



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

JUN 19 2013

Mr. Mark Visconti
Alden Leeds, Inc.
55 Jacobus Avenue
South Kearny, NJ 07032

Ref. No. 13-0113

Dear Mr. Visconti:

This responds to your May 15, 2013 request for clarification on how to describe and transport swimming pool chlorinating tablets under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you describe a package configuration and ask if the package complies with the consumer commodity requirements specified in § 173.152(c).

In your letter, you indicate that you are shipping swimming pool chlorinating tablets classified as UN2468, Trichloroisocyanuric acid, dry, 5.1, PGII. These tablets are placed in a plastic pail outer package weighing 40 pounds. The tablets are each sealed in clear plastic wrapping as an inner packaging and placed in the outer packaging. Each plastic wrapped inner packaging is 8 ounces. Based on this packaging configuration, you ask the following:

Q1. What is DOT's definition of an inner packaging?

A1. As defined in § 171.8, an inner packaging is a packaging for which an outer packaging is required for transport. It does not include the inner receptacle of a composite packaging.

Q2. Do the tablets in the enclosed photos meet the requirement for an inner packaging?

A2. Yes, according to your enclosed photos, the tablets, as contained in sealed plastic inner packaging meet the definition of an inner packaging as defined in § 171.8.

Q3. Does this material and packaging configuration meet the consumer commodity requirement specified in 173.152(c)?

A3. Yes, provided the material meets the definition of consumer commodity specified in § 171.8, each package conforms to the packaging requirements of subpart B of part 173, the overall package does not exceed 30 kg (66 pounds), and, for packing group II solids, the inner packagings do not exceed 1.0 kg (2.2 pounds) net capacity.

I hope this answers your inquiry. If you need additional assistance, please call this office at (202) 366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Benedict". The signature is written in a cursive style with a large initial "R".

Robert Benedict
Chief, Standards Development Branch
Standards and Rulemaking Division

ALDEN LEEDS, INC.

"Chemicals that care for your pool"
55 Jacobus Ave. • South Kearny, NJ 07032

Manufacturers of
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Swimming Pool Chemicals



MAXIBROM
Bromine products

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Sparkle
Specialty Chemicals

May 15, 2013

US DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Boothe
§173.152 (b)(1)(c)
Consumer Commodity
13-0113

Re: Interpretation of Haz Mat Shipping Regulations CFR 173.152(b)(1)(c)

Alden Leeds has been asked to package an oxidizer which may or may not meet the requirements for a consumer commodity ORM-D package. The product is swimming pool chlorinating tablets, UN2468, trichloroisocyanuric Acid, dry, 5.1, PGII.

As per CFR 173.152(b)(1)(c), this package has an outer package (pail) under 66 pounds. In this case it is 40 pounds. The inner packaging has tablets, which are in sealed clear plastic wrapping. Each plastic wrapping of the inner packaging is under the required 2.2 pounds. In this case it is 8 oz.

At first glance, it appears that this meets the requirements for consumer commodity ORM-D, but I am not clear what the DOT's definition of an "inner packaging" is. Do the tablets in the pictures meet the requirement for inner packaging? What is the DOT's definition of inner packaging? Please see enclosed pictures.

This package is labeled and shipped in this same matter by many companies now. Alden Leeds wants to be 100% certain that this meets the requirements and laws for Consumer Commodity package before we get involved with this project.

Please review and mail, email or call with your response. Please reply promptly as I had emailed several times without a response.

Regards,

Mark Visconti
Alden Leeds, Inc.

mark.visconti@aldenleeds.com

nu.clo The convenient modern way to perfect pool care

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SHIPPING PACKAGE



PoolBrand

3" CHLORINATING TABLETS

99% Active Ingredients

2x a week



Close UP - LABEL

PoolBrand®

3" CHLORINATING TABLETS

99% active ingredients

WHY TO USE

- Not blended (no fillers)
- Kills bacteria and controls algae
- Reduces pH
- Leaves no residue
- For all types of pools
- Individually wrapped tablets

Active Ingredient:

Trichloro-s-triazinetriene.....	99%
Other Ingredients:	1%
Total:	100%
Available Chlorine:	90%

2 STEP CHLORINATE
2X a week

KEEP OUT OF REACH OF CHILDREN
DANGER
See side panels for additional
Precautionary Statements and First Aid

NET WT: 40 LBS.

MADE IN THE U.S.A. 

CLOSE UP - ORM-D LABEL

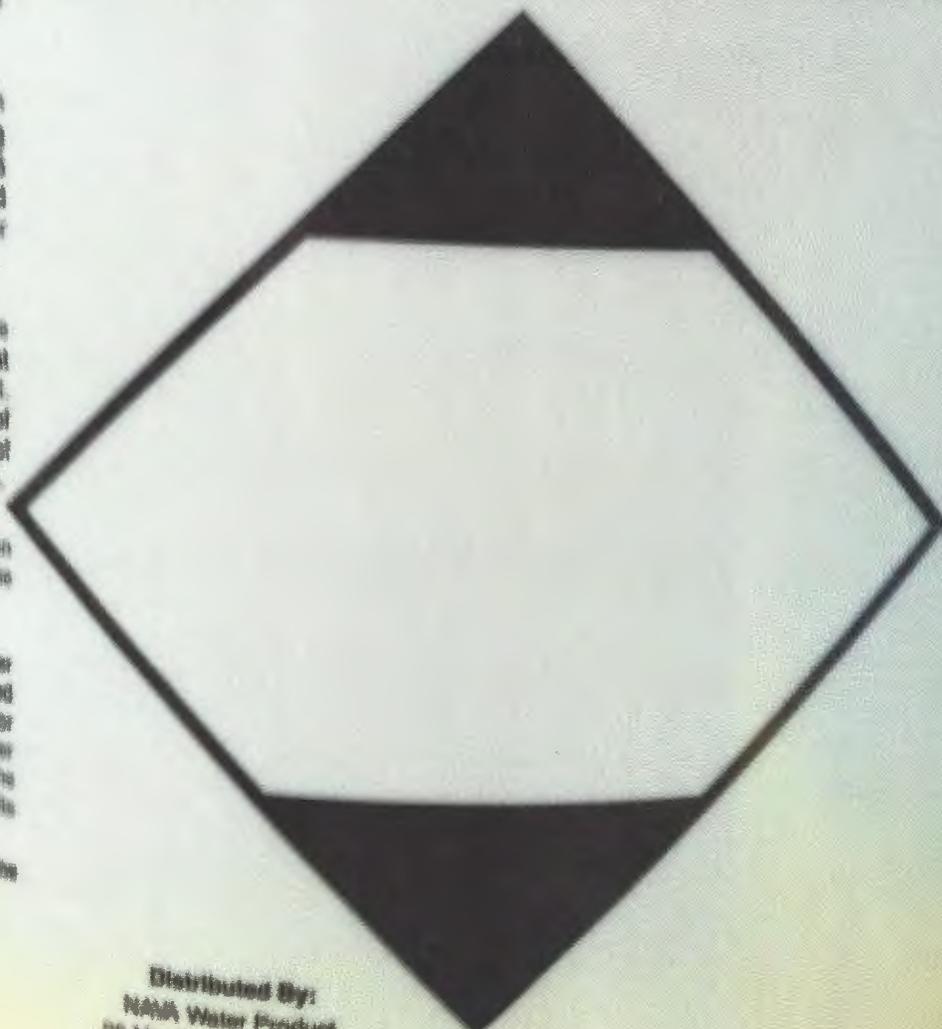
STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Store in a dry, cool and well-ventilated area. Avoid moisture getting into container. Keep off wet floors. In case of spillage, wash with large amounts of water. After each use, keep container tightly closed. Oxidizing material. Keep away from flames, sparks and all sources of heat. Avoid contact with organic material.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Rinse empty container thoroughly with water to dissolve all material prior to disposal. Offer for recycling, if available.



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CLOSE UP INNER PACKAGING

