



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

12/02/2013

To: All Designated Third-Party Packaging Testing and Certification Agencies:

On September 20, 2013 the Pipeline and Hazardous Materials Safety Administration received a request seeking clarification with regard to whether it is permissible to issue a test summary page prior to a report required by Paragraph 6.b. of the designated third-party package testing and certification agency approvals.

Neither the Hazardous Materials Regulations (HMR, 49 C.F.R. Parts 171-180) nor the designated third-party package testing and certification agency approvals forbid this practice. However, persons contracting with a designated third-party package testing and certification agency for testing and certification of a packaging must ensure compliance with Part 178. This includes 49 C.F.R. 178.2(b)(1), which specifies:

(b) *Specification markings.* When this part requires that a packaging be marked with a DOT specification or UN standard marking, marking of the packaging with the appropriate DOT or UN markings is the certification that—

(1) Except as otherwise provided in this section, all requirements of the DOT specification or UN standard, including performance tests, are met.

Additionally, in accordance with §§ 178.601(l), 178.801(l)(1), and 178.955(i) the test report must be maintained at each location where the packaging is manufactured, certified, and a design qualification test or periodic retest is conducted.

Therefore, persons contracting with a designated third-party package testing and certification agency for testing and certification of a packaging must ensure that all requirements of the UN standard including performance tests are met prior to marking of the packaging and that the test report is maintained at each location where the packaging is manufactured.

If you have additional questions, please feel free to contact this Office, in writing, at the address posted above, via electronic mail (email) at approvals@dot.gov, or via facsimile (fax) at (202) 366-3753 or (202) 366-3308.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. El-Sibaie", with a long horizontal flourish extending to the right.

For Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety