



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/22)**

Montréal, 21 to 25 November 2022

- Agenda Item 1: Harmonizing ICAO dangerous goods provisions with UN Recommendations on the Transport of Dangerous Goods (REC-A-DGS-2025)**
1.2: Develop proposals, if necessary, for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2025-2026 Edition

PROPOSED REVISION TO SPECIAL PROVISION A88

(Presented by D. Brennan)

SUMMARY

This working paper proposes a revision to the wording of Special Provision A88 to delete reference to “annual” with respect to low production runs of lithium cells and batteries

Action by the DGP-WG is in paragraph 1.1.

1. INTRODUCTION

1.1 Special Provision A88 addresses the requirements that apply to lithium cells and batteries that are of a type that have not been tested to the requirements in Part III, subsection 38.3 of the UN *Manual of Tests and Criteria*. The first paragraph of Special Provision A88 reads as follows:

A88 Pre-production prototypes of lithium batteries or cells, when these prototypes are transported for testing, or low production runs (i.e. annual production runs consisting of not more than 100 lithium batteries or cells) of lithium batteries or cells that have not been tested to the requirements in Part III, subsection 38.3 of the UN *Manual of Tests and Criteria* may be transported aboard cargo aircraft if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 910 of the Supplement are met.

1.2 This wording however differs from the wording of Special Provision 310 in the UN Model Regulations that reads as follows:

The testing requirements in the Manual of Tests and Criteria, part III sub-section 38.3 do not apply to production runs, consisting of not more than 100 cells or batteries, or to pre-production prototypes of cells or batteries when these prototypes are transported for testing when packaged in accordance with packing instruction P910 of 4.1.4.1 or LP905 of 4.1.4.3, as applicable.

1.3 The key difference is that Special Provision 310 in the UN Model Regulations does not make any reference to the “low production runs” being annual production runs of 100 cells or batteries. This makes the wording in Special Provision A88 in the Technical Instructions less restrictive than the provisions of the UN Model Regulations and hence the other modal regulations, such as ADR and the IMDG Code.

1.4 To address this and to bring Special Provision A88 into alignment with Special Provision 310 in the UN Model Regulations it is proposed that reference to “low” and “annual” be deleted.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to amend the wording of Special Provision A88 as shown in the appendix to this working paper.

APPENDIX

PROPOSED AMENDMENT TO PART 3 OF THE TECHNICAL INSTRUCTIONS

Part 3

DANGEROUS GOODS LIST, SPECIAL PROVISIONS AND LIMITED
AND EXCEPTED QUANTITIES

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Chapter 3

SPECIAL PROVISIONS

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Table 3-2. Special provisions

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A88	<p>Pre-production prototypes of lithium batteries or cells, when these prototypes are transported for testing, or low-production runs (i.e. annual production runs consisting of not more than 100 lithium batteries or cells) of lithium batteries or cells, that have not been tested to the requirements in Part III, subsection 38.3 of the UN Manual of Tests and Criteria may be transported aboard cargo aircraft if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 910 of the Supplement are met.</p> <p>A copy of the document of approval including the quantity limitations must accompany the consignment. Transport in accordance with this special provision must be noted on the dangerous goods transport document.</p> <p>Irrespective of the limit specified in column 13 of Table 3-1, the cell or battery as prepared for transport may have a mass exceeding 35 kg.</p>
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