

(2) For Class 7 (radioactive) materials, does not have a broken seal, except that packages contained in overpacks need not be inspected for seal integrity.

(d) The requirements of paragraphs (b) and (c) of this section do not apply to:

(1) An ORM-D material packed in a freight container and offered for transportation by one consignor; or

(2) Dry ice (carbon dioxide, solid).

(e) An overpack containing packages of hazardous materials may be accepted only if the operator has taken all reasonable steps to establish that:

(1) The overpack does not contain a package bearing the "CARGO AIRCRAFT ONLY" label unless—

(i) The overpack affords clear visibility of and easy access to the package; or

(ii) The package contains a material which may be carried inaccessibly under the provisions of §175.85(c)(1); or

(iii) Not more than one package is overpacked.

(2) The proper shipping names, identification numbers, labels and special handling instructions appearing on the inside packages are clearly visible or reproduced on the outside of the overpack, and

(3) Has determined that a statement to the effect that the inside packages comply with the prescribed specifications appears on the outside of the overpack, when specification packagings are prescribed.

[Amdt. 175-1, 41 FR 16106, Apr. 15, 1976, as amended by Amdt. 175-12, 45 FR 13091, Feb. 28, 1980; Amdt. 175-17, 45 FR 68654, Oct. 11, 1980; Amdt. 175-25, 47 FR 54822, Dec. 6, 1982; Amdt. 175-34, 50 FR 48420, Nov. 25, 1985; Amdt. 175-37, 51 FR 5974, Feb. 18, 1986; Amdt. 175-39, 51 FR 44791, Dec. 12, 1986; Amdt. 175-47, 55 FR 52685, Dec. 21, 1990; 66 FR 45184, Aug. 28, 2001; 67 FR 46128, July 12, 2002]

**§ 175.31 Reports of discrepancies.**

(a) Each person who discovers a discrepancy, as defined in paragraph (b) of this section, relative to the shipment of a hazardous material following its acceptance for transportation aboard an aircraft shall, as soon as practicable, notify the nearest FAA Civil Aviation Security Office by telephone and shall provide the following information:

(1) Name and telephone number of the person reporting the discrepancy.

(2) Name of the aircraft operator.

(3) Specific location of the shipment concerned.

(4) Name of the shipper.

(5) Nature of discrepancy.

(b) Discrepancies which must be reported under paragraph (a) of this section are those involving hazardous materials which are improperly described, certified, labeled, marked, or packaged, in a manner not ascertainable when accepted under the provisions of §175.30(a) of this subchapter, including:

(1) Package which are found to contain hazardous materials:

(i) Other than as described or certified on shipping papers;

(ii) In quantities exceeding authorized limits;

(iii) In inside containers which are not authorized or have improper closures;

(iv) In inside containers not oriented as shown by package markings;

(v) With insufficient or improper absorption materials, when required; or

(2) Packages or baggage which are found to contain hazardous materials subsequent to their being offered and accepted as other than hazardous materials.

[Amdt. 175-15, 45 FR 35332, May 27, 1980, as amended by Amdt. 175-41, 52 FR 36672, Sept. 30, 1987; 66 FR 45184, Aug. 28, 2001]

**§ 175.33 Notification of pilot-in-command.**

(a) Except as provided in §175.10, when a hazardous material subject to the provisions of this subchapter is carried in an aircraft, the operator of the aircraft must provide the pilot-in-command with accurate and legible written information as early as practicable before departure of the aircraft, which specifies at least the following:

(1) The proper shipping name, hazard class and identification number of the material as specified in §172.101 of this subchapter or the ICAO Technical Instructions. In the case of Class 1 material, the compatibility group letter also must be shown. If a hazardous material is described by the proper shipping name, hazard class, and identification number appearing in: