



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

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

JUN 05 2014

Adrian Shipman  
809 E. Moneta Avenue  
Peoria Heights, IL 61616

Ref. No. 14-0013

Dear Adrian Shipman:

This responds to your December 4, 2013 request for clarification of the packing instructions for lithium batteries under the 2013-2014 Edition of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) and a previous interpretation (Ref No. 12-0261). Specifically, you seek clarification of Packing Instruction (PI) 967 Section II applicable to lithium ion batteries contained in equipment. PI 967 states "each package containing more than 4 cells or more than 2 batteries installed in equipment must be labeled with a lithium battery handling label." PI 967 also limits the net quantity of lithium ion cells or lithium ion batteries to 5 kg per package. Your questions are paraphrased and answered as follows:

Q1. Does PI 967 Section II limit the number pieces of equipment allowed in a package?

A1. The current PI 967 Section II requirements do not specifically limit the number of lithium ion battery equipment pieces that can be placed in a package. Rather the package limit is based on a 5 kg net quantity of lithium ion cells or batteries per package that are contained in the equipment.

Q2. In PI 967 Section II, do the limits of 4 cells or 2 batteries refer to the number of cells or batteries allowed in the package or the piece of equipment?

A2. It should be noted that the reference in PI 967 Section II to the 4 cells or 2 batteries is only in reference to a lithium battery handling label exception, and does not refer to the allowable number of cells or batteries that can be contained in the package or a piece of equipment. With that said the limit of 4 cells or 2 batteries referenced in PI967 Section II is a package limit. For example, if you have cellular phones each powered by a single cell lithium ion battery, up to four cells (i.e. four cellular phones) can be placed into this package without a requirement to display the lithium battery handling label. However, if five cells (i.e. five cellular phones) are

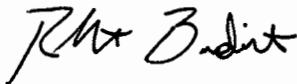
placed in this package, then you would have to display the lithium battery handling label.

Q3. A recent PHMSA Letter of Interpretation (Ref. No. 12-0261) stated “[t]he ICAO TI provides an exception for equipment containing four or less cells or two or less batteries from the requirement to label packages with a battery handling label and accompanying documentation.” You ask if this interpretation (Ref. No. 12-0261) refers to the number of batteries allowed in the equipment with a max net of 5kg per package.

A3. No, to qualify for the lithium battery handling label and accompanying documentation exceptions under PI 970 Section II.2 the completed package must not contain more than four cells or two batteries and the total net quantity of batteries in the package must not exceed 5kg. However, it should be noted that there is no limit on the number of button cell batteries per package to be eligible for these same exceptions provided all other provisions of PI 970 Section II are met (including the 5kg total net quantity limit).

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Benedict". The signature is written in a cursive style with a large initial "R" and a stylized "B".

Robert Benedict  
Chief, Standards Development Branch  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Boothe  
3171.23  
3171.24

**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, January 14, 2014 1:25 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

ICAO  
14-0013

Hi Carolyn,

This is a different request from Mr. Shipman. I didn't see either of his 12/4/13 requests in the system.

Thanks,  
Victoria

-----Original Message-----

**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, December 04, 2013 3:26 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,  
Victoria

-----Original Message-----

**From:** PHMSA Webmaster  
**Sent:** Wednesday, December 04, 2013 12:40 PM  
**To:** HM-Enforcement (PHMSA); PHMSA Webmaster  
**Subject:** Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

ICAO Packing Instruction 967 Section II. Looking for some clarity on this packing instruction with regards to the number of equipment pieces allowed in a package. The packing instruction reads "Each package containing more than 4 cells or more than 2 batteries installed in equipment must be labeled with a lithium battery handling label"

Does the 4 cells or 2 batteries refer to the number of cells allowed in the package or piece of equipment?

I read an interpretation that made me think it was referring to the number of batteries allowed in the equipment with a max net of 5kg per package.

Ref. No. 12-0261

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