10000	V ≥ 0.2 × LC ₅₀ and LC ₅₀ ≤ 5000 but not placed in either packing group I or II

The above criteria are based on LC₅₀ data relating to one hour exposure and where such information is available it should be used. However, where only LC₅₀ data relating to 4 hour exposures is available, then:





LC₅₀ (4 hr) × 4 shall be considered equivalent to LC₅₀ (1 hr) for dusts or mists, and LC₅₀ (4 hr) × 2 shall be considered equivalent to LC₅₀ (1 hr) for vapours.

SCHEDULE 2

Regulation 5

SUBSIDIARY HAZARD SIGNS

PART I
ASCERTAINMENT

(1) <i>Subsidiary hazard</i>	(2) <i>Subsidiary hazard sign</i>
Liable to explosion	
Danger of fire (flammable gas)	
Danger of fire (flammable liquid)	
Danger of fire (flammable solid)	

Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.

(1)

Subsidiary hazard

(2)

Subsidiary hazard sign

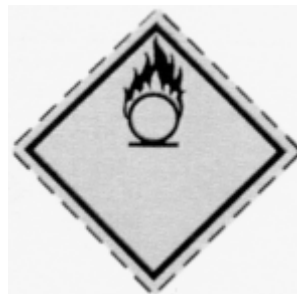
Liable to spontaneous ignition



Danger of emission of flammable gas on contact with water



Fire intensifying hazard



Toxic



Corrosive



PART II

SPECIFICATION

1. The subsidiary hazard signs to be used shall be those shown in column 2 of Part I of this Schedule for the subsidiary hazard of the goods shown in the corresponding entry in column 1 of that Part and the signs shall conform in form and colour to those shown in the said column 2, except that in the case of the signs for the subsidiary hazards “Danger of fire (flammable gas)”, “Danger of fire (flammable liquid)”, or “Danger of emission of flammable gas on contact with water” the symbol may be in white.

2. Each subsidiary hazard sign shall be in the form of a square set with its sides at an angle of 45° to the vertical.

3. Subsidiary hazard signs shall have a line of the same colour as the symbol, 5 millimetres inside the edge and running parallel to it. (The broken line which surrounds each sign as depicted in column 2 of Part I of this Schedule delineates the edge of that sign and need not be shown.)

SCHEDULE 3

Regulation 6(3)(d) and 8(4)

CIRCUMSTANCES IN WHICH INDIVIDUAL RECEPTACLES NEED NOT COMPLY WITH REGULATION 6(1)(e) AND PARTICULARS NEED NOT BE SHOWN ON PACKAGES IN ACCORDANCE WITH REGULATION 8(1)

(1) <i>Goods/Classification</i>	(2) <i>Packing group</i>	(3) <i>Maximum quantity per receptacle</i>
Non-toxic, non-flammable gas, except one with a fire intensifying subsidiary hazard	—	120 ml. This limit is increased to 1,000 ml in metal or plastic aerosols.
Non-toxic, non-flammable gas with a fire intensifying subsidiary hazard or flammable gas	—	120 ml in glass aerosols. 1,000 ml in metal or plastic aerosols.
Toxic gas	—	120 ml in glass, metal or plastic aerosols.
Flammable liquid	II	1 litre in metal packagings. 500 ml in glass or plastic packagings.
	III	5 litres
Flammable solid	II	500 g
	III	3 kg
Substance (liquid or solid) which in contact with water emits flammable gas	II	500 g
	III	1 kg

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

(1) <i>Goods/Classification</i>	(2) <i>Packing group</i>	(3) <i>Maximum quantity per receptacle</i>
Oxidizing substance (liquid or solid)	II	500 g
	III	1 kg
Organic peroxide (solid, of Type B or C as defined in the appropriate approved method, and not requiring temperature control)	II	100 g
Organic peroxide (liquid, of Type B or C as defined in the appropriate approved method, and not requiring temperature control)	II	25 ml
Organic peroxide (solid, of Type D, E or F as defined in the appropriate approved method, and not requiring temperature control)	II	500 g
Organic peroxide (liquid, of Type D, E or F as defined in the appropriate approved method, and not requiring temperature control)	II	125 ml
Toxic substance (solid)	II	500 g
Toxic substance (liquid)	II	100 ml
Toxic substance (solid)	III	3 kg
Toxic substance (liquid)	III	1 litre
Corrosive substance (solid)	II	1 kg
Corrosive substance (liquid)	II	500 ml. If glass, porcelain or stoneware receptacles are used they must be enclosed in compatible and rigid intermediate packagings.
Corrosive substance (solid)	III	2 kg
Corrosive substance (liquid)	III	1 litre
Diagnostic specimens being transported for routine screening tests or for initial diagnosis	—	100 ml packed in accordance with the appropriate approved method.
Dibromodifluoromethane	—	5 litres

(1) <i>Goods/Classification</i>	(2) <i>Packing group</i>	(3) <i>Maximum quantity per receptacle</i>
Ammonium Nitrate Fertilizers of UN Number 2071	III	5 kg

SCHEDULE 4

Regulation 15(3)

AMENDMENTS TO THE DANGEROUS SUBSTANCES
IN HARBOUR AREAS REGULATIONS 1987

1. The Dangerous Substances in Harbour Areas Regulations 1987 shall be amended in accordance with the following paragraphs of this Schedule.

2. In regulation 2(1)—

(a) for the definition of “approved list” substitute the following definition—

““approved carriage list” has the same meaning as in regulation 2(1) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 (S.I.1994 No.);”;

(b) in the definition of “classification” for sub-paragraph (a)(ii) substitute the following sub-paragraph—

“(ii) the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 in relation to substances which fall within the definition of “dangerous goods” in regulation 2(1) of those Regulations; or”.

3. In regulation 3(2) for sub-paragraph (b) substitute the following sub-paragraph—

“(b) it falls within the definition of “dangerous goods” in regulation 2(1) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994.”.

4. In regulation 24(a)(ii) for the words “sub-paragraphs (a) to (c)” to the end of the head substitute the words “regulation 6 of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994.”.

5. In regulation 25—

(a) in paragraph (1)(b)(ii) for the words “or the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “or (where they fall within the definition of dangerous goods in regulation 2(1) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994) those Regulations.”; and

(b) for paragraph (2)(c) substitute the following sub-paragraph—

“(c) the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994;”.

6. In Schedule 1—

(a) in note 3 for the words “Part III of Schedule 3 to the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Part III of Schedule 1 to the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”; and

(b) for note 4 substitute

“The flash point shall be determined in accordance with the appropriate approved method as construed in accordance with regulation 4(1)(b) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”.

7. In sub-paragraph (d) of Schedule 3 for the words “in accordance with Part III of Schedule 1 to the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “in accordance with the appropriate approved method as construed in accordance with regulation 4(1)(b) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”.

SCHEDULE 5

Regulation 15(6)

AMENDMENTS TO THE HEALTH AND SAFETY (ENFORCING AUTHORITY) REGULATIONS 1989

1. The Health and Safety (Enforcing Authority) Regulations 1989 shall be amended in accordance with the following paragraphs of this Schedule.

2. In regulation 2(1)—

(a) the definition of “dangerous substance” shall be deleted;

(b) after the definition of “pleasure craft” insert the following definition—

““preparation dangerous for supply” has the meaning assigned to it by regulation 2(1) of the [Chemicals \(Hazard Information and Packaging\) Regulations 1993 \(S.I.1993 No.1746\)](#),” and

(c) after the definition of “railway” insert the following definition—

““substance dangerous for supply” has the meaning assigned to it by regulation 2(1) of the [Chemicals \(Hazard Information and Packaging\) Regulations 1993](#),”.

3. In sub-paragraph (c) of paragraph 1 of Schedule 1 for the words “dangerous substance” substitute the words “substance or preparation dangerous for supply”.

SCHEDULE 6

Regulation 15(9)

AMENDMENTS TO THE ROAD TRAFFIC (CARRIAGE OF DANGEROUS SUBSTANCES IN PACKAGES ETC.) REGULATIONS 1992

1. The Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 shall be amended in accordance with the following paragraphs of this Schedule.

2. In regulation 2(1)—

(a) for the definition “the 1993 Regulations” substitute the following definition—

““the 1994 Regulations” means the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 (S.I.1994 No.)”;

(b) in the definition of “approved carriage list” for the words “regulation 4(2) of the 1993 Regulations” substitute the words “regulation 4(1)(a) of the 1994 Regulations”;

- (c) for the definition “dangerous substance” substitute the following definition—
 - ““dangerous substance” means any substance which falls within the definition of “dangerous goods” in regulation 2(1) of the 1994 Regulations;”;
 - (d) in each of the definitions of “flammable gas”, “flammable solid”, “organic peroxide” and “toxic gas” for the words “paragraph (2), (3) or (5) of regulation 7 of the 1993 Regulations” substitute the words “regulation 5 of the 1994 Regulations”; and
 - (e) in the definition of “flash point” for the words “1993 Regulations” substitute the words “1994 Regulations”.
3. In regulation 2(3) for sub-paragraph (c) substitute the following sub-paragraph—
“(c) the “packing group” of a dangerous substance shall have the same meaning as the definition of “packing group” in regulation 2(1) of the 1994 Regulations; and”.
4. In regulation 3(1)(c)(v) the phrases “sub-paragraph (a) of” and “or any substance such as is specified in sub-paragraph (d) of that definition” shall be deleted.
5. In regulation 3(2)(j) for the words “sub-paragraphs (b) to (g) of regulation 3(1) of the 1993 Regulations” substitute the words “sub-paragraphs (k), (o) and (p) of regulation 3(1) of the 1994 Regulations”.
6. In regulation 3(2)(l)(i) for the words “Part I of” substitute the words “of the”.
7. In regulation 3(2)(l)(iv)(bb) for the words “regulation 14 of the 1993 Regulations” substitute the words “regulation 11 of the 1994 Regulations”.
8. In regulation 16(2)—
 - (a) in sub-paragraph (b) for the words “paragraph (2), (3) or (5) of regulation 7 of the 1993 Regulations” substitute the words “regulation 5 of the 1994 Regulations”; and
 - (b) sub-paragraph (c) shall be revoked.
9. The Schedule shall be revoked.

SCHEDULE 7

Regulation 15(10)

AMENDMENTS TO THE ROAD TRAFFIC (CARRIAGE OF DANGEROUS SUBSTANCES IN ROAD TANKERS AND TANK CONTAINERS) REGULATIONS 1992

1. The Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 shall be amended in accordance with the following paragraphs of this Schedule.
2. In the definition of “flash point” in regulation 2(1) for the words “Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 (S.I.1994 No.)”.
3. In Schedule 1—
 - (a) in sub-paragraph (b) of the fourth entry in column 1 of Part I for the words “Schedule 3 to the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Schedule 1 to the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”;
 - (b) in paragraph 3(c) of Part III for the words “Schedule 3 to the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Schedule 1 to the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”; and

- (c) in paragraph 3(c) of Part IV for the words “Schedule 3 to the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Schedule 1 to the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”.
4. In sub-paragraph (1) of Schedule 2 for the words “dilute sulphuric acid” substitute the words “sulphuric acid, whether or not dilute”.

