



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-SECOND MEETING

Montréal, 5 to 16 October 2009

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2011-2012 Edition

EXCESS BAGGAGE CARRIED AS CARGO

(Presented by G. A. Leach)

SUMMARY

This paper proposes amendment to Part 1;1.1.3.1, Part 7;6.1 and Part 8;1.1.2 of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), to permit excess baggage consigned as cargo to contain items of dangerous goods that are permitted in a passenger's checked baggage.

Action by the DGP: The DGP is invited to consider extending the provisions of Part 1;1.1.3.1 of the Technical Instructions as presented in the appendix.

1. INTRODUCTION

1.1 The 2008 DGP Working Group of the Whole (DGP-WG08, The Hague, 3 to 7 November 2008) raised the subject of 'personal effects' being shipped as cargo (DGP/22-WP/2, paragraph 3.2.55). It is suggested that effectively there are three types of such consignments:

- a) Baggage that a passenger intended to check-in but found that it was in excess of the passenger's normal allowance and is therefore excess baggage. In some instances, passengers use companies at the passenger terminal to ship the excess baggage as cargo instead of paying the airline's excess baggage rates. This baggage is very likely to contain items of dangerous goods that passengers are permitted to carry in their checked baggage.
- b) Baggage that a passenger could have taken with them on an aircraft, but decided to ship in advance so that it is delivered to their destination in advance of their arrival. Some courier companies are advertising this service so that passengers only need to carry hand baggage when travelling. It is reasonably likely that this 'baggage' may

contain items of dangerous goods that the passenger would ordinarily be permitted in their checked baggage.

- c) Items of personal effects that a member of the public intentionally ships as cargo, either addressed to themselves at the destination, such as when moving house, or to another individual, such as a relative or an associate. The person sending the personal effects may or may not actually be travelling to the destination of the cargo. In addition to the types of dangerous goods that passengers are permitted to have in their checked baggage, these types of personal effects are often found to also contain quantities of dangerous goods in quantities that exceed the passenger provisions or that are not permitted in checked baggage.

1.2 It is suggested that in 1.1a) above, generally the passenger has no prior intention to ship their baggage as cargo until they have started checking in for their flight. Indeed, it is often a suggestion made to them by the check-in staff as a means of avoiding the higher excess baggage charge that prompts them to use the service. Normally, the arrangements are made at very short notice prior to the passenger passing through the security screening point to board the aircraft. As such, the passenger is often very rushed and does not have a clear memory of exactly what is in the baggage that is to be sent as cargo, compared with what is in the baggage that will still be checked-in. Experience in the United Kingdom is that even though the companies arranging for the baggage to be sent as cargo verbally advise the passenger that the baggage must not contain any items of dangerous goods and obtain a signature to confirm that fact, when the baggage is screened at the cargo acceptance point, it is often found to contain aerosols and perfumery products that the passenger would have been permitted had the baggage been checked in instead. As a result, the consignment is held, a report of undeclared dangerous goods made to the appropriate National Authority and considerable time and effort is expended before the consignment can eventually be forwarded to the destination.

1.3 In comparison, in the circumstances described in 1.1 b) and c), there is always an element of forethought by the person sending the personal effects, but there is a slight difference between the two. In 1.1 b), the person is sending baggage that they would otherwise be taking with them as checked baggage (such as for a vacation or a business trip) and so will often contain items that a passenger is permitted to carry in checked baggage. In 1.1c), the person sending the personal effects is often sending household goods or bulk supplies and these can sometimes contain large quantities of aerosols, perfumes, far in excess of those permitted in passenger baggage, together with other items not permitted in baggage, such as oven cleaners, paints, fuels etc.

1.4 At DGP WG08, although there was some support for the provisions of the Technical Instructions to be extended to permit items described in 1.1 a) to contain items permitted in passenger checked baggage, it was suggested that caution was necessary to avoid allowing other types of personal effects shipments (i.e. those covered by 1.1 b) and 1.1 c) above) to contain dangerous goods. It is believed this could be achieved by adding a general exception to Part 1;1.1.3.1 of the Technical Instructions to include items of excess baggage sent as cargo that contain items permitted in checked baggage. In order to facilitate the transport of such items, to identify them and to distinguish them from items sent as described in 1.1 b) and c) above, it is proposed that excess baggage should be marked, similar to the way in which checked baggage containing dry ice is required to be marked. Finally, it is proposed that text cross referring to 1;1.1.3.1 is added to the passenger provisions of Part 8;1.1.2 and that a note is added to the description of “unaccompanied passengers’ baggage/personal effects” in Part 7;6.1 of the Technical Instructions.

APPENDIX

AMENDMENTS TO THE TECHNICAL INSTRUCTIONS

Part 1

GENERAL

Chapter 1

SCOPE AND APPLICABILITY

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1.1 GENERAL APPLICABILITY

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1.1.3 General exceptions

1.1.3.1 Except for 7;4.2, these Instructions do not apply to dangerous goods carried on an aircraft where the dangerous goods are:

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- f) required for the propulsion of the means of transport or the operation of its specialized equipment during transport (e.g. refrigeration units) or that are required in accordance with the operating regulations (e.g. fire extinguishers) (see 2.2).

g) contained within items of excess baggage being sent as cargo provided that:

1) the excess baggage has been consigned as cargo by or on behalf of a passenger;

2) the dangerous goods may only be those that are permitted by and in accordance with 8;1.1.2 to be carried in checked baggage;

3) the excess baggage is marked with the words "Excess Baggage";

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Part 7

OPERATOR'S RESPONSIBILITIES

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Chapter 6

PROVISIONS TO AID RECOGNITION OF UNDECLARED DANGEROUS GOODS

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6.1 With the aim of preventing undeclared dangerous goods from being loaded on an aircraft and of preventing passengers from taking on board those dangerous goods which they are not permitted to have in their baggage (see 8;1.1.2), information about:

- a) general descriptions that are often used for items in cargo or in passengers' baggage which may contain dangerous goods;
- b) other indications that dangerous goods may be present (e.g. labels, markings); and
- c) those dangerous goods which may be carried by passengers in accordance with 8;1.1.2,

must be provided to cargo acceptance staff and passenger check-in staff as appropriate and must be readily available to such staff. The following is a list of general descriptions and the types of dangerous goods that may be included in any item bearing that description.

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unaccompanied passengers' baggage/personal effects — may contain items meeting any of the criteria for dangerous goods. Examples include fireworks, flammable household liquids, corrosive oven or drain cleaners, flammable gas or liquid lighter refills or camping stove cylinders, matches, bleach, aerosols, etc.

Note.— Excess baggage carried as cargo may contain certain dangerous goods, as provided for by 1;1.1.3.1 g

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Part 8

PROVISIONS CONCERNING PASSENGERS AND CREW

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Chapter 1

PROVISIONS FOR DANGEROUS GOODS CARRIED BY PASSENGERS OR CREW

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1.1 DANGEROUS GOODS CARRIED BY PASSENGERS OR CREW

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1.1.2 Notwithstanding any additional restrictions which may be implemented by States in the interests of aviation security, except for the incident reporting provisions of 7;4.4, the provisions of these Instructions do not apply to the following when carried by passengers or crew members or in baggage that has been separated from its owner during transit (e.g. lost baggage or improperly routed baggage) or in excess baggage as permitted by 1;1.1.3.1 g:

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