

Alcohol testing during ramp inspection

Chapter 10.3

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1 Data protection

All procedures described in the present manual involving processing of personal data should comply with applicable data protection rules.

In particular, EU Member States shall comply with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) and implement the corresponding data protection policies for the processing activities defined in the present manual, such as notification of findings, ramp inspection tool reporting and proof of inspection management.

2 Risk based approach

The Agency shall communicate a list of Union and third-country operators for the prioritisation of alcohol testing. This list should be updated on the same timeframe as the major updates of the priority list (i.e.: update following the regular analysis) and whenever necessary.

This list will be established taking into account the robustness and effectiveness of existing psychoactive testing programmes. When doing so, the Agency shall consider:

- information on existing national psychoactive testing programme (such as random alcohol tests performed on crew members by national officials not employed by the operator); and
- information on existing operator’s psychoactive testing programme (such as random alcohol tests performed on crew members by employees of the operator or subcontractors).

The Agency will send a questionnaire to third-country operators’ States to gather relevant data. In case the States do not provide data, operators can provide the Agency with information on their own psychoactive testing programme.

This list will identify operators without a robust and effective psychoactive testing programme at national and operator level. Operators for which no data have been received are considered to have no testing programmes in place.

EASA States’ Competent Authorities (CA) should make use of this list when establishing the annual ramp inspection programme.

The Agency will analyse the results of alcohol tests included in the ramp inspection tool after 3 years and amend this risk based approach, should the analysis provide enough indicators.

3 Including alcohol testing in an annual ramp inspection programme

Guidance on how to set an annual programme for alcohol testing on crew members compliant with ARO.RAMP.105 and ARO.RAMP.106 is provided below.

The Competent Authority (CA) should include alcohol tests as part of the annual ramp inspection programme. CA should ensure a reasonable coverage of operators from the priority list for alcohol testing.

The planned annual number of alcohol tests to be performed on a given operator should be adjusted based on the priority for alcohol testing assigned to the operator by the CA. The priority for alcohol testing assigned to an operator should take into account the priority list for alcohol testing established by the Agency.

The annual target of the number of alcohol tests to be performed on a given operator can be set by either adjusting the number of inspections with alcohol tests and/or adjusting the proportion of crew members to be tested during an inspection with alcohol test.

E.g.:

- for an operator on the priority list for alcohol testing, X % of ramp inspections planned will contain alcohol test of crew members and for an operator not included on the priority list for alcohol testing this proportion will be Y %. With $X > Y$; or
- X % of inspection included in the annual ramp inspection programme will contain alcohol test of crew members, and for operators included on the priority list for alcohol testing Y % of the crew will be tested, for other operators this proportion will be Z %. With $Y > Z$.

As a Flight Crew (FC) under influence of alcohol represents a greater danger for flight safety than a Cabin Crew (CC) under influence of alcohol, a higher priority should be given to perform alcohol test on FC rather than on CC. This can be achieved within the annual ramp inspection programme or within the daily planning.

CA should avoid to plan ramp inspections consisting only of alcohol tests (hereinafter referred to as stand-alone alcohol tests). However, whenever operational reasons or tight time constraints prevent completion of alcohol test during regular ramp inspections (e.g.: short turn-around), CA can programme ramp inspections with stand-alone alcohol test.

The number of stand-alone alcohol tests should not exceed the System Wide Coordination (SWC) target number of inspections for layer 1 operators not included in the priority list for alcohol testing; for operator included in the priority list for alcohol testing the number of stand-alone alcohol tests may exceed the SWC target.

Examples:

- if the target is two and the operator is not included in the priority list for alcohol testing up to two additional stand-alone alcohol tests may be performed;
- if the target was two and the operator is included in the priority list for alcohol testing CA may plan to perform additional stand-alone alcohol tests; and
- if the target is zero and the operator is included in the priority list for alcohol testing, CA may plan to perform stand-alone alcohol tests.

For operators including in the layer 1 of SWC, stand-alone alcohol tests won't be counted as ramp inspections within the framework of SWC.

CA may define the maximum number of alcohol tests they are able to perform in a year and adjust the annual programme for alcohol testing accordingly. It is suggested to keep a margin in order to allow for alcohol test not including in the annual programme (e.g.: alcohol test following whistle-blower information). A CA may establish its annual maximum capacity in term of number of inspections with alcohol test (or number of alcohol test) by taking into account:

- the number of available devices that comply with all requirements set in this manual;
or
- the number of ramp inspectors properly trained and qualified available.

3.1 National Coordinator (NC) responsibilities

The NC should be responsible to develop, monitor and amend an annual ramp inspection programme including the number of alcohol tests to be performed.

This can be achieved by monitoring the number of alcohol tests or the number of ramp inspections including alcohol tests performed per operator. These numbers should be consistent with the annual programme.

The NC will keep record of alcohol tests performed. Ramp inspectors will ensure the availability of this information, in particular by reporting on the Proof of Inspection (PoI) the number of tested FC and CC.

