

## CHAPTER 1.1

### SCOPE AND APPLICABILITY

#### 1.1.1 Structure

The Regulations annexed to ADN are grouped into nine parts. Each part is subdivided into chapters and each chapter into sections and subsections (see table of contents). Within each part the number of the part is included with the numbers of the chapters, sections and subsections, for example Part 2, Chapter 2, section 1 is numbered “2.2.1”.

#### 1.1.2 Scope

1.1.2.1 For the purposes of Article 2 paragraph 2 (a) and Article 4 of ADN, the annexed Regulations specify:

- (a) dangerous goods which are barred from international carriage;
- (b) dangerous goods which are authorized for international carriage and the conditions attaching to them (including exemptions) particularly with regard to:
  - classification of goods, including classification criteria and relevant test methods;
  - use of packagings (including mixed packing);
  - use of tanks (including filling);
  - consignment procedures (including marking and labelling of packages and placarding and marking of vehicles and wagons embarked, the marking of vessels as well as documentation and information required);
  - provisions concerning the construction, testing and approval of packagings and tanks;
  - use of means of transport (including loading, mixed loading and unloading).

1.1.2.2 For the purposes of Article 5 of ADN, section 1.1.3 of this chapter specifies the cases in which the carriage of dangerous goods is partially or totally exempted from the conditions of carriage established by ADN.

1.1.2.3 For the purposes of Article 7 of ADN, Chapter 1.5 of this part specifies the rules concerning the derogations, special authorizations and equivalences for which that article provides.

1.1.2.4 For the purposes of Article 8 of ADN, Chapter 1.6 of this part specifies the transitional measures concerning the application of the Regulations annexed to ADN.

1.1.2.5 The provisions of ADN also apply to empty vessels or vessels which have been unloaded as long as the holds, cargo tanks or receptacles or tanks accepted on board are not free from dangerous substances or gases, except for the exemptions for which section 1.1.3 of these Regulations provides.

### 1.1.3 Exemptions

#### 1.1.3.1 *Exemptions related to the nature of the transport operation*

The provisions laid down in ADN do not apply to:

- (a) the carriage of dangerous goods by private individuals where the goods in question are packaged for retail sale and are intended for their personal or domestic use or for their leisure or sporting activities provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage. When these goods are flammable liquids carried in refillable receptacles filled by, or for, a private individual, the total quantity shall not exceed 60 litres per receptacle and 240 litres per cargo transport unit. Dangerous goods in IBCs, large packagings or tanks are not considered to be packaged for retail sale;
- (b) the carriage of machinery or equipment not specified in these annexed Regulations and which happen to contain dangerous goods in their internal or operational equipment, provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage;
- (c) the carriage undertaken by enterprises which is ancillary to their main activity, such as deliveries to or returns from building or civil engineering sites, or in relation to surveying, repairs and maintenance, in quantities of not more than 450 litres per packaging and within the maximum quantities specified in 1.1.3.6. Measures shall be taken to prevent any leakage of contents in normal conditions of carriage. These exemptions do not apply to Class 7.

Carriage undertaken by such enterprises for their supply or external or internal distribution does not fall within the scope of this exemption;

- (d) the carriage undertaken by the competent authorities for the emergency response or under their supervision, insofar as such carriage is necessary in relation to the emergency response, in particular carriage undertaken to recover dangerous goods involved in an incident or accident and move them to the nearest appropriate safe place;
- (e) emergency transport under the supervision of the competent authorities intended to save human lives or protect the environment provided that all measures are taken to ensure that such transport is carried out in complete safety;
- (f) the carriage of uncleaned empty static storage vessels which have contained gases of Class 2, groups A, O or F, substances of Class 3 or Class 9 belonging to packing group II or III or pesticides of Class 6.1 belonging to packing group II or III, subject to the following conditions:

All openings with the exception of pressure relief devices (when fitted) are hermetically closed;

Measures have been taken to prevent any leakage of contents in normal conditions of carriage; and

The load is fixed in cradles or crates or other handling devices or to the vehicle, container or vessel in such a way that they will not become loose or shift during normal conditions of carriage.

This exemption does not apply to static storage vessels which have contained desensitized explosives or substances the carriage of which is prohibited by ADN.

