

Issue resolution proposal for consultation – March 2021

Issue ID: S2004-8

Title of Issue: Table 1.1.1.2 - clarification

Proponent: NTC

Attachments:

N/A

Background

Provision 1.1.1.2(3) (MSI Reg 1.1.6(2)) provides an exemption from all requirements of the ADG Code for very small consignments, where the aggregate quantity of the consignment is no more than the quantities specified in Table 1.1.1.2. Consignments exempted under Table 1.1.1.2 are exempt from **all** requirements of the ADG Code.

Table 1.1.1.2: Quantity Limits for exempted small consignments													
Packing Group	Class or Division												
	2.1	2.2	2.3	3	4.1	4.2	4.3	5.1	5.2	6.1	6.2	8	9
I	50 ml	100 ml	50 ml	20 ml	20 g	20 g	20 g	20 g(ml)	150 g(ml)	20 g(ml)		20 g (ml)	—
II				150 ml	2 kg	500 g	150 g	1 kg(L)		500 g(ml)		500 g (ml)	2kg(L)
III				300 ml ^a									

Table notes: a 2 L if the Class 3, packing group III substance is Manufactured Product

This exemption was introduced at the time of the transition from ADG 6 to ADG 7 and specified in regulation 1.1.7 of the MSI, which referred to maximum quantities in table 5.1 of the Code. The primary purpose of Table 5.1 was to specify the size of inner packagings requiring marking. When requirements for marking of inner packagings were removed from the Code (due to the introduction of GHS), the table was relocated to Part 1 of the Code and renumbered as Table 1.1.1.2. No changes were made to the quantities specified in the table.

Note: subsequent amendments to the MSI have resulted in regulation 1.1.7 being renumbered as 1.1.6

At the time of introducing regulation 1.1.7 (now 1.1.6), Australia had not adopted Chapter 3.5 of the UN Model Recommendations regarding Excepted Quantities. Chapter 3.5 of the ADG Code contained the following Note.

NOTE: Chapter 3.5 of UN15 provides for the conditional transport of very small packages of some dangerous goods without having to meet the other requirements of the UN Model Regulations.

For those substances to which this applies, the maximum permitted quantity (substance dependent) per inner packaging is only 1 g(ml) or 30 g(ml), and the maximum quantity per outer packaging varies from 300 g(ml) to 1 kg(L). The maximum quantities can be determined from a code included in Column 7b of UN15.

Excepted quantity inner packagings must be cushioned in an intermediate packaging which, for liquids, must also be able to absorb the entire contents. The complete package must be able to withstand a 1.8 m drop test.

This system was specifically designed to permit small quantities of dangerous goods to be transported safely by air. Further details can be found in UN15 and the IATA Regulations. The material from Chapter 3.5 of UN15 has not been included in this Code as transport by road or rail of such small packages and quantities will usually be exempt under Regulation 1.1.6, 1.1.7 or 1.1.8.

This remained the case until the release of edition 7.6 of the ADG Code in 2018 when Australia adopted Chapter 3.5 Excepted Quantities (EQ) from the UN MR. When Chapter 3.5 was adopted the exemption in 1.1.1.2(3) should have been removed but the connection wasn't identified or addressed. This has resulted in an anomaly

that allows dangerous goods not permitted to be transported under EQ to be transported under provision 1.1.1.2(3) with no conditions or requirements.

Chapter 3.5 permits the transport of very small quantities of dangerous goods provided they meet certain conditions relating to packaging and marking. The quantity permitted to be transported under the EQ provisions is dependent on the EQ Code assigned in Column 7b of the dangerous goods list. The EQ Code and associated quantities are specified in the following table in 3.5.1.2 of the Code.

Code	Maximum net quantity per inner packaging (in grams for solids and ml for liquids and gases)	Maximum net quantity per outer packaging (in grams for solids and ml for liquids and gases, or sum of grams and ml in the case of mixed packing)
E0	Not permitted as Excepted Quantity	
E1	30	1000
E2	30	500
E3	30	300
E4	1	500
E5	1	300

There are currently 731 entries in the dangerous goods list, not including Class 1, that have an assigned EQ value of E0, meaning that no amount is permitted the excepted quantity concessions. However, all of these can be transported under the 1.1.1.2 exemption. In many instances, in amounts greater than permitted for any substance under EQ. The exemption under 1.1.1.2 also places no additional restrictions on the size of individual containers. This allows the total aggregate quantity in Table 1.1.1.2 to be in a single container. Concerns have been raised that in some instances, duty holders are using the exemptions in 1.1.1.2 to transport batteries with a lithium content of up to 2 kg. These concerns further demonstrate the anomaly caused by the retention of 1.1.1.2.

Proposed action

Option 1: Update the Code and the MSI to remove the exemptions for very small consignments under provision 1.1.1.2 and reg 1.1.6(2), respectively.

Option 2: Update 1.1.1.2(3) to confine the use of Table 1.1.1.2 to dangerous foods that are not assigned an LQ value of 0 in Column 7a of the Dangerous Goods List and an EQ value of E0 in Column 7b of the Dangerous Goods List. Proposed amended text, deleted text shown in strikethrough, new text shown bold and underlined

(3) *Regulation 1.1.6(2) provides further exemptions for:*

(a) *very small consignments, where:*

(i) *the aggregate quantity of dangerous goods is not more than the ~~following~~ limits **specified in Table 1.1.1.2; and***

(ii) **The consignment does not include dangerous goods with an LQ value of 0 in column 7a of the dangerous goods list and an EQ value of E0 in column 7b of the dangerous goods list.:**

Option 2 would reduce the number of prohibited entries in the dangerous goods list from 731 to 655.