The ramp inspection tool should support the implementation of alcohol testing during ramp inspection. Alcohol testing results provided by ramp inspections performed in other EASA Member States may also be taken into account to set and monitor the number of alcohol tests (or the number of ramp inspections including alcohol test) to be performed per operator.

The NC may want to enhance its planning oversight by monitoring:

- number of operators tested for alcohol consumption during ramp inspection;
- number of alcohol tests performed on operators included in the priority list for alcohol; and
- list of airports where ramp inspections including alcohol tests were performed.

This information may be used to track positive cases per airport, adjust the annual ramp inspection programme etc.

4 Daily planning

4.1 How to plan an initial alcohol test

A risk based approach should be applied for daily planning.

When selecting the date and/or the time and/or the place to perform an alcohol test, ramp inspectors may consider that:

- short-turnaround lets less opportunity for crew members to consume alcohol than overnight or long stays;
- last minute member crew replacement increases the risk for the replacing crew to be under influence of alcohol; and
- when a crew member is tested positive, other crew members are at higher risk to be under influence of alcohol as well.

Alcohol tests performed following whistle-blower information are more likely to detect crew members under influence of alcohol. Reliability of this information should be taken into account.

The widest possible sampling rate of inspected operators for alcohol consumption will increase the deterrent effect of alcohol testing performed during ramp inspections, as more and more crew members will be aware of it.

Alcohol tests can also be performed on operators not listed in the annual programme or on crew members operating in general aviation. A risk based approach should also be followed for these inspections.

4.2 Selection of items to be inspected

Ramp inspectors will take into account operating factors when planning to include alcohol test during an inspection. This should be assessed in the same way than for other items of the checklist. Taking into account the risks criteria above, ramp inspectors may decide to include alcohol test during a ramp inspection.

Available time for the inspection remains the key element. Previous experiences in EASA Member States which pioneered alcohol-testing indicate that it can be rather long to test the whole cabin crew whereas only few minutes may be enough to test the FC. Therefore when time dictates ramp inspectors may consider to limit alcohol test to FC.

Ramp inspectors may decide to perform alcohol tests separately during a stand-alone alcohol test whenever operational reasons prevent to perform alcohol tests during regular ramp inspections (e.g.: short turn-around). As mentioned above, stand-alone alcohol tests won't be counted as ramp inspections within the framework of SWC (see paragraph 3).

Ramp inspectors may take into account next inspection opportunities for the operator and aim to avoid to perform alcohol test when not enough time is available (e.g.: inbound flight already delayed, short-turnaround).

In any case, ramp inspectors should pay attention to crew apparent fitness for the flight.

For this purpose, ramp inspectors may have been properly trained about visual elements, possibly not as obvious as alcohol smelling, mumbling or erratic ability to provide consistent answers.

Any consideration about crew duty time remains as usual.

4.3 Postponing or cancelling an alcohol test

When ramp inspectors decide to postpone or cancel an alcohol test for valid reasons, this should not be reported on the Pol or in the ramp inspection tool as it would not indicate a lack of cooperation. However, ramp inspectors should inform the NC for planning reasons.

Hereafter are presented examples of reason that may justify to cancel or postpone an alcohol test (this list is not exhaustive):

- privacy of the test towards third parties cannot be guaranteed;
- availability of further opportunities for alcohol tests, including stand-alone tests;
- operator not included in the list of Union and third-country operators for the prioritisation of alcohol testing;
- crew already tested for alcohol consumption as evidenced by document;
- other items are deemed more critical for flight safety; and
- a situation where, in the opinion of the inspector, the increase in crew member stress due to alcohol testing is deemed unnecessary or might jeopardize the safety of the flight.

4.4 Alcohol tests not included in the annual programme

In some cases ramp inspectors may receive whistle-blower information about crew members' alcohol consumption. National procedures ensuring the follow-up of whistle-blower information can be used.

These situations will not be, in general, covered by annual programme and so, will be taken as extraordinary and exceptional cases where general principles previously exposed can be left aside to ensure the risk mitigation.

5 Quality of reports entered on the ramp inspection tool

The NC should ensure the quality of reports entered on the ramp inspection tool by ramp inspectors or by other officials; in particular, the NC will ensure that reports are anonymous and that pre-described findings are used in an appropriate way.

The NC should ensure that the quality control process is followed.

The CA may use the drafting function available on the ramp inspection tool in order to allow for a quality check by a moderator.

6 Initial test

6.1 General principles

Alcohol tests should be carried out in consultation with the crew in such a way that third parties (e.g.: passengers, ground handling personnel etc...) are not aware / informed about the alcohol test performance. Alcohol tests should be preferably done at the aircraft, but can also be done outside the aircraft (e.g. at crew centre...). When performing alcohol tests outside the aircraft, the CA should establish procedures ensuring the principles described in this manual are complied with (notably confidentiality of the test, only crew members with safety task assigned should be tested...).

Care should be taken on the following when selecting the location.

- Cockpit: area could be visible from outside, pending on the parking position of the aircraft.
- Galley: ground handling personnel might be present.
- Cabin: cleaning might be ongoing or has to be delayed by the operator.
- Lavatory compartment should be, by the nature of this place, considered as inadequate to perform the test.

