CIVIL AIR REGULATIONS

PART 49

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Effective July 1, 1945

CIVIL AERONAUTICS BOARD

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Sec.
49.0 General.
49.1 Definition of terms.
49.2 Acceptable explosives and other dangerous articles.
49.3 Prohibited articles.
49.4 Certificate of waiver.
49.5 Packing and shipping precautions.
49.6 Safety equipment and small arms ammunition.
49.7 Shipper's certificate.

49.0 General. The following rules govern the carriage of explosives and other dangerous, articles by any air carrier or non-air-carrier civil aircraft in the United States.

49.1 Definition of terms. As used in this Part, the following terms shall have the following meanings:

(a) "Interstate Commerce Commission Regulations" shall mean the Interstate Commerce Commission's "Regulations for Transportation of Explosives and Other Dangerous Articles by Land and Water in Rail Freight, Express, and Baggage Services, and by Motor Vehicle (Highway), and Water," effective January 7, 1941.

(b) The terms "explosives" and "other dangerous articles" shall mean any article or substance classed as "Class A explosives," "Class B explosives," "Class C explosives," "Inflammable liquid," "Inflammable solid," "Oxidizing material," "Corrosive liquid," "Non-inflammable compressed gas," "Inflammable compressed gas," "Poison gas or liquid, Class A," "Poisonous liquid or solid, Class B," or "Tear gas, Class C," in Part 2 of the Interstate Commerce Commission Regulations.

49.2 Acceptable explosives and other dangerous articles. Civil aircraft may be operated in flight carrying acceptable explosives and other dangerous articles as follows:

(a) "acceptable explosives" designated in Part 5, § 654, of the Interstate Commerce Commission Regulations;

(b) "acceptable articles" designated in Part 6, § 703, of the Interstate Commerce Commission Regulations;

(c) samples of lacquers, paints, and varnishes, having a flash point between 20° and 80° Fahrenheit, in quantities not exceeding one pint, when packed in friction-top cans, the tops to be soldered or fastened by indentations in not less than six places, cans to be surrounded with sawdust or other material in sufficient quantity to absorb all of the liquid, and packed in substantial fibre boxes;

(d) inflammable motion picture film when packed in accordance with the Interstate Commerce Commission Regulations, as amended to December 1, 1944.

49.3 Prohibited articles. No person shall operate a civil aircraft in flight carrying any article designated as a "forbidden explosive" in Part 4, § 503, or as an explosive "not accepted" in Part 5, § 653, or as an article "not accepted" in Part 5, § 672, of the Interstate Commerce Commission Regulations or any other explosive and/or other dangerous article not designated in § 49.2.

49.4 Certificate of waiver. The Administrator may authorize the carriage of any of the articles prohibited by § 43.411 or § 49.3 by issuing a waiver for such carriage: *Provided,* That no waiver shall be issued for the carriage of such articles by any aircraft carrying passengers for hire.

49.5 Packing and shipping precautions. No person shall operate a civil aircraft in flight carrying explosives or other dangerous articles which are permitted by this Part unless:

(a) such explosives and other dangerous articles have been appropriately packed and marked in accordance with the Interstate Commerce Commission Regulations;

(b) such explosives and other dangerous articles have been placed in a baggage compartment inaccessible to passengers during flight; and

(c) such explosives, other dangerous articles, and other cargo carried in the same compartment have been firmly lashed to the aircraft structure or otherwise secured in such manner as to prevent shifting in flight.

49.6 Safety equipment and small arms ammunition. Signaling devices, equipment necessary to promote safety in operation, and small arms ammunition in moderate quantities for personal use may be carried without complying with the provisions of § 49.5.

49.7 Shipper's certificate. The operator of a scheduled air carrier aircraft may rely on a certificate signed by an authorized agent of the shipper that a given shipment meets the requirements set forth in § 49.2.

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