

To the
Competent Authorities of the
ADR Contracting Parties

BMIMI - IV/ST3 (Beförderung gefährlicher Güter mit allen Verkehrsträgern und Containersicherheit)
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Geschäftszahl: 2025-0.705.762

Wien, 10. September 2025

Multilaterale Vereinbarung M368

Dear Sir or Madam,

M329 concerning the carriage of certain wastes containing dangerous goods expires on 21 September 2025.

Austria now initiates a follow up with these changes:

- 1.4 clarifies that for this waste, only these provisions of the agreement are applicable, while the others are not.
- 2.1.2 (old) can be omitted with its previous content, as UN 3509 and the amendment to subsections 4.1.1.11 and 4.1.1.2 RID/ADR adopted for 2027 are sufficient with regard to uncleaned empty packagings.
- 2.1.2 (new) now allows the provisional classification of gases analogous to 2.1.3.5.5 ADR as UN 1953, i.e. with classification code TF, for carriage to the place of their determinability. In rare cases, these gases are actually toxic. This provision is therefore the only one in this agreement that also applies to such gases.
- 3.2 The extension in c) allows the use of waste containers not only for solid waste but also for carriage within the scope of 4.1.1.5.3 ADR. These containers do not fully meet the material compatibility requirements of 4.1.1.5.3 b) (vi). However, this is offset by the restrictions on substances in 3.2.

The additional UN numbers of classes 3 and 8 are mainly used to continue using existing classifications and avoid reclassifying them as n.a.g. entries, which would be contrary to the principles of dangerous goods regulations.
- 4.1 (old) and 3.3 In Austria, waste aerosols are not carried in bulk on the loading area of the vehicle, but typically in drums closed with perforated plastic film or nets. This does not conform to packaging regulations, but can be understood as bulk and

has therefore previously been permitted in the agreement. However, as this causes other problems (e.g. marking and placarding), it seems more advantageous to delete this and to include it as a permissible closure method within the packaging regulation P207 b) for PP87.

- 4.2 (old) The carriage of UN 3509 in accordance with VC1 is now provided in the ADR itself. The omission of the environmentally hazardous substances mark alone is not considered necessary.
- 4.1 (new) As the similar M361 is only valid until the end of 2026, it seems reasonable to retain this.
- 4.4 (new) Medical devices or equipment may be carried under simplified conditions for recycling, repair, assessment, etc. in accordance with 2.2.62.1.5.9 ADR, but not if they are classified as waste. The new provision extends this option to medical devices or equipment classified under UN 3291.
- 5.4 (new) According to SV377, packages that must be marked anyway due to the batteries they contain require an additional note, if they are intended for disposal. If an overpack is used, it shall be sufficient that only this carries the information.
- 7.2 (old) The estimation of quantities can be omitted, as the ADR itself now provides corresponding options.
- 6.2 (new) specifically takes into account the waste containers mentioned in 3.2 c.
- 7.3 (old) The original purpose of this provision on the description of packages seems obsolete in view of UN 3509 and the amendment adopted by the Joint Meeting in 4.1.1.11 and 4.1.1.2 RID/ADR with regard to uncleaned empty packagings.
- 6.3 (new) The simplification in the description of packaging seems reasonable, particularly with regard to 6.2.
- 6.5 (new) This agreement allows, to a certain extent, simplifications concerning packagings (e.g. use of waste containers) in combination with the possibilities of 4.1.1.5.3 ADR. 5.4.1.1.3.3 ADR would be misleading in this case. Therefore, it should be indicated in a modified form that classification has been made in accordance with this particular provision.
- 6.6 The value of this information is questionable, particularly in waste logistics. The comparison with UN 3373 gives reason to believe that it is acceptable to dispense with this requirement for UN 3291 as well.

If you agree to the enclosed we would appreciate if you would countersign and return a copy of the agreement to this office and send another copy to the UNECE Secretariat in Geneva.

Yours sincerely,

Encl.

Für den Bundesminister:
Mag. Othmar Krammer