SCHEDULE 8

Regulation 15(11)

AMENDMENTS TO THE ROAD TRAFFIC (TRAINING OF DRIVERS OF
VEHICLES CARRYING DANGEROUS GOODS) REGULATIONS 1992

1. The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 shall be amended in accordance with the following paragraphs of this Schedule.
2. In regulation 1(3)—
- in the definition of “approved carriage list” for the words “regulation 4(2) of the [Chemicals \(Hazard Information and Packaging\) Regulations 1993 \(S.I.1993 No.1746\)](#)” substitute the words “regulation 4(1)(a) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 (S.I.1994 No.)”;;
 - in the definition of “flash point” for the words “Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”.
3. In Schedule 2—
- in sub-paragraph (d) of Part I for the words “dilute sulphuric acid” substitute the words “sulphuric acid, whether or not dilute”; and
 - In sub-paragraph (e) of Part II for the words “(b) to (g) of regulation 3(1) of the Chemicals (Hazard Information and Packaging) Regulations 1993” substitute the words “(k), (o) and (p) of regulation 3(1) of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994”.

SCHEDULE 9

Regulation 15(12)

AMENDMENTS TO THE SUPPLY REGULATIONS

1. The Chemicals (Hazard Information and Packaging) Regulations 1993 shall be amended in accordance with the following paragraphs of this Schedule.
2. In regulation 2(1)—
- the definition of “approved carriage list” shall be deleted;
 - the definition of “carriage” shall be deleted;
 - sub-paragraph (b) of the definition of “category of danger” shall be deleted;
 - the definition of “characteristic properties” shall be deleted;
 - sub-paragraph (b) of the definition of “classification” shall be deleted;
 - the definition of “hazard warning sign” shall be deleted;
 - the following phrases shall be deleted in the definition of “package”—

- (i) “or carriage” (where it first occurs after “dangerous for supply”),
 - (ii) “, or in which a substance dangerous for carriage is carried”,
 - (iii) “or carriage, as the case may be”, and
 - (iv) “or carriage” (where it occurs second after “dangerous for supply”);
 - (h) the phrase “or carriage” shall be deleted in the definition of “receptacle”;
 - (i) the definition of “road” shall be deleted;
 - (j) the definition of “substance dangerous for carriage” shall be deleted; and
 - (k) the definition of “substance identification number” shall be deleted.
3. Regulation 2(2) shall be revoked.
 4. In regulation 2(3) the phrase “or carriage” shall be deleted.
 5. In regulation 2(4) the phrase “or carriage” shall be deleted.
 6. In regulation 3(1) the phrase “or carriage” shall be deleted in the three places where it occurs.
 7. Regulation 3(3) shall be revoked.
 8. In regulation 3(4) the phrase “or carriage” shall be deleted.
 9. Regulation 3(6) shall be revoked.
 10. Regulation 4(2) shall be revoked.
 11. Regulation 7 shall be revoked.
 12. In regulation 8—
 - (a) the phrase “and the consignor of a substance which is dangerous for carriage”; and
 - (b) the phrase “or consign (whether as principal or agent for another) for carriage, as the case may be,”shall be deleted.
 13. In regulation 9(1) the phrase “and regulations 11 and 12” shall be deleted.
 14. In regulation 9(4) insert the words “or preparation” after the word “substance” and for the word “label” substitute the word “package”.
 15. Regulation 10 shall be revoked.
 16. Regulation 11 shall be revoked.
 17. Regulation 12 shall be revoked.
 18. In regulation 14(1) for the words “regulations 9 to 13” substitute the words “regulations 9 and 13”.
 19. In regulation 14(5) the phrase “and that part of the label required under regulation 10 which does not carry the hazard warning sign” shall be deleted.
 20. In regulation 14(6) for the words “regulation 9(2)(b)(ii) or 9(3)(b)(iii)” substitute the words “regulation 9(2)(c)(i) or 9(3)(c)(ii)”.
 21. Regulation 14(7) shall be revoked.
 22. In regulation 14(8) for the words “(2), (5) and (7)” substitute the words “(2) and (5)”.
 23. In regulation 17(1) the phrase “or carriage” shall be deleted.
 24. In regulation 19(2)—

