

# CARGO UPDATE

Frankfurt > 6 December 2010



## **Air freight security > German Federal Ministry tightens controls on the supply chain for air freight**

Dear Sir or Madam,

In previous issues of Cargo Updates, DHL Global Forwarding has already informed you in detail about the changes in the air freight security field which are valid from 29 April 2010, and about the requirements which have been imposed on you as a “known consignors” by the current EU Regulations.

With this Cargo Update we are continuing this process and are informing you during the current debate on air freight security about the following important topics:

- Checks which are currently being enforced on the “known consignors” (KC) nominated by regulated Agents appointed by the Federal German Aviation Authority (Luftfahrt-Bundesamt, LBA)
- Additional regulations as a result of the failed parcel bomb attacks (shipments sent to the USA and the UK)
- Central registration as a “known consignor” via the Luftfahrt-Bundesamt

### **Check by the LBA of the “known consignor” (KC) nominated by regulated agents**

The failed parcel bomb attacks and the possibilities they reveal of how to circumvent the secure supply chains have caused the subject of air freight security to gain in importance dramatically in public discussion. The LBA has drastically increased its controls in recent weeks and expects an increase in staffing in the near future of up to 450 additional employees in the air freight security area.

This discussion has also led to a focus on controls on the “known consignors”. Several consignors in North Rhine-Westphalia have had their status as “known consignor” revoked and their declarations on security to the regulated agents declared null and void. They therefore have to submit their export air freight to preliminary security measures before it

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can be loaded onto a plane. Serious deficiencies were discovered, particularly in the area of access controls. Thus the official auditors were able to get access to the site and buildings without anyone speaking to or stopping them. Other weaknesses were discovered in the area of tamper-proof packaging and staff training.

The controls are focussing, and will continue to focus, on:

- Access tests to the work areas and office buildings
- Compliance with the security requirements according to the signed security declaration (here in particular: Packaging and staff training)
- Constant supervision in the freight handling area

Please make sure that the office and operating areas in which export air freight items and the accompanying documentation are processed are only accessible to authorised persons and trained staff. This must be ensured on a lasting basis, because it was regularly criticised by the LBA when it carried out unannounced visits.

### **Additional regulations resulting from the failed parcel bomb attacks (Shipments to the USA and the UK)**

Another result of the failed parcel bomb attacks is that American and British security authorities have issued regulations which primarily affect the airline companies and the official security officers, but also have an effect on you as “known consignor”.

It is important to ensure that the goods description of your export air freight is as accurate as possible. General descriptions such as “electrical goods” or “medical goods” will not be accepted and will lead to your freight having to be classified as “elevated risk cargo” and having to face additional security measures, which will have a considerable effect on the transit time of your shipments and will cause additional costs. To avoid this delays and costs, the goods description must be as clear as possible.

In the Annex to this Cargo Update you will find a document – Shipper Security Declaration. Please sign this once for your air freight exports to the USA and the UK, and submit it to us. It confirms that the goods you have sent or are sending do not come from either Yemen or the Republic of Somalia, that they have not passed through either country in transit and that your shipments do not contain any ink or toner cartridges with an overall weight of more than 500g.

If you have any questions, please contact the branch of DHL Global Forwarding GmbH responsible for you.

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### Central registration as a “known consignor” via the Luftfahrt-Bundesamt

The situation mentioned above, with the stricter controls now applying to you as a “known consignors” as well, means that the topic of central registration as a “known consignor” with the Luftfahrt-Bundesamt needs to be mentioned once again.

When the transition phase comes to an end on 25 March 2013, all the security declarations valid today, which you have signed with an regulated agent, will be null and void. In the current political debate on air freight security, a shortening of this transition regulation is already receiving serious consideration, so we advise you once again:

***Consider, as early as possible, the decision on central registration as a “known consignor” with the LBA for your company.***

Otherwise your air freight exports will in future be classified as “unsafe” and subjected to additional security measures (e.g. X-ray-scanning), before being loaded onto a plane. This will lead to additional costs and will extend delivery times, which can be avoided if you take action in time.

This may not be absolutely necessary for a very few shipments a year. But please remember that large sections of the security programme are also required for the AEO-S (or F) status. The challenge to increase security will therefore probably only be delayed rather than fully avoided.

If you should opt for quick registration, then send an informal application by post, signed on the original document, to the Luftfahrt-Bundesamt. You need to attach to the application the addresses of the facilities which you are applying to have registered, and state whether you already have a certification from the Authorised Economic Operator (AEO). At the same time, when submitting the informal application, you should request a copy of the security programme for known consignors from the Luftfahrt-Bundesamt. You will receive the copy after you send a signed declaration of commitment to the following e-mail address: [bekannteversender@lba.de](mailto:bekannteversender@lba.de). You can download the declaration of commitment at this address: [Link](#)

The blue texts listed in the copy of the “known consignor” security programme must be replaced by your company-specific information and are also intended to help you to describe your operating processes. You cannot change the information in black, it represents fixed content, form and implementation requirements. As well as mapping your company-specific processes, the “known consignor” security programme should also allow you to adapt to the security requirements before you are subjected to an on-site inspection by the authorities.

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The following points must be complied with without fail when you create your company-specific “known consignor” security programme:

- The appointment of an **officer for air freight security** in your company, and of **other security officers** on each of your work premises
- **Training** for the security officers at your headquarters and other work premises, and the application for a **reliability check** under Section 7 of the Air Freight Security Act for these employees
- A detailed description of your production processes for **physical** and **documentary access**, especially for goods which have to be transported on by air freight (identifiable air freight)
- Provision of the plans for the buildings and offices, focusing on clarifying the **access possibilities and controls**

If there are any processes which you do not perform, but which are prescribed in the “known consignor” security programme, you must explicitly state that you do not perform these.

After the “known consignor” security programme has been filled in, it must be sent to the Luftfahrt-Bundesamt as a hard copy, and in digital form as a CD.

The Luftfahrt-Bundesamt will then check your “known consignor” security programme for any additional content needed, and use an on-site audit of your premises to verify the processes forming the basis of your security programme.

If, after checking your security programme and auditing your premises, the Luftfahrt-Bundesamt has no further criticisms to make, you will receive a registration number (bV-Nummer), under which you are listed in the EU database for authorised “known consignors” and regulated agents. When you are accepted into this database which is accessible to regulated agents, this confirms at the same time the validity of your known consignor status.

The current laws and regulations require at least one annual internal audit of your premises. The result of this audit must be recorded in so-called checklists, which must be produced for the authorities on request.

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Overall, the new procedure is very similar to the previous requirements for regulated agents. If you have any further questions, please approach the contact person in your DHL Global Forwarding branch. We will be delighted to put our years of experience as regulated agent at your disposal.

Kind regards

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