

THE US-CHINA BUSINESS COUNCIL

美中贸易全国委员会

February 20, 2017

Minister Li Xiaopeng
Ministry of Transportation
11 Jianguomennei Dajie
Dongcheng Qu
Beijing 100736
People's Republic of China

Dear Minister Li:

I am writing to you to express the strong support of the US-China Business Council for China's work to update its ground regulations for the transportation of dangerous goods to align with the European regulations (ADR) and the United Nations' Limited Quantity / Excepted Quantity provisions. Specifically, we encourage China to adopt regulations as they appear in the 2015 ADR.

The Limited Quantity / Excepted Quantity provisions recognize the low risk of the transportation of consumer products, as compared to larger packages. The exemptions provide relief small individual containers, from specific packaging, package testing, segregation and documentation requirements for ground shipments, allowing for the unobstructed delivery of small quantities of consumer products to consumers. The types of products covered by these exceptions are ones that are familiar to Chinese consumers, given their active use of ecommerce: aerosols, mouthwash, perfume, cosmetics, and detergents in packaging for retail sale or home delivery.

With the enhanced enforcement and inspection that China began to implement since 2015, a number of discrepancies became apparent between China domestic ground and its international transportation regulations. Under China's current rules, commercial business-to-business (B2B) trucking companies must obtain special licensing from the Ministry of Transportation, and the companies charge a high premium to transport products classified as dangerous goods. The size of vehicles used for the transportation of those goods, generally tractor-trailers, is necessarily much larger than the small vehicles used to make home deliveries.

Harmonizing China's domestic rules with international standards will address these discrepancies, maintain the appropriate level of safety for small shipments, and benefit China's consumers and small parcel carriers. Transportation regulations that differ from other countries disrupt the ability of companies' supply chains to get products from distribution centers to consumers. When no exceptions are granted for small parcels, all packages must be transported under the full burden of regulations for domestic ground transport. As a consequence, China's

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small business-to-consumer (B2C) parcel carriers must comply with the State Postal Bureau regulations, which strictly prohibit shipments of all dangerous goods. Complicating the situation, enforcement of these regulations is inconsistent across China, so some small parcel carriers are able to accept limited quantity shipments for home delivery, but others are not.

China's robust ecommerce market is a world leader, but its efficiency and affordability is dependent on a well-functioning delivery system to ensure that customers receive their purchases in a timely manner, at a reasonable price. In order for that delivery system to continue to meet those standards, China's B2C parcel carriers should be held to safety standards that makes sense for the low risk of the products they transport. China's adoption of transportation regulations as they appear in the 2015 ADR will ensure both consumers and carriers are treated fairly.

Sincerely,



John Frisbie
President



中国北京
中华人民共和国交通运输部
李小鹏部长

尊敬的李小鹏部长：

美中贸易全国委员会对有关“地面危险品运输”相关法规的更新工作予以大力支持。该工作使中国政府部门的相关条款与《危险品公路运输欧洲协议》（ADR）以及联合国关于“限量包装”（“例外数量包装”）方面的规定保持一致。具体来说，我们建议中国采用 2015 年 ADR 中的相关法规。

联合国关于限量包装（或例外数量包装）方面的规定中明确了消费品运输相比大包装产品运输的风险性更低，允许畅通无阻地向消费者交付少量消费品，无论是在具体包装、包装测试、隔离还是地面运输需要的文件上，都为小型个人包裹的地面运输提供了许多便利。这些例外条款所涵盖的产品类型包括喷雾、漱口水、香水、化妆品以及用于零售或送货上门的洗涤剂。中国的消费者经常通过电商购买这些产品，因此非常熟悉。

自 2015 年以来，随着中国对地面运输监管和执法的加强，中国国内地面运输法规和国际运输法规之间的差异愈发明显。根据中国现行的规定，进行企业对企业（B2B）运输业务的运输公司必须获得交通部的特别许可证明，而这些公司对运输危险品业务往往收取高额的费用。同时，运输这些货物的车辆尺寸（一般为牵引式挂车）必须比用于送货上门服务的小型车辆大得多。

调整中国国内的规定并使其与国际标准相一致，不仅能够缩小标准间的差异，在保证小批量货物运输安全的同时，还能使国内的消费者和小包裹运输商受益。与其他国家不一致的运输法规会破坏公司的供应链，降低公司将产品从配送中心运送给消费者的能力。如果小型包裹不具有例外条款，那么所有包裹的运输必须遵守国内地面运输法规的相关条款。如此一来，中国的小型企业对客户（B2C）快递公司也必须遵守国家邮政局的规定，严格禁止运输所有危险货物。而更复杂的情况是，目前这些规定的执行在中国是不一致的，有些快递公司能够进行少量的危险品运输和送货上门服务，而有些公司则不能。

中国具有世界领先的、繁荣的电商市场，但其效率和市场承受能力将有赖于一个运作良好的配送系统，以确保客户能够以合理的价格及时地收到他们购买的产品。为了使该配送系统能够继续满足这些标准，中国的 B2C 快递公司应该遵守更加合理的运输安全标准，尤其针对那些低风险的运输物品。中国采用在 2015 年 ADR 中的相关运输规定将确保消费者和运输公司均能得到公平对待。

顺致敬意！

傅强恩
美中贸易全国委员会会长
2017 年 2 月 20 日