- (a) the phrase “or carriage” shall be deleted;
 - (b) the phrase “or carry” shall be deleted; and
 - (c) the phrase “or carried” shall be deleted in the three places where it occurs.
- 25.** In regulation 21(2)—
- (a) the phrase “or carriage” shall be deleted; and
 - (b) after the phrase “is so labelled” insert the words “or where that requirement is treated as being satisfied by virtue of regulations 9 or 10 of the Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994 (S.I. 1994 No.)”.
- 26.** Paragraphs (6), (7), (10), (11) and (12) of regulation 21 shall be revoked.
- 27.** Regulation 22 shall be revoked.
- 28.** In paragraph 1 of Part III of Schedule 1—
- (a) the phrase “or carriage”; and
 - (b) the phrase “or Part I of Schedule 3”
- shall be deleted.
- 29.** Schedule 3 shall be revoked.
- 30.** In sub-paragraph (1) of paragraph 7 of Part II of Schedule 7 for “S 4” substitute “S 46”.
- 31.** Schedule 8 shall be revoked.
- 32.** Schedule 9 shall be revoked.
- 33.** Schedule 11 shall be revoked.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose requirements and prohibitions in relation to the classification, packaging and labelling of dangerous goods for carriage by road or on a railway.

The Regulations—

- (a) require the approval and publication of documents entitled the “Information Approved for the Classification, Packaging and Labelling of Dangerous Goods for Carriage by Road and Rail” (“the approved carriage list”) and “Approved Methods for the Classification and Packaging of Dangerous Goods for Carriage by Road and Rail”, describe what each document shall contain and provide for the revision thereof (*regulation 4*);
- (b) prohibit the consignment of dangerous goods unless the classification for the goods and specified particulars have been ascertained in accordance with regulation 5 (*regulation 5 and Schedules 1 and 2*);
- (c) (i) prohibit a consignor from consigning dangerous goods in packages unless they are suitable for the purpose and comply with specified requirements (*regulation 6(1)*),

- (ii) require packagings to be used and marked in accordance with specified requirements (*regulation 6(2)*), and
- (iii) provide for packagings to be exempted from the requirements specified in regulation 6(1)(e) if they meet any of the designated criteria (*regulation 6(3) and Schedule 3*);
- (d) prohibit the marking of any packagings—
 - (i) with a mark which is liable to be confused with an ADR, RID, UN or joint ADR and RID mark,
 - (ii) with an ADR, RID, UN or joint ADR and RID mark except in accordance with specified requirements (*regulation 7*);
- (e) prohibit a consignor from consigning dangerous goods in a package unless specified particulars are shown on the package (*regulation 8*);
- (f) provide for certain derogations where a package would otherwise be required to show the particulars required by both regulation 9 of the supply Regulations and regulation 8 (*regulation 9*);
- (g) provide for certain derogations where a package would otherwise be 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 specified transport rules (*regulation 10*);
- (h) provide for the methods of marking or labelling packages with the particulars referred to in regulations 8 to 10 (*regulation 11*);
- (i) provide for the granting of exemptions from the Regulations by the Health and Safety Executive (*regulation 12*);
- (j) provide for a defence for a contravention of the Regulations (*regulation 13*);
- (k) provide for transitional defences in specified circumstances (*regulation 14*);
- (l) provide for consequential amendments (*regulation 15 and Schedules 4 to 9*).

The approved carriage list, the current edition of the European Agreement concerning the International Carriage of Dangerous Goods by Road (“ADR”) [ISBN 0 11 551114 8], the current edition of the Regulations concerning the International Carriage of Dangerous Goods by Rail (“RID”) [ISBN 0 11 551122 9] and the current edition of the United Nations Recommendations on the Transport of Dangerous Goods [ISBN 9211390427] may be obtained from Her Majesty’s Stationery Office; the current edition of the International Maritime Dangerous Goods Code [Volumes I to IV ISBN 92 801 1243 0, Volume V ISBN 92 801 1248 1] may be obtained from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR and the current edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air [Doc 9284-AN/905 and supplement] may be obtained from the Civil Aviation Authority, Printing and Publications Services, Greville House, 37 Gratton Road, Cheltenham, Gloucestershire, GL50 2BN.