



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

JUL 2 2001

Mr. William Eaton  
Packaging Development Engineer  
Cadbury Schweppes  
30 Trefoil Drive  
Trumbull, CT 06611

Reference No. 00-0269

Dear Mr. Eaton:

This is in response to your letter and conversations with a member of my staff asking if 13 different non-bulk combination packages your company is using may be marked with their own specification to indicate the heaviest weight and most severe packing group.

You stated the packages consist of using the same outer fiberboard box and various inner bottles made of polyethylene terephthalate or high density polyethylene up to 1-gallon in size filled with a Class 3 (flammable), PG II, or Class 8 (corrosive), PG III, material. You also stated that, although the packaging configurations meet the conditions prescribed in Variation 1 of