



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

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

DEC 17 2010

Mr. Chuck Talburt
Laboratory Program Advisor
Washington State Public Health Laboratories
1610 NE 150th Street
Shoreline, WA 98155

Reference No. 10-0179

Dear Mr. Talburt:

This is in response to your e-mail to the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) Hazardous Materials Information Center, and subsequent telephone conversation with a member of my staff. In your letter, you state most of the petri dishes your clients use are made from plastic and they would like to use these dishes to transport anthrax cultures, which are typically Division 6.2 (infectious) Category A materials. You ask if petri dishes with lids may be used as primary containers to transport these cultures by motor vehicle, railcar, or aircraft under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Under § 173.196, a packaging for a Division 6.2 material that is a Category A infectious substance must meet the performance test requirements prescribed in § 178.609 and be marked in conformance with § 178.503(f). A packaging for a Category A infectious substance is a triple packaging consisting of a leakproof primary receptacle, a leakproof secondary packaging, and rigid outer packaging of adequate strength for its capacity, mass, and intended use (see § 173.196(a)(3)). Provided the completed package meets the applicable design requirements prescribed in § 173.196 for an infectious substance packaging, and the package successfully passes the performance tests required in § 178.609, use of the petri dish as an inner packaging to transport Category A anthrax cultures would be acceptable. However, a petri dish's lid is typically not designed to be watertight. Therefore, additional packaging materials may be needed to meet this condition. For example, the lid of the dish could be secured to its base with tape or parafilm and this packaging placed in a sealed polyethylene bag that is watertight. This primary packaging could then be placed in a secondary packaging and secured in a manner that

prevents any puncture, tear, or breakage of the packaging materials. Further, the performance tests in § 178.609 require the packaging to be dropped on its bottom, top, sides, and corner, and cold-conditioned and immersed in water with no leakage from the primary receptacle. Additional requirements in §§ 173.196 and 178.609 may also apply.

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster", with a long, sweeping horizontal flourish extending to the right.

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

Drakeford, Carolyn (PHMSA)

Edmonson
\$173.196
\$173.199

Infectious Substances
10-0179

From: INFOCNTR (PHMSA)
Sent: Wednesday, August 11, 2010 10:34 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Shipping Category A infectious substances

From: Talburt, Chuck D (DOH) [mailto:Chuck.Talburt@DOH.WA.GOV]
Sent: Tuesday, August 10, 2010 5:32 PM
To: INFOCNTR (PHMSA)
Subject: Shipping Category A infectious substances

To Whom It May Concern,

This is a follow up from a previous email on this subject.

I am interested in knowing specifically whether Category A, infectious substances, can be shipped by either ground or air using Petri dishes as primary containers. References 08-0276 and 08-0158 clarify the use of Petri dishes as primary containers for Category B cultures. However, I am concerned that laboratories in our state may be sending in Category A, infectious substances, using Petri dishes as primary containers. We are concerned particularly regarding possible anthrax cultures.

Could you please forward an interpretation regarding this question?

Thank you for your assistance in this matter.

Please address your response to:

Chuck Talburt

Washington State Public Health Laboratories

1610 NE 150th Street

Shoreline, Washington 98155

Chuck Talburt

Laboratory Program Advisor

phone: (206) 418-5404

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