



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

AUG 14 2003

Mr. Joseph Adanuncio
Spirit Airlines
11209 Lakeview Drive
Coral Springs, FL 33071

Ref. No. 03-0178

Dear Mr. Adanuncio:

This is in response to your letter dated July 18, 2003 concerning the exceptions for Carbon dioxide, solid or dry ice found in Part 175 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if § 175.10(a)(13)(i) and (iii) allows for the carriage of 2.3 kg of dry ice in checked baggage and 2.0 kg in carry-on baggage per passenger, respectively.

The answer is yes. The wording of § 175.10(a)(13)(i), (ii), and (iii) indicates that the individual exceptions may be taken in conjunction with one another. Therefore, if passengers fulfill the applicable requirements, they may transport 2.3 kg (5.07 pounds) of dry ice per package in checked baggage under § 175.10(a)(13)(i) and 2 kg (4.4 pounds) per passenger in carry-on baggage under § 175.10(a)(13)(iii).

I hope this satisfies your request.

Sincerely,

Susan Gorsky
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



030178

175.10

INFOCNTR

From: Joseph Adanuncio [JosephA@SpiritAir.com]
Sent: Friday, July 18, 2003 12:11 PM
To: INFOCNTR
Cc: Robert Rusello
Subject: 49 CFR 175.10 Exceptions

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\$175.10(13)
Air
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In reference to 49 CFR 175.10 (13) for Carbon dioxide solid the regulation states;

(13) Carbon dioxide, solid (dry ice) when:

- (i) In quantities not exceeding 2.3 kg (5.07 pounds) per package packed as prescribed by §173.217 of this subchapter and used as a refrigerant for the contents of the package. The package must be marked with the name of the contents being cooled, the net weight of the dry ice or an indication that the net weight is 2.3 kg (5.07 pounds) or less, and also marked "Carbon Dioxide, Solid" or "Dry Ice";
- (ii) Intended for use in food and beverage service aboard aircraft; or
- (iii) In quantities not exceeding 2 kg (4.4 pounds) per passenger when used to pack perishables in carry-on baggage provided the package permits the release of carbon dioxide gas.

My question concern (i) and (iii) for passengers bring dry ice on board an aircraft;

Can a passenger bring on board the aircraft the maximum amount allowed under

(i) 2.3 Kg for checked baggage AND under (iii) 2.0 Kg for carry on, for a total of 4.3 Kg per passenger, or only the maximum stated in either exception (i) 2.3 Kg or (iii) 2.0 Kg but not in both.

Note in the ICAO Technical Instructions the maximum allowed is 2 Kg combined in both carry-on and checked baggage.

We would like clarification of this exception on the maximum Carbon dioxide, solid allowed, until then we are only allowing either 2.3 Kg as checked OR

2.0 Kg as carry-on not both and not combined.

Thank you

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