



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

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

FEB 3 2010

Mr. Colin Leavitt Jr.  
SeraCare Life Sciences  
25 Birch Street  
Milford, MA 01757

Ref. No. 09-0299

Dear Mr. Leavitt Jr.,

This responds to your December 8, 2009 email regarding the transportation of small quantities under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether materials transported by your company may be shipped as excepted quantities and you request clarification of closure requirements for inner packagings used for excepted quantities.

In your letter, you state that your company produces biological panels containing 4 ml capacity vials filled with a mixture of methanol (2.4 ml) and human blood and that you plan to ship the material by air. You ask whether you may ship this mixture of material as excepted quantities. Additionally, with regard to closure requirements for inner packagings, you ask whether a screw cap with an o-ring seal conforms to the requirements to use a positive means of closure for inner packagings.

Assuming the mixture meets the definition of a Class 3 flammable liquid material and the human blood does not meet the definition of a Division 6.2 infectious substance, you are correct that your company may elect to transport the material by air using the exceptions for excepted quantities provided in § 173.4a. Regarding the closure requirements for inner packagings, a screw cap with an o-ring seal does not provide a positive means to ensure that the screw cap will be held in place. In accordance with § 173.4a(e)(2), a removable closure must be held securely in place with wire, tape, or other positive means (e.g., shrink-wrap).

Note that the International Air Transport Association's standards do not have official standing under the HMR. When transporting hazardous material by air, you must transport in accordance with the HMR or alternative regulations authorized for use by the HMR in § 171.22 such as the

International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air.

I hope this information is helpful. If you have further questions, please contact this Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Betts". The signature is written in a cursive style with a large, stylized initial "C".

Charles E. Betts  
Chief, Standards Development  
Office of Hazardous Materials Standards

Der Kinderen  
 § 173.4a  
 Excepted Quantities  
 09-0299

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, December 08, 2009 11:55 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Requesting clarification Sec 2.7.5 packaging; Excepted Quantities

Carolyn,  
 This gentleman wants a letter of interpretation on the below topic.  
 Thanks,  
 Rob

**From:** Leavitt, Colin [mailto:cleavitt@seracare.com]  
**Sent:** Tuesday, December 08, 2009 11:26 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Requesting clarification Sec 2.7.5 packaging; Excepted Quantities

Dear Sir or Madame,

We have a project in development and our application is an OEM biological panel containing 4 vials at 4 mls each. Each vial would contain 2.4 ml of methanol (methyl alcohol) and the balance of each vial containing human derived blood. Packaged in "Nunc" panel container and shrink wrapped.

- 1) I believe we can ship as an "excepted quantity", correct?
- 2) If so, can you please provide assistance / clarification on IATA subsection 2.7.5.1 (a), reading in part;

... the closure of each inner packaging must be held securely in place with wire, tape or other positive means; any receptacle having a neck with molded screw threads must have a leak proof threaded type cap. The closure must be resistant to the contents.

Would / does a screw cap w/ o-ring seal constitute a "positive means of closure" for the individual vial(s)/ each inner packaging?

We would ship domestically, by air, via Federal Express.

Thank You in advance for your assistance in this matter.

Colin Leavitt Jr.  
 Sr. Manager, Materials Management  
 SeraCare Life Sciences  
 25 Birch Street  
 Milford, MA. 01757  
 Phone: (508) 244-6436  
 Fax: ((508) 244-6536 or (508) 478-1740  
 Cell: (508) 958-9401  
[www.seracare.com](http://www.seracare.com)