



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

AUG 10 2016

Mr. Jay Johnson, DGSA
Regulatory Compliance Manager
Inmark Packaging
675 Hartman Road, Suite 100
Austell, GA 30168

Reference No. 15-0233

Dear Mr. Johnson:

This letter is in response to your email and subsequent telephone conversations requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the selective testing of a combination package. Specifically, you request clarification of the application of Variation 4 in combination with Variation 1 found under § 178.601(g) of the HMR.

In your email, you state that you have a United Nations (UN) 4G combination packaging design successfully tested by an approved third party lab consisting of 4 x 1 gallon bottles in an outer fiberboard box. You intend to reduce the number of bottles by half and the size of the fiberboard box as authorized under Variations 1 and 4 of the selective testing provisions in § 178.601(g)(1) and (g)(4), respectively. You ask whether the marked gross mass on the packaging design should remain as originally certified or whether it should be reduced in proportion to the reduction in the number of inner packagings and the reduction in outer packaging dimensions.

As prescribed in § 178.601(g), variations that differ only in minor respects of a tested design-type are permitted without further testing. However, unlike Variation 3 in § 178.601(g)(3), when using Variations 1 or 4, or a combination of both, reducing the marked gross mass is not necessary provided an equivalent level of performance is maintained in accordance with the original design, i.e., the packaging must be capable of passing the Part 178, Subpart M performance tests commensurate with the marked gross mass.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

Stevens
178.601
Testing General Reg
15-0233

From: Jay Johnson <jayj@inmarkinc.com>
Sent: Monday, November 30, 2015 8:42 AM
To: Foster, Glenn (PHMSA)
Cc: Betts, Charles (PHMSA); Supko, Ben (PHMSA); Dodd, Alice (PHMSA); Goodall, Shante CTR (PHMSA); Frank Orvino; Heneghan, John (PHMSA); Leary, Kevin (PHMSA)
Subject: RE: Questions about using selective testing Variation 4

Hello Glenn,

Here is my question on how to properly apply the UN Specification marking when using Variation 4.

I have a 1x4 gallon industrial round shipper certified by a DOT approved Third Party Lab as a 4G combination packaging. Variation 4 in combination with Variation 1 would allow me reduce the number of bottles and the size of the packaging to produce a 1x2 gallon shipper and a 1x1 gallon shipper without testing if I kept everything else the same.

What should the UN specification marking look like on the smaller selective testing packages?

Should I leave the Gross Mass in Kilograms the same as the originally certified package or is there some mechanism or formula to reduce the maximum gross mass in kilograms as the package reduces in size?

Kind Regards,

Jay Johnson, DGSA | Regulatory Compliance Manager



675 Hartman Road, Suite 100 Austell GA 30168

o 770-373-3300 | d 770-373-3356 | m 770-377-0205 | f 770-373-3357 | e jayj@inmarkpackaging.com

Follow us at:



Visit our [website](#) or InmarkPackaging.com to learn more about our products and services.

Please consider the environment before printing this e-mail.

Confidentiality Notice:

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. Section

and its disclosure is strictly limited to the recipient intended by the sender of this message. This transmission, and any attachments, may contain confidential information. If you are not the intended recipient, any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is **STRICTLY PROHIBITED**. Please contact us immediately by return e-mail or at +1-770-373-3300 and destroy the original transmission and its attachments without reading or saving in any manner.