



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 27 2005

Mr. Lonnie Jaycox
C.L. Smith Company
1311 South 39th Street
St. Louis, MO 63110-2535

Ref. No.: 05-0025

Dear Mr. Jaycox:

This is in response to your January 26, 2005 letter regarding testing requirements for specification packagings under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the addition of a liner bag and absorbent material in the void space of a previously tested combination packaging would require design qualification testing as "a different packaging."

The answer is no, provided the addition of the liner and absorbent material do not effect the structural integrity of the combination packaging. "A different packaging" is defined in § 178.601(c)(4) as a packaging that differs from a previously produced packaging in structural design, size, material of construction, wall thickness or manner of construction. Therefore, further design qualification testing is not required if the alterations to the packaging do not constitute "a different packaging." In addition, the completed and filled packaging, after the liner and absorbent material are added, may not exceed the gross weight of the originally tested packaging.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



050025

178.601(c)

Pollack
Webb
§ 178.601(k)

Testing
05-0025

INFOCNTR

From: lonnie jaycox [ljaycox@clsmith.com]
Sent: Wednesday, January 26, 2005 10:40 AM
To: INFOCNTR
Subject: Absorbent fill

If a combination package has been tested and certified in a configuration that produces some natural void space in the carton without the use of a fill or absorbent material (i.e. round bottles in a square carton would have such voids even when the bottles are held securely in place in the carton, an inner container with a cone top produces the same effect, as would a nested partition with air cells being used to position primary containers of any sort.), would the addition of a liner bag and loose fill material (such as a soft particulate absorbent) into the natural void spaces in the package constitute a "different package" that would require re-testing; assuming of course, that the inner containers must be filled to a lighter weight than the originally tested design type in order to respect the gross package weight limitations and no changes are made to the components or assembly of the originally tested design type except to fill natural voids with a soft fill material.

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