*NOTE: For radioactive material see 1.7.1.4.*

### **1.1.3.2 Exemptions related to the carriage of gases**

The provisions laid down in ADN do not apply to the carriage of:

- (a) *(Reserved)*;
- (b) *(Reserved)*;
- (c) gases of Groups A and O (according to 2.2.2.1), if the pressure of the gas in the receptacle or tank at a temperature of 20 °C does not exceed 200 kPa (2 bar) and if the gas is not a liquefied or a refrigerated liquefied gas. This includes every kind of receptacle or tank, e.g. also parts of machinery and apparatus;
- (d) gases contained in the equipment used for the operation of the vessel (e.g. fire extinguishers), including spare parts;
- (e) *(Reserved)*;
- (f) gases contained in foodstuffs (except UN 1950), including carbonated beverages;
- (g) gases contained in balls intended for use in sports; and
- (h) gases contained in light bulbs provided they are packaged so that the projectile effects of any rupture of the bulb will be contained within the package.

### **1.1.3.3 Exemptions related to substances used for the propulsion of vessels, vehicles or wagons carried, for the operation of their special equipment, for their upkeep or for the safety.**

The requirements of ADN do not apply to substances used for the propulsion of vessels, vehicles or wagons carried, for the operation of their special equipment, for their upkeep or to ensure safety, which are carried on board in the packaging, receptacle or tanks intended for use for this purpose.

### **1.1.3.4 Exemptions related to special provisions or to dangerous goods packed in limited or excepted quantities**

*NOTE: For radioactive material see 1.7.1.4.*

1.1.3.4.1 Certain special provisions of Chapter 3.3 exempt partially or totally the carriage of specific dangerous goods from the requirements of ADN. The exemption applies when the special provision is referred to in Column (6) of Table A of Chapter 3.2 against the dangerous goods entry concerned.

1.1.3.4.2 Certain dangerous goods may be subject to exemptions provided that the conditions of Chapter 3.4 are met.

1.1.3.4.3 Certain dangerous goods may be subject to exemptions provided that the conditions of Chapter 3.5 are met.

### **1.1.3.5 Exemptions related to empty uncleaned packagings**

Empty uncleaned packagings (including IBCs and large packagings) which have contained substances of Classes 2, 3, 4.1, 5.1, 6.1, 8 and 9 are not subject to the conditions of ADN if adequate measures have been taken to nullify any hazards. Hazards are nullified if adequate measures have been taken to nullify all hazards of Classes 1 to 9.

### **1.1.3.6 Exemptions related to quantities carried on board vessels**

- 1.1.3.6.1 (a) In the event of the carriage of dangerous goods in packages, the provisions of ADN other than those of 1.1.3.6.2 are not applicable when the gross mass of all the dangerous goods carried does not exceed 3,000 kg.

This provision does not apply to the carriage of:

- (i) substances and articles of Class 1;
  - (ii) substances of Class 2, groups T, F, TF, TC, TO, TFC or TOC, according to 2.2.2.1.3 and aerosols of groups C, CO, F, FC, T, TF, TC, TO, TFC and TOC according to 2.2.2.1.6;
  - (iii) substances of Classes 4.1 or 5.2. for which a danger label of model No. 1 is required in column (5) of Table A of Chapter 3.2;
  - (iv) substances of Class 6.2, Group A;
  - (v) substances of Class 7 other than UN Nos. 2908, 2909, 2910 and 2911;
  - (vi) substances assigned to Packing Group I;
  - (vii) substances carried in tanks;
- (b) In the event of the carriage of dangerous goods in packages other than tanks, the provisions of ADN other than those of 1.1.3.6.2 are not applicable to the carriage of:
- substances of Class 2 of group F in accordance with 2.2.2.1.3 or aerosols of group F according to 2.2.2.1.6; or
  - substances assigned to Packing Group I, except substances of Class 6.1
- when the gross mass of these goods does not exceed 300 kg.

