



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
MEETING OF THE WORKING GROUP OF THE WHOLE**

Memphis, 30 April to 4 May 2007

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 2009/2010 Edition

2.3: Part 3 — Dangerous Goods List and Limited Quantities Exceptions

**COMMENTS ON PROPOSED AMENDMENT TO SPECIAL
PROVISION A45**

(Presented by the Portable Rechargeable Battery Association))

SUMMARY

This paper provides comments on the International Federation of Air Line Pilots Associations' paper DGP-WG/07-WP/19 that proposes to eliminate the exception in Special Provision A45 for small, consumer-type lithium ion and lithium metal cells and batteries.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 The International Federation of Air Line Pilots' Associations (IFALPA) has proposed in DGP-WG/07-WP/19 to eliminate the exception in Special Provision A45 for small, consumer-type lithium ion and lithium metal cells and batteries. The Portable Rechargeable Battery Association (PRBA) opposes the elimination of this exception for the reasons explained below.

1.2 The lithium metal and lithium ion battery industries have an excellent record of safely shipping their products throughout the world. Approximately 7.7 billion lithium ion cells were manufactured between 2003 and 2006. These cells are shipped to "battery pack" manufacturers who then ship their "packs" to product manufacturers who in turn ship products packed with or containing these batteries to locations around the world. Considering that tens of thousands of lithium ion cell and battery shipments are offered for transport and safely delivered to destinations all over the world each month

under the current regulatory scheme, PRBA does not believe requiring these products to be shipped as fully-regulated Class 9 dangerous goods is warranted.

1.3 At the third session of the UN Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals (Geneva, 15 December 2006), significant changes to the lithium metal and lithium ion cell and battery provisions in the UN Model Regulations were adopted. These changes place additional restrictions and requirements on shipments of small, consumer-type lithium metal and lithium ion batteries (and batteries packed with or contained in equipment) currently regulated under Special Provision A45. These changes affect requirements for markings, shipping papers, and packaging for *all* cells and batteries offered for transport. The changes adopted by the UN have been proposed for incorporation into the ICAO Technical Instructions by the DGP Secretary in paper *Draft Amendments to the Technical Instructions to Align to the UN Recommendations – Part 3* (DGP-WG/07-WP/4). PRBA believes these changes should be adopted by the DGP and likely will be.

1.4 If IFALPA's proposals also were adopted by the DGP, significant inconsistencies between the UN Model Regulations and the ICAO Technical Instructions would be created and shippers would face an unnecessarily confusing regulatory scheme. In addition, IFALPA's proposal would require small, lithium metal and lithium ion cells and batteries used in products like Blackberries, iPods, cellular phones, power tools, notebook computers and other portable electronic equipment to be shipped as fully regulated Class 9 dangerous goods. The logistical and economic impacts this would have on consumers and the battery and electronics industries would be substantial.

2. ACTION BY THE DGP-WG

2.1 For the reasons noted above, PRBA requests that the DGP-WG reject the proposed changes offered by IFALPA in DGP-WG/07-WP/19.

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