



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 9 July 2010**

**12040/10**

**TRANS 187**

**COVER NOTE**

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from: Secretary-General of the European Commission,  
signed by Mr Jens NYMAND-CHRISTENSEN, Director

date of receipt: 7 July 2010

to: Mr Pierre de BOISSIEU, Secretary-General of the Council of the European  
Union

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Subject: Draft Commission Directive ../.../EU of ... adapting for the first time the  
Annexes to Directive 2008/68/EC of the European Parliament and of the  
Council of 24 September 2008 on the inland transport of dangerous goods to  
scientific and technical progress (Text with EEA relevance)

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Delegations will find attached Commission document D009966/02.

Encl.: D009966/02



EUROPEAN COMMISSION

**D009966/02**

Draft

**COMMISSION DIRECTIVE ..../.../EU**

**of ...**

**adapting for the first time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods to scientific and technical progress  
(Text with EEA relevance)**

Draft

**COMMISSION DIRECTIVE ../.../EU**

**of ...**

**adapting for the first time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods to scientific and technical progress  
(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods<sup>1</sup>, and in particular Article 8(1) thereof,

Whereas:

- (1) [Annex I, Section I.1, Annex II, Section II.1 and Annex III, Section III.1](#) to Directive 2008/68/EC refer to provisions set out in international agreements on the inland transport of dangerous goods by road, rail and inland waterways as defined in Article 2 of that Directive.
- (2) The provisions of these international agreements are updated every two years. Consequently, amended versions of these agreements shall apply as from 1 January 2011, with a transitional period up to 30 June 2011.
- (3) [Annex I, Section I.1, Annex II, Section II.1 and Annex III, Section III.1](#) to Directive 2008/68/EC should therefore be amended accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee on the inland transport of dangerous goods,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

*Amendments to Directive 2008/68/EC*

The Annexes to Directive 2008/68/EC are amended as follows:

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<sup>1</sup> OJ L 260, 30.9.2008, p 13.

1. In Annex I, Section I.1 is replaced by the following:

"I.1. ADR

Annexes A and B to the ADR, as applicable with effect from 1 January 2011, it being understood that 'contracting party' is replaced by 'Member State' as appropriate."

2. In Annex II, Section II.1 is replaced by the following:

"II.1. RID

Annex to the RID, appearing in Appendix C to the COTIF, as applicable with effect from 1 January 2011, it being understood that 'RID Contracting State' is replaced by 'Member State' as appropriate."

3. In Annex III, Section III.1 is replaced by the following:

"III.1. ADN

Annexed Regulations to the ADN, as applicable with effect from 1 January 2011, as well as Articles 3(f), 3(h), 8(1), 8(3) of the ADN, it being understood that 'contracting party' is replaced by 'Member State' as appropriate."

*Article 2*

*Transposition*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **30 June 2011** at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 3*

*Entry into force*

This Directive shall enter into force on the **twentieth** day following that of its publication in the *Official Journal of the European Union*.

*Article 4*

*Addressees*

This Directive is addressed to the Member States.

Done at Brussels, [...]

*For the Commission*  
*José Manuel BARROSO*  
*President*