- 1.1.3.6.2 The carriage of exempted quantities according to 1.1.3.6.1 is, however, subject to the following conditions:

- (a) The obligation to report in accordance with 1.8.5 remains applicable;
  - (b) Packages, except vehicles and containers (including swap bodies), shall comply with the requirements for packagings referred to in Parts 4 and 6 of ADR or RID; the provisions of Chapter 5.2 concerning marking and labelling are applicable;
  - (c) The following documents shall be on board:
    - the transport documents (see 5.4.1.1); they shall concern all the dangerous goods carried on board;
    - the stowage plan (see 7.1.4.11.1);
  - (d) The goods shall be stowed in the holds.
- This provision does not apply to goods loaded in:

- containers with complete spray-proof walls;
  - vehicles with complete spray-proof walls;
- (e) Goods of different class shall be separated by a minimum horizontal distance of 3 m. They shall not be stowed on top of each other.
- This provision does not apply to:
- containers with complete metal walls;
  - vehicles with complete metal walls;
- (f) For seagoing and inland navigation vessels, where the latter carry only containers, the above requirements under (d) and (e) shall be considered to have been met if the provisions of the IMDG Code regarding stowage and separation are met and if this particular is recorded in the transport document.

### **1.1.3.7 Exemptions related to the carriage of lithium batteries**

The provisions laid down in ADN do not apply to:

- (a) Lithium batteries installed in a means of transport, performing a transport operation and destined for its propulsion or for the operation of any of its equipment;
- (b) Lithium batteries contained in an equipment for the operation of this equipment used or intended for the use during transport carriage (e.g. a laptop computer).

## **1.1.4 Applicability of other regulations**

### **1.1.4.1 General**

The following requirements are applicable to packages:

- (a) In the case of packagings (including large packagings and intermediate bulk containers (IBCs), the applicable requirements of one of the international regulations shall be met (see also Part 4 and Part 6);
- (b) In the case of containers, tank-containers, portable tanks and multiple element gas containers (MEGCs), the applicable requirements of ADR, RID or the IMDG Code shall be met (see also Part 4 and Part 6);
- (c) In the case of vehicles or wagons, the vehicles or wagons and their load shall meet the applicable requirements of ADR or of RID, as relevant.

*NOTE: For the marking, labelling, placarding and orange plate marking, see also Chapters 5.2 and 5.3.*

### **1.1.4.2 Carriage in a transport chain including maritime, road, rail or air carriage**

- 1.1.4.2.1 Packages, containers, portable tanks and tank-containers, which do not entirely meet the requirements for packing, mixed packing, marking, labelling of packages or placarding and orange plate marking, of ADN, but are in conformity with the requirements of the IMDG Code or the ICAO Technical Instructions shall be accepted for carriage in a transport chain including maritime or air carriage subject to the following conditions:

- (a) If the packages are not marked and labelled in accordance with ADR, they shall bear markings and danger labels in accordance with the requirements of the IMDG Code or the ICAO Technical Instructions;
- (b) The requirements of the IMDG Code or the ICAO Technical Instructions shall be applicable to mixed packing within a package;
- (c) For carriage in a transport chain including maritime carriage, if the containers, portable tanks or tank-containers are not marked and placarded in accordance with Chapter 5.3 of these Regulations, they shall be marked and placarded in accordance with Chapter 5.3 of the IMDG Code. In such case, only 5.3.2.1.1 of these Regulations is applicable to the marking of the vehicle itself. For empty, uncleaned portable tanks and tank-containers, this requirement shall apply up to and including the subsequent transfer to a cleaning station.

This derogation does not apply in the case of goods classified as dangerous goods in classes 1 to 9 of ADN and considered as non-dangerous goods according to the applicable requirements of the IMDG Code or the ICAO Technical Instructions.

1.1.4.2.2 When a maritime, road, rail or air transport operation follows or precedes carriage by inland waterway, the transport document used or to be used for the maritime, road, rail or air transport operation may be used in place of the transport document prescribed in 5.4.1 provided that the particulars it contains are in conformity with the applicable requirements of the IMDG Code, ADR, RID or the ICAO Technical Instructions, respectively except that, when additional information is required by ADN, it shall be added or entered at the appropriate place.

***NOTE:** For carriage in accordance with 1.1.4.2.1, see also 5.4.1.1.7. For carriage in containers, see also 5.4.2.*

1.1.4.3 *(Reserved)*

1.1.4.4 *(Reserved)*

1.1.4.5 *(Reserved)*

**1.1.4.6 *Other regulations applicable to carriage by inland waterway***

1.1.4.6.1 In accordance with article 9 of ADN, transport operations shall remain subject to the local, regional or international requirements generally applicable to the carriage of goods by inland waterway.

1.1.4.6.2 Where the requirements of these Regulations are in contradiction with the requirements referred to in 1.1.4.6.1, the requirements referred to in 1.1.4.6.1 shall not apply.