



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/18)**

Montréal, 1 to 5 October 2018

**Agenda Item 8: Coordination with other panels
8.1: Flight Operations Panels (FLTOSP)**

CARRIAGE OF “NOT REGULATED” DANGEROUS GOODS BY “NO-CARRY” OPERATORS

(Presented by D. Brennan)

SUMMARY

This working paper seeks discussion by the DGP-WG on whether there should be some guidance proposed on the application of Chapter 14 — Dangerous Goods of Annex 6 — *Operation of Aircraft* for “No-Carry” operators where the dangerous goods are not subject to the marking, labelling and documentation requirements of the Technical Instructions.

Action by the DGP-WG: The DGP-WG is invited to consider if some additional guidance should be proposed to the Flight Operations for inclusion in Chapter 14 — Dangerous Goods of Annex 6.

1. INTRODUCTION

1.1 Annex 6 — *Operation of Aircraft* was revised in 2016 to implement a new Chapter 14 — Dangerous Goods to better define the responsibilities of the State of the Operator in relation to the transport of dangerous goods on aircraft. The content of Chapter 14 differentiates between operators that hold an approval to carry dangerous goods as cargo, and those operators that do not hold such an approval.

1.2 The focus of Chapter 14 is on the carriage of dangerous goods as “cargo”. There is no consideration of the carriage of dangerous goods that are permitted in passenger or crew baggage as permitted by Part 8 of the Technical Instructions and more importantly the carriage of dangerous goods that are permitted in international air mail.

1.3 There is also no reference in Chapter 14, or any guidance to Chapter 14, of the status of dangerous goods that are permitted in cargo that are not subject to the provisions of the Technical Instructions such as dangerous goods in de minimis quantities, dangerous goods that are excepted from the provisions of the Technical Instructions through a special provision, e.g. non-flammable aerosols with a water capacity not exceeding 50 mL (A98), and lithium batteries contained in equipment that meet the exception from the application of the lithium battery mark, e.g. watches that contain a lithium metal button cell.

1.4 All the above dangerous goods can be offered for transport as cargo without any indication on the package or on information available to the operator, typically the air waybill, that identifies that the cargo contains dangerous goods. As such an operator without an approval to carry dangerous goods as cargo may be offered dangerous goods that are not required to be marked, labelled or identified on the air waybill, or other transport document, as being dangerous goods.

1.5 With respect to mail that may contain dangerous goods permitted by Part 1;2.3.2, there is nothing in Annex 6, Chapter 14 that addresses operators without an approval to carry dangerous goods, as Annex 14 only addresses the carriage of dangerous goods as cargo, and mail is not cargo.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to consider if there is a need to clarify the application of Chapter 14 of Annex 6 to address dangerous goods that are not required to be formally identified by way of marks, labels and documentation. For example, should specific text, or guidance be proposed to the Flight Operations Panel that states that:

- (a) An operator without a dangerous goods approval can accept and carry dangerous goods that are excepted from the provisions of the Technical Instructions such as dangerous goods in de minimis quantities and lithium batteries contained in equipment that are excepted from the application of the lithium battery mark;
- (b) The provisions of Chapter 14 do not apply to mail that may contain dangerous goods permitted by the provisions of the Technical Instructions and the Universal Postal Union (UPU) Convention.

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