1.1	"Exemption of pharmaceutical products (medicines) ready for use"

Description of the issue

The special provision 601 refers to the origin of the material, not on the content. That means that it is no more applicable ones the product becomes a waste. In other words, once pharmaceuticals become a waste, they are no longer exempted from the ADR

~~Current~~ Proposed modification of special provision 601~~solutions~~ based on the Austrian Multilateral agreement M329 ~~at national level~~ and the agreed wording during the informal meeting dd 0710.2020

~~A proposal of Multilateral agreement from Austria M 329~~

- ~~**Austria:** multilateral agreement M329:~~

~~5.2~~ *Medicines*

Special provision 601 shall ~~also~~ apply if the pharmaceutical products (medicines, post consumer as pre-consumer) ~~are no longer packed in packagings of a type intended to retail, sale or distribution, or are no longer intended for consumption.~~

~~post-consumer as pre-consumer material~~ encountering the two following conditions:

- *final product, packed and ready for distribution/consumption;*
- *no longer fit for consumption.*

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~~Suggested amendment to the ADR:~~

~~Austrian proposal for further discussion and consideration~~

Justification

- There is no reason to nullify the exemption actually foreseen for pharmaceutical products once they are no more fit for use/sale/consumption but having to be deleted.
- In normal conditions, no increased risk in the waste phase than in the production and consumption phase