NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** United States of America  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT) [1472]  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Please submit comments to: USA WTO TBT Enquiry Point  Email: [usatbtep@nist.gov](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [****],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other:** **[X]** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Lithium batteries; Lithium (HS 850650); Transport (ICS 03.220), Electrical engineering in general (ICS 29.020), Protection against dangerous goods (ICS 13.300) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Hazardous Materials: Enhanced Safety Provisions for Lithium Batteries Transported by Aircraft (FAA Reauthorization Act of 2018) (23 page(s), in English) |
| **6.** | **Description of content:** PHMSA issues this interim final rule (IFR) to revise the Hazardous Materials Regulations for lithium cells and batteries transported by aircraft. This IFR prohibits the transport of lithium ion cells and batteries as cargo on passenger aircraft; requires lithium ion cells and batteries to be shipped at not more than a 30 percent state of charge aboard cargo-only aircraft when not packed with or contained in equipment; and limits the use of alternative provisions for small lithium cell or battery shipments to one package per consignment. This IFR does not restrict passengers or crew members from bringing personal items or electronic devices containing lithium cells or batteries aboard aircraft, or restrict cargo-only aircraft from transporting lithium ion cells or batteries at a state of charge exceeding 30 percent when packed with or contained in equipment or devices. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:**   * 84 Federal Register (FR) 8006, 6 May 2019; Title 49 Code of Federal Regulations (CFR) Part 172 and 173. * G/TBT/N/USA/518 and subsequent addenda - Hazardous Materials: Transportation of Lithium Batteries |
| **9.** | **Proposed date of adoption:** 6 March 2019  **Proposed date of entry into force:** 6 March 2019 |
| **10.** | **Final date for comments:** 6 May 2019 |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  <https://members.wto.org/crnattachments/2019/TBT/USA/19_1523_00_e.pdf> |