



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

OCT 13 2011

Mr. Alvin J. Bernstein
P&G
Mason Business Center (MBC)
8700 Mason Montgomery Road
Mason, OH 45040

Ref. No. 11-0068

Dear Mr. Bernstein:

This responds to your letter regarding package test protocol under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a separate drop and stack testing is required for combination packages containing liquids and solids where the inner packagings are of the same design and the liquid inner packagings have a higher mass than the solid. You state that it should be permissible to only test the package design for drop and stack capability that contains liquid substances and that a passing result should satisfy the testing requirement for the package containing solid substances. You also state that successful testing of the package design containing liquids should satisfy the small and excepted quantity testing requirements under §§ 173.4 and 173.4a of the HMR, respectively, and the international standards equivalent for excepted and limited quantity package design integrity, as well.

It is the opinion of this Office that you are correct in your determination of the test protocols required to assess the drop and stack testing capabilities of your particular packaging design in that successful testing of the design containing liquids would, in this particular scenario, also satisfy the requirement to test the design containing solids.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

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

Drakeford, Carolyn (PHMSA)

Stevens
§173.4(a)(6)
Small Quantity
11-0068

From: INFOCNTR (PHMSA)
Sent: Wednesday, March 23, 2011 2:37 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Package Testing

Hi Carolyn,

We received the following request for a letter of interpretation at the Info Center. The caller previously spoke with Adam Lucas in the Info Center.

Thanks,
Victoria

Victoria Lehman
Hazmat Information Center (HMIC)
Pipeline & Hazardous Materials Safety Administration 1200 New Jersey Avenue, SE,
E21-119 Washington, D.C. 20590
<http://phmsa.dot.gov/hazmat/info-center>
(202) 366-1035

From: Bernstein, Alvin [<mailto:bernstein.aj@pg.com>]
Sent: Wednesday, March 23, 2011 9:36 AM
To: INFOCNTR (PHMSA)
Subject: Package Testing

Kind Person,

I am hoping to get a 'Letter of Interpretation' for my inquiry below.

Per 49CFR 173.4(a)(6) the completed package for a small quantity must be capable of passing a drop & stacking test. Per IATA 2.6.6 (excepted quantity) and 2.7.6 (limited quantity) we are required to test the packaging also. I inquired with IATA to see if I needed to test separately for both liquids and solids, and indicated all our solids are powdered, so the weight in a container is less then when the container is filled with water. As an example, a 30 ml bottle with water weighs approximately 30g, but when filled with a powdered solid it weighs less then 30g. They suggested I have our competent regulatory authority make this determination, which I believe is you. My specific question then is:

Do we need to test small quantity, excepted quantity and limited quantity packaging, when required, for both liquids and solids, or will testing with liquids suffice for both?

Thank you,

Alvin J Bernstein
P&G MBC

We can't control the wind, but we have the power to adjust the sails.

*Sign board at Village Oil and Lube,
Newtown, OH*