To test FC and CC, the following locations could be seen as adequate to perform the initial alcohol test to ensure a discrete environment.

- In the cockpit when the door is closed (sunshades down) (preferable location for cockpit crew testing).
- In a crew rest compartment (if available).
- In passenger cabin if empty, (doors closed, window shades down).
- Galley area curtain(s) closed (preferable location for CC testing).

The crew member might propose a different place for the test; if the place is appropriate, ramp inspectors may consider this alternative.

Inspectors should decide to postpone the test to a later date if privacy cannot be guaranteed.

Inspectors should request a list of all crew members to identify which crew members are on duty in the inspected flight. The selection of which crew member to test has to be non-discriminatory (e.g.: random sampling or no sampling).

In general all FC assigned to safety tasks should be tested in priority when the operator is selected. Depending of the crew size and time available, a sampling of CC can be an option. Only CC assigned to safety tasks (Cabin Crew Members as per R965/2012 Annex I – definition) should be tested. Alcohol test of positioning crew members is to be avoided.

Before the alcohol test, ramp inspectors should make sure that the device is operational and suitable for the test (e.g.: correctly calibrated, within due date for maintenance ...).

For electronic devices, the English operating mode should be preferably used (if available). The displayed test result should not leave any doubt (e.g. the blood alcohol concentration displayed or showing a “pass” or “fail” indication).

Since a second alcohol test will be necessary to confirm a first positive result, the first test should be carried out preferably at the beginning of the ramp inspection. In case of a positive result, the exact time of the initial and confirmation test should be noted down.

Inspectors may first request the licence and or ID of the crew member to be tested in order to clearly identify the crew member. This might be relevant in case of a positive test and for further follow-up.

Prior to starting the test, ramp inspectors should introduce:

- the alcohol testing process, avoiding the use of discriminatory or discreditable words;
- the device / test equipment to be used;
- the consequences of positive results to the crew members; and
- that a lack of cooperation will be regarded in the same way as a positive test.

All parts of the equipment, which come into contact with the mouth of the crew member, should be visibly removed from the original packaging in front of or by the tested crew member, and must not be touched by a third person at the relevant points. Since the measurement requires an active involvement of the crew, this can only be done with their consent.

Where compatible with the testing procedures and if requested by the crew member, the crew member should have the option of asking a witness/work colleague to observe the test.

6.2 Initial test results

When the result appears on the device display, the inspectors should inform the tested crew member of the result.

An initial test result is considered negative when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is lower or equal to the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per litre of blood or the national statutory limit, whichever is the lower.

An initial test result is considered positive when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is higher than the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per litre of blood or the national statutory limit, whichever is the lower.

6.2.1 Negative initial test

In case of negative initial test, no finding or remark should be raised and the tested crew member will be allowed to resume her/his duties normally.

At the end of the inspection, and if all alcohol tests are negative, inspectors should indicate on the PoI that alcohol tests have been carried out and the number of tested FC and CC, using the dedicated field of the PoI header. No remark should be added on the PoI to avoid mis-interpretation by operators.

A class 1 action is to be taken and the PoI should be provided to the pilot in command or operator's representative after completion of the inspection.

No further notification is required as the operator will be informed of the negative results via the PoI and the ramp inspection tool.

6.2.2 Positive initial test

In case of a positive result, no finding should be raised and a confirmation test should be performed.

After a positive initial test, crew members may react emotionally due to disbelief, fear of loss of licence/certificate, fear of loss of job, sense of shame, delays, sanctions, etc..

However in case the crew member clearly shows signs of or admits being under the influence of alcohol, law enforcement bodies may be notified by ramp inspectors as soon as possible. Early notification of law enforcement body should be described by national procedures.

During the waiting time, before the confirmation test is conducted, and in order to limit the stress of the tested crew member, ramp inspectors should provide a clear briefing to the concerned crew member and ensure that:

- the crew member receives proper communication, explanation and information on the national procedures after a positive test;
- the crew member is informed about the applicable national statutory limit; and
- no finding will be raised in case the confirmation test happened to be negative.

7 Confirmation test

7.1 General principles

Aromatic beverages (e.g. fruit juices), alcoholic mouth sprays, medical juices and drops, and belching and vomiting may corrupt the alcohol test results and trigger false positive. Therefore in the case of a positive initial alcohol test, a confirmation test should always be performed. The confirmation test should be performed at least 15 minutes but not more than 30 minutes after the completion of the initial test. However, when operational procedures of the testing device prescribe more than 15 minutes of waiting time between two tests, ramp inspectors can either observe this higher delay or use another testing device for the confirmation test. Confirmation testing should be conducted as soon as possible after the 15 minute delay.

The 15 minute delay is deemed sufficient to prevent the above mentioned corruption of alcohol test results; the 30 minute limitation guarantees similar results between initial and confirmation tests as the alcohol metabolism in the body in 30 minutes will be of limited impact.

During this time the crew is still on duty, but ramp inspectors should observe that the tested crew member does not eat or drink or ingest something into her/his mouth, for the reason mentioned above. If the crew member disregards this requirements in such a manner that it prevents the conduct of the confirmation test within the 30 minutes, this can be considered as a lack of cooperation to the test, and could be considered as a refusal to the test. It is also possible to delay the confirmation test for another 15 minutes after the ingestion time, but without exceeding the 30 minute maximum timeframe. There is no safety reason to invalid the result of a confirmation test performed more than 30 minutes after the initial test, but it should not be a standard.

Where compatible with the testing procedures, and if requested by the crew member, the crew member should have the option of asking a witness/work colleague to observe the test.

The general principles previously mentioned for the initial test remain.

- Selection of the location of the test (confidentiality criteria).
- The operational status and suitability of the device.
- The original packaging and opening procedures of the mouthpiece.

Only if possible and suitable the confirmation test could be performed outside the aircraft (e.g. car/bus, police car..., separate room near to the aircraft parking position).

7.2 Confirmation test results

A confirmation test result is considered negative when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is lower or equal to the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per litre of blood or the national statutory limit, whichever is the lower.

A confirmation test result is considered positive when the breath alcohol concentration (BrAC), measured by a breath alcohol tester is higher than the equivalent level of 0.2 grams of blood alcohol concentration (BAC) per litre of blood or the national statutory limit, whichever is the lower.

7.2.1 Negative confirmation test

When an initial positive test is followed by a negative confirmation test, the overall result of the test should be negative. No findings should be raised.

The tested crew member can resume her/his duties.

At the end of the inspection and if all overall results of alcohol tests are negative, inspectors should indicate in the header of the PoI the number of tested FC and the number of tested CC. No remark should be added on the PoI to avoid mis-interpretation by operators.

The actual result of a negative alcohol test should not be mentioned on the PoI.

A class 1 action is to be taken and the PoI should be provided to the pilot in command or the operator's representative after completion of the inspection.

No further notification is required. The operator will be informed of the performed alcohol tests and of the negative results via the PoI and the ramp inspection tool.

It is not necessary to inform law enforcement bodies. In case law enforcement bodies were already informed about the positive initial test, national procedures should require that ramp inspectors inform them that the confirmation test is negative and that no further action is required.

7.2.2 Positive confirmation test

In case of a positive confirmation test, a CAT 3 finding should be raised under item E01.

As soon as the test result is known and positive, the tested crew member should be informed about the result and that she/he should not be permitted to resume her/his FC or CC duties.

Inspectors should indicate on the PoI that an alcohol test has been carried out, the number of positive results and the number of tested FC and CC. In the finding description, inspectors should use the corresponding PDF. The name, the BAC measured or any other personal data should not be mentioned on the PoI.

Ramp inspectors should provide the positively tested crew member with a written confirmation of the alcohol test result of the initial and confirmation test, the national statutory limit as well as the device serial number and test sequence number. Inspectors should take a photo of either the ID, the FC's licence and medical or CC's attestation for follow-up. This information should not be on the PoI. This transmission of the written confirmation should be done in accordance with national requirements.

Inspectors should coordinate the immediate corrective actions before departure. Such coordination should be done with the representative of the operator or, if not available, with the pilot in command. In case the pilot in command is under the influence of alcohol, inspectors should inform the representative of the operator or, in his absence, the operator directly.

Examples of class 3 actions are, but not limited to:

- Class 3b : corrective actions
 - Crew member removed from duty (the crew composition should be reviewed in order to cover at least the minimum operator's requirements on crew composition with crew members fit to fly and task repartition between remaining crew members should be reviewed; if the minimum requirements are not met, restrictions may apply).
 - Replacement of crew member (this might lead to flight delays).
 - Flight cancellation.
- Class 3a : restrictions on the aircraft operations
 - Restrictions on number of passengers (only in case the positive alcohol test result concerns a CC. In this case, operator's procedures should be checked before acceptance of the class 3 action).
 - Ferry flight (only in case the positive alcohol test result concerns a CC or if single-pilot operation are possible. In this case operator's procedures should be checked before acceptance of the class 3 action).

In case of a confirmed positive test, subpart ARO.RAMP does not entitle ramp inspectors to act on the privileges of a licence or attestation holder. Any action restricting the privilege of a licence or attestation holder should be supported by national requirements or taken by the competent licensing or medical authority. Indeed, the medical certificate of a crew member is not rendered invalid whenever he/she is under the influence of alcohol; instead, the crew member is to be considered as temporarily unfit to fly. Therefore, ramp inspectors can't prevent a crew member, holding a valid licence and medical certificate, who is fit to fly to resume duty, even if this crew member was previously tested positive, except otherwise specified by national requirements. Therefore, it is of the utmost importance that national requirements ensure a proper follow-up of ramp inspections findings.

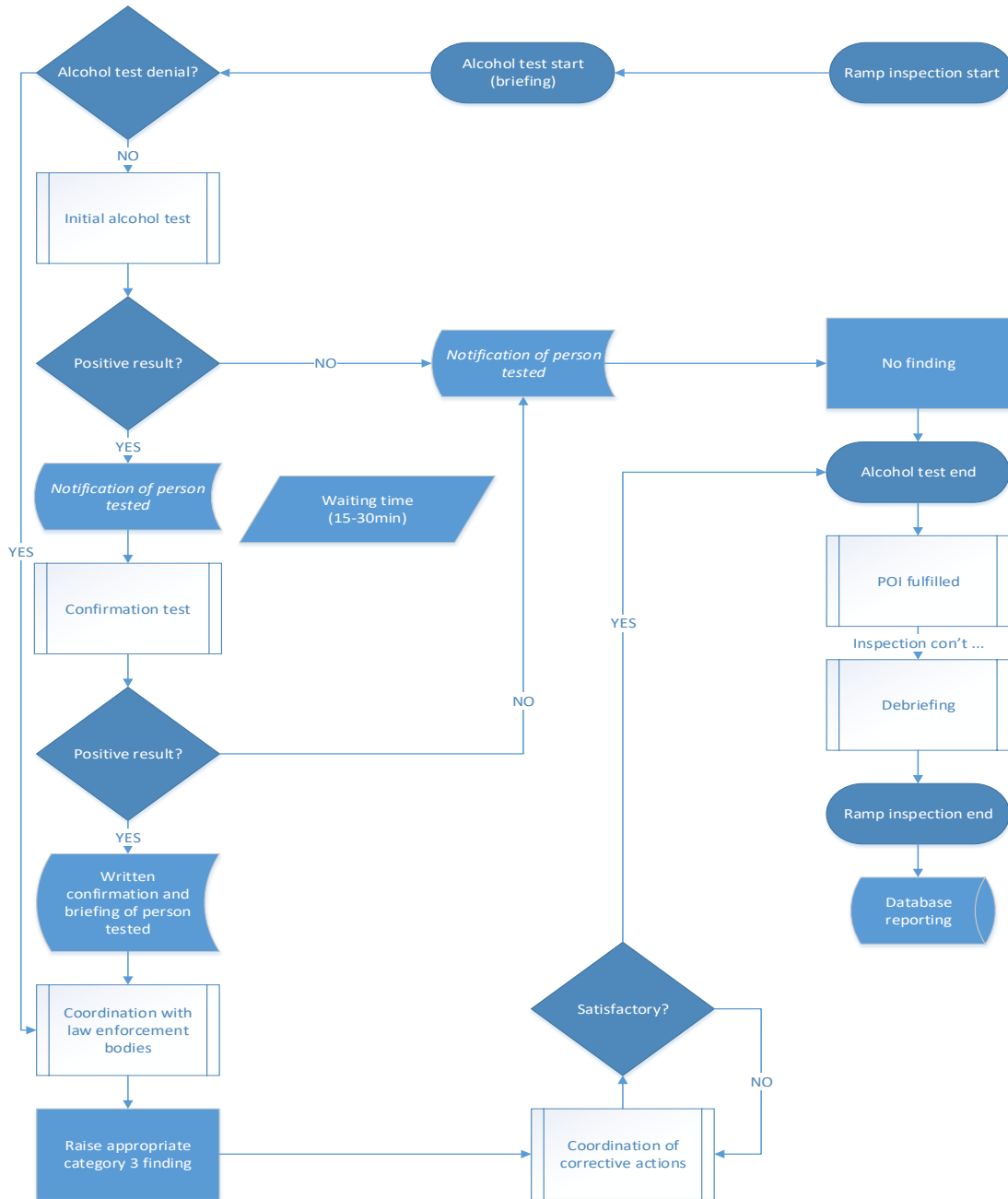
In case the tested crew member is replaced by another qualified crew member, the replacing crew member may be tested as well. Following elements should be taken into account: time of arrival of replacing crew member, time available for test after replacing crew arrival, stress on replacing crew ...

If the crew/operator's representative refuses to take the necessary corrective actions or does not respect imposed restrictions on the aircraft flight operation, the aircraft should be grounded and the usual procedure should be applied.

The PoI should be provided to the pilot in command or operator's representative after completion of the inspection.

Personal data (including those which could lead to the identification of the crew member) on alcohol test results should not be communicated via the ramp inspection tool, please refer to chapter 10 of this document for the description of the notification process.

7.3 Flow chart



8 Test refusal

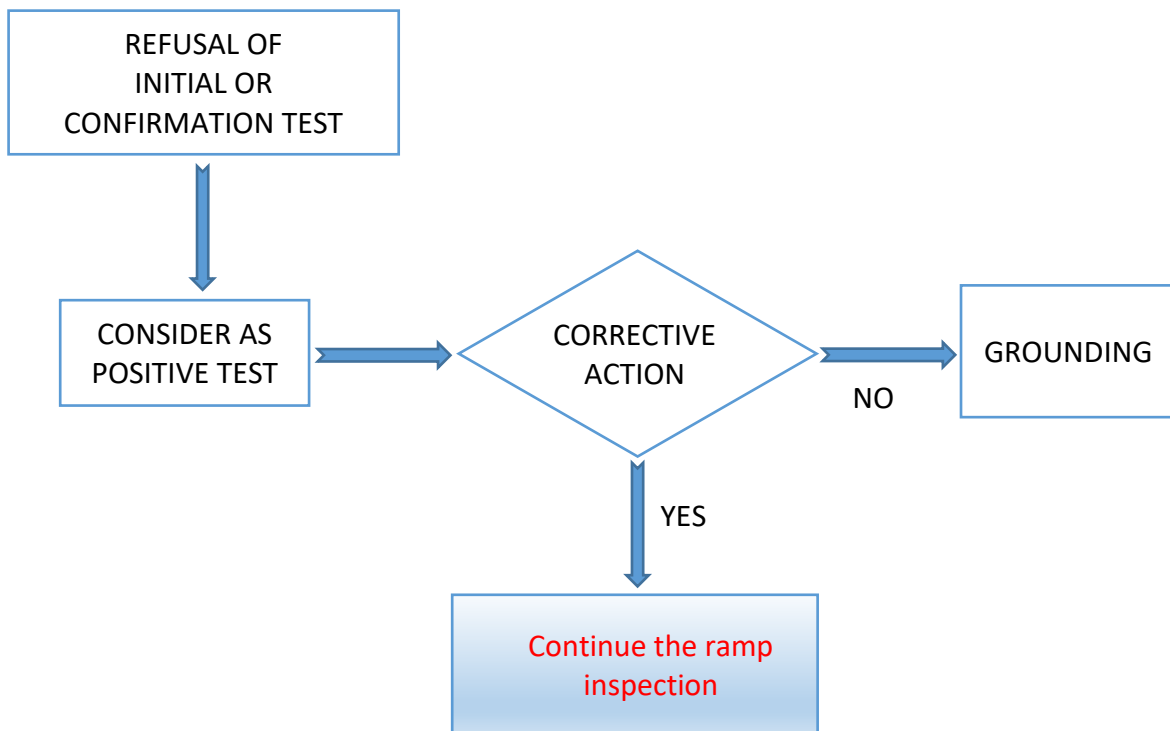
8.1 Definition of a test refusal

A refusal to cooperate during an alcohol test is:

- when FC or CC don't accept to undergo the initial or confirmation alcohol test; and
- when FC or CC don't cooperate with the testing procedures.

8.2 Consequences of a test refusal

The refusal should be considered as a positive test and should be regarded as a refusal to grant access in accordance with ORO.GEN.140 for EU operator and in accordance with TCO.115 of Commission Regulation (EU) No 452/2014 in the case of a third-country operator. In any case, the concerned crew member should not be allowed to continue his/her duty.



8.3 List of follow up actions after a test refusal by crew member

In case of a denial to perform an alcohol test for no valid reason, ramp inspectors should raise the appropriate CAT 3 finding and pursue immediate follow-up actions in accordance with national requirements. These follow-up action should include:

- Information to the crew member on the consequences of refusal;
- Information of the operator's representative;
- Crew member removed from duty; and
- Notification to law enforcement bodies in accordance with national requirements.

When ramp inspectors accept to postpone or cancel an alcohol test (see chapter 4.3), it should not be seen as a lack of cooperation and therefore should not be reported on the POI or in the ramp inspection tool. However, ramp inspectors should coordinate this postponement or cancellation with the NC for planning reasons (chapter 4.3).

9 Crew member unable to provide a sufficient breath sample to undergo an alcohol test performed with a Breathalyzer

In case a crew member is unable to provide a sufficient breath sample to undergo an alcohol test during a ramp inspection:

1. If the medical certificate of the crew member clearly mentions that the crew member cannot undergo an alcohol test performed with a breathalyser (use of SSL restriction):
 - a. This will be reported as a CAT G remark on the POI (proposal of remark: "medical certificate delivered to a crew member with a breath deficiency")
 - b. The State of Inspection will coordinate with EASA and the Licensing Authority the proper follow-up actions
 - i. EASA doesn't support the delivery of a medical certificate to a crew member with such a medical condition.
 - c. Then ramp inspectors should still perform the initial test and:
 - i. If the crew member refuses to undergo this initial alcohol test this should be considered as a refusal. The appropriate CAT 3 finding is raised, the crew member cannot resume his or her duty.
 - ii. The ramp inspectors witness the inability to perform the test:
 1. The crew member can resume his or her duty, except if it is prevented by national requirements on alcohol testing of individuals (national procedures may be developed to render mandatory the alcohol test with another testing methodology)
 - iii. The initial test result is negative:
 1. The crew member can resume his or her duty.
 - iv. The initial test result is positive:
 1. Then the ramp inspectors should proceed with the confirmation test and follow the regular procedure;
 2. In case the confirmation test cannot be performed due to an insufficient breathe sample the ramp inspectors should

- consider the result as a positive test and raise the appropriate CAT 3 finding, the crew member cannot resume his or her duty;
3. In case the confirmation test cannot be performed due to a refusal to perform the confirmation test the ramp inspectors should consider this as a lack of cooperation and raise the appropriate CAT 3 finding, the crew member cannot resume his or her duty.
2. If the medical certificate of the crew member doesn't mention any restriction and the crew member produces another document and/or justifies that he/she cannot undergo an alcohol test performed with a breathalyser
 - a. The ramp inspectors should disregard the justification and/or the document produced even seemingly delivered by a medical officer,
 - b. This will be reported as a CAT G remark on the POI ("Crew member on duty with a known breath deficiency not mentioned on the medical certificate"),
 - c. The State of Inspection will coordinate with EASA and the Licensing Authority the proper follow-up actions
 - i. EASA doesn't support the delivery of a medical certificate to a crew member with such a medical condition.
 - d. The ramp inspectors should perform the initial test and:
 - i. If the crew member refuses to undergo this initial alcohol test this should be considered as a refusal. The appropriate CAT 3 finding is raised, the crew member cannot resume his or her duty.
 - ii. The ramp inspectors witness the inability to perform the test:
 1. The crew member should first prove that the medical condition of the crew member is known by the Licensing Authority.
 2. After the previous point is proven the crew member can resume his or her duty, except if it is prevented by national requirements on alcohol testing of individuals (national procedures may be developed to render mandatory the alcohol test with another testing methodology)
 - iii. The initial test result is negative:
 1. The crew member can resume his or her duty.
 - iv. The initial test result is positive:
 1. Then the ramp inspectors should proceed with the confirmation test and follow the regular procedure;
 2. In case the confirmation test cannot be performed due to an insufficient breathe sample the ramp inspectors should consider the result as a positive test and raise the appropriate CAT 3 finding, the crew member cannot resume his or her duty;
 3. In case the confirmation test cannot be performed due to a refusal to perform the confirmation test the ramp inspectors should consider the result as a refusal test and raise the appropriate CAT 3 finding, the crew member cannot resume his or her duty.

3. If the medical certificate doesn't mention any restriction and the crew member wasn't aware of this medical conditions before the initial test failure (the crew member doesn't refuse the test and doesn't justify a special medical condition to avoid the test)
 - a. This will be reported as a CAT G remark ("crew member unable to provide a sufficient breath sample to undergo an alcohol test performed with a breathalyser")
 - b. The State of Inspection will coordinate with EASA and the Licensing Authority the proper follow-up actions
 - c. The crew member cannot resume his or her duty unless otherwise specified by national requirements on alcohol testing of individuals (national procedures may be developed to render mandatory the alcohol test with another testing methodology)
 - d. In case the crew member disregards his or her inability to provide a sufficient breath sample and continues his or her duty without reporting as unfit, the ramp inspectors should consider this as a lack of cooperation and raise the appropriate CAT 3 finding.

10 Notification

After a confirmed positive alcohol test, ramp inspectors should provide the crew member with a written confirmation of the measurement of the initial and confirmation test, the national statutory limit as well as the device serial number and test sequence number. Inspectors should take a photo of the FC licence and medical or CC attestation for follow-up. This information should not be on the Pol. This notification should be done in accordance with national requirements.

The operator is notified using the Pol and the ramp inspection tool, this notification doesn't include personal data such as BAC or name of the tested crew member.

An ad-hoc process to notify and transmit needed personal information on the positively tested crew member should be defined by the inspecting authority; this ad-hoc procedure should ensure a notification of:

- the State of Operator;
- if different from the State of Operator, the authority in charge of the issuance of the Cabin Crew Attestation whenever it can be identified by the ramp inspectors (only for CC); and
- the licensing authority (only for FC).

This ad-hoc notification should include the following information:

- the State of Licence issue; (only for FC)
- pilot's licence number; (only for FC)
- medical certificate number; (only for FC)
- name of licence holder or name of CC;
- result of the breath alcohol concentration (BrAC) testing (the references of the device used for the measure) and the time and date of the test; and

- the national statutory limit of alcohol concentration (either BrAC or BAC) not complied with.

The inspecting authority should inform the competent authorities above mentioned that the operator was not provided with the personal data concerning positively tested crew members and that they may coordinate follow-up action with the operator.

A refusal of alcohol test is notified in the same way as a positive case, except for the result of BrAC which is replaced by an indication of the refusal.

11 Coordination with legal enforcement bodies

CA and law enforcement bodies should agree on follow-up procedures in case of positive confirmation test and refusal of alcohol tests including the appropriate location to handover the process.

The agreement may include the following items:

- when inspectors should inform law enforcement bodies;
- how inspectors should inform law enforcement bodies;
- follow-up of positive results (enforcement actions, notification to State of Operator and/or Licensing Authority);
- follow-up of refusal of alcohol test; and
- conservation of evidence and process of personal data related to the positive (or refusal) case.

CA may decide to inform law enforcement bodies in advance when alcohol tests are planned to ensure their availability in case of positive results. Besides, in case the FC or CC clearly show signs of or admit being under the influence of alcohol, law enforcement bodies may be notified by inspectors as soon as possible. Early notification may be described by national procedures.

CA may coordinate the necessary exchange of information between ramp inspectors and legal enforcement body (e.g.: reporting of time of inspection, licence numbers, proof to be collected, photography of results, etc. ...).

12 Ramp inspection tool

No personal data such as name of the crew member and the BAC shall be entered in the ramp inspection tool.

12.1 Negative results

Negative results should not be reported under a general remark in order to avoid confusion for operators. There should be no mention of negative test elsewhere than in the Pol header.

12.2 Positive results

If during a ramp inspection several crew members are tested positive for alcohol consumption, each positive case should be reported by using the appropriate finding (no grouping of these findings).

12.3 Refusal

Refusal of inspection should be clearly mentioned with the proper PDF.

13 Equipment requirements (for information only)

Each EASA Member State should define appropriate technical requirements in accordance with national requirements. These technical requirements should be set consistently with the national statutory limit, e.g. a national statutory limit of 0 grams of alcohol per litre of blood should result in the selection of testing devices allowing a proper accuracy.

The use of two different devices, even of different type, is recommended but not necessary for initial and confirmation test.

Hereafter is some guidance on breath alcohol testing devices which measure the concentration of alcohol contained in an exhaled breath sample, intended to be used for screening or preliminary testing.

Further technical specifications can be found in the standard EN 15964. This European standard should have been given the status of a national standard since September 2011, either by publication of an identical text or by endorsement within the following countries:

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

13.1 Type

Breathalyzers do not directly measure blood alcohol content or concentration (BAC), which requires the analysis of a blood sample. Instead, they estimate BAC indirectly by measuring the amount of alcohol in one's breath.

In general, two types of breathalyzer are used:

1. non evidential: usually small hand-held breathalyzers are reliable enough to confirm the non-compliance of an administrative law requirement; and

2. evidential: Larger breathalyzer devices can then be used to produce evidence to be used in criminal law enforcement.

Due to the particular circumstances when alcohol tests will be performed, in the context of a ramp inspection, devices used do not need to be evidential and will be:

- portable;
- handheld;
- appropriate for breath alcohol testing; and
- designed for professional use.

13.2 Accuracy

The maximum permissible error is ± 0.02 mg/L for alcohol concentrations up to and including 0.20 mg/L expressed in milligrams of ethanol per litre of exhaled volume.

The maximum permissible error is $\pm 10\%$ of nominal concentration for alcohol concentration above 0.20 mg/L expressed in milligrams of ethanol per litre of exhaled volume.

Devices used should be calibrated according to manufacturer's instructions.

13.3 Technical specifications

The following technical specifications are deemed necessary to ensure a proper behaviour of a breath alcohol testing device during normal circumstances in ramp inspections, taking into account that the interior of an aircraft, and more specifically the flight deck, will be the most common place where this tests will take place.

- Temperature range: -5° to $+45^{\circ}$.
- Display graphic alcohol values shown in numbers and English language available.
- Measuring range: 0‰ - 4‰.

For practical reasons, it could be useful to have a small printer to get information output tickets of the testing device. Bluetooth connected printers are already available and commonly used in other domains like road traffic breath alcohol tests.

States will have the possibility to replace these specifications in case national requirements set some others more restrictive.

Examples of some equipment that fulfil these specifications are:

- Dräger 7510, 6820, 5820;
- Envitec 6020;
- ACE x Police; and
- Alco Real 588.

13.4 Maintenance

The maintenance of the testing device will be done according to national requirements, the manufacturer manual and in accordance with European Standard on alcohol screening device. The maintenance of the testing device should be documented and the last maintenance document should be available on demand during the ramp inspection or at later stage.

14 Alcohol tests performed by other officials (for information only)

Each State is entitled to decide the way alcohol testing will be carried out and so different options can be chosen:

- alcohol testing fully integrated in the EU Ramp Inspection Programme and performed by ramp inspectors;
- alcohol testing fully integrated in the EU Ramp Inspection Programme but performed by other officials being part of the inspection team;
- stand-alone alcohol testing managed and performed by other officials; and
- a combination of the above options.

The NC may need to create appropriate procedures for the coordination with other national bodies, including the notification of alcohol tests results to the licensing authority and the State of Operator.

Results of alcohol tests performed by other officials need to be entered into the ramp inspection tool. Therefore, other officials should be trained to identify the operator of the tested FC and CC. This identification should comply with current practice of ramp inspectors. The verification of the pilot licence or CC attestation is not enough to identify the operator. It is recommended to define a process to correctly identify the operator by other officials. For commercial aviation, a picture of the AOC would be useful, whereas for all type of flight a photography of the certificate of registration may be taken.

Other officials don't have to use the Pol, but it is necessary that the information requested by the Pol header is collected to correctly upload the report. For this reason, national procedures may require that the correct information is collected by other officials. Other officials could be trained on the handling of the Pol form and specifically on how to fulfil the header. Such a training could guarantee the quality of data entered in the ramp inspection tool.

States may familiarise the other officials performing alcohol tests with the proper verification of a FC licence and/or advise to take a photography of the licence to allow for the correct identification and notification of the licensing authority.

Other officials may be trained on the definition of FC and CC and on the inspection techniques to identify FC and CC on duty.