

## **Air Travel with Black Powder is Absolutely Prohibited: What You Need to Know**

Black powder is a Class 1.10, Packing Group II, number UN0027 "Explosive". Air travel with black powder in your checked luggage is prohibited. Carriage on a plane is not one single offense. Rather, it constitutes multiple offenses and subjects the sportsman to multiple separate civil penalties (15 to be exact) that can each be substantial. The following is a partial quote from a Notice of Proposed Civil Penalty received by a hunter when his luggage was found to contain one container of Jim Shockey's Gold Premium Grade Black Powder Replacement:

By reason of the above, you violated the following Department of Transportation Hazardous Materials Regulations (Title 49 of the Code of Federal Regulations):

1. Section 171.2(a) in that you offered a hazardous material for transportation in commerce when the hazardous material was not properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements of this subchapter.
2. Sections 172.200(a) and 172.202(a)(1) in that you offered a hazardous material for transportation and failed to describe the hazardous material on the shipping papers, including the proper shipping name prescribed for the material in Column 2 of the § 172.101 Table, in the manner required by this subpart.
3. Sections 172.200(a) and 172.202(a)(2) in that you offered a hazardous material for transportation and failed to describe the hazardous material on the shipping papers, including the hazard class or division prescribed for the material as shown in Column 3 of the § 172.101 Table, in the manner required by this subpart.
4. Sections 172.200(a) and Section 172.202(a)(3) in that you offered a hazardous material for transportation and failed to describe the hazardous material on the shipping papers, including the identification number prescribed for the material as shown in Column 4 of the § 172.101 Table, in the manner required by this subpart.
5. Sections 172.200(a) and Section 172.202(a)(4) in that you offered a hazardous material for transportation and failed to describe the hazardous material on the shipping papers, including the packing grouping, in Roman numerals, prescribed for the material in Column 5 of the § 172.101 Table, if any, of the material covered by the description, in the manner required by this subpart.
6. Sections 172.200(a) and Section 172.202(a)(5) in that you offered a hazardous material for transportation and failed to describe the hazardous material on the shipping papers, including the total quantity (by net or gross mass, capacity, or as otherwise appropriate), including the unit of measurement, of the hazardous material covered by the description, in the manner required by this subpart.
7. Sections 172.204(a) or (c)(1) in that you offered a hazardous material for transportation and failed to certify that the material was offered for transportation in accordance with this subchapter by printing on the shipping paper containing the required shipping description one of the certifications set forth in this part.
8. Section 172.204(c)(2) in that you offered a hazardous material to an aircraft operator for transportation by air and failed to provide two copies of the certification required in this section.
9. Section 172.204(c)(3) in that you offered for transportation by air a hazardous material authorized for air transportation and failed to add the certification required in this section the following statement:

"I declare that all of the applicable air transport requirements have been met."

10. Section 172.301(a) in that you offered for transportation a hazardous material in a non-bulk packaging and failed to mark the package with the proper shipping name and identification number (preceded by "UN" or "NA", as appropriate) for the material as shown in the § 172.101 Table.

11. Section 172.400(a) in that you offered for transportation a hazardous material in one of the packages or containment devices listed in this subpart and failed to label the package or containment device with the labels specified for the material in the § 172.101 Table and in this subpart.

12. Section 172.600(c) in that you offered for transportation a hazardous material and failed to make the emergency response information immediately available for use at all times the hazardous material was present, and failed to make such information, including an emergency response telephone number, immediately available to any government agency responding to an incident involving hazardous material or conducting an investigation which involves a hazardous material.

13. Section 172.21(a) in that you offered for transportation materials designated "Forbidden" in Column 3 of the § 172.101 Table.

14. Section 173.21(b) in that you offered for transportation forbidden explosives as defined in § 173.54 of this part.

15. Section 173.54(a) in that you offered for transportation an explosive that had not been approved in accordance with § 173.56 of this subpart.

In accordance with Section 5123(a) of Chapter 51, Title 49 of the United States Code of Transportation, 49 U.S.C. 5123, [name of violator] is liable for a civil penalty of not less than \$250, nor greater than \$50,000 (\$100,000 if death, serious illness, severe injury, or substantial property damage results), for each violation of the regulations.