



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

FEB - 3 2006

Ms. Joan M. Boardman
Global Logistics Services
Pfizer, Inc.
1855 Shelby Oaks Drive North
Memphis, TN 38134-7401

Ref. No. 05-0315

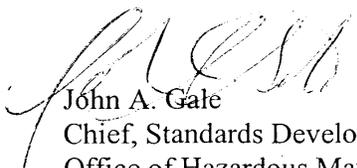
Dear Ms. Boardman:

This responds to your December 8, 2005 letter requesting clarification on marking requirements for your ORM-D material under the Hazardous Materials Regulations (HMR: 49 CFR Parts 171-180). According to your letter, you ship your ORM-D materials in "club pallets" consisting of two bottles in a strong fiberboard tray. Trays are then palletized and shrink-wrapped as one and transported to the consignee.

In accordance with § 173.156, packages of materials described as "Consumer commodity, ORM-D" are not subject to the marking requirements prescribed in Subpart D of Part 172, including § 172.316, when unitized in cages, carts, boxes or similar overpacks, and when offered for transportation or transported by a private or contract motor carrier or a common carrier vehicle under exclusive use for such service, from a manufacturer to a distribution center, from a manufacturer or distribution center to a retail outlet, or return.

I hope this answers your inquiry.

Sincerely,


John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



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§173.156
ORM-D
85-0315

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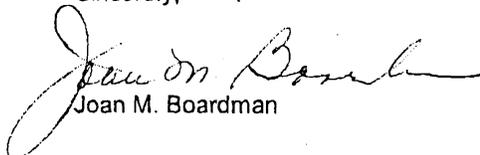
ATTENTION: PHH-10

Pfizer manufactures a mouthwash classified as a Consumer Commodity, ORM-D which is packaged in 2.1 L bottles and sold to various club warehouses; i.e., Sam's, Costco, etc. in trays on pallets. The business refers to this packaging configuration as a "club pallet." This club pallet configuration consists of two bottles in a strong fiberboard tray. Trays are then palletized and shrink-wrapped as one and transported to consignee.

Our understanding of the regulations (§§ 172.316, 173.25 and 173.156) and our subsequent conversation with your colleague, Eileen Edmonson, indicate that we may meet the ORM-D marking requirements by marking the shrinkwrap as long as the mark will not become separated from the pallet; i.e., taped, covered with clear shrinkwrap, etc.

At your convenience, I would appreciate your confirming this understanding in writing.

Sincerely,


Joan M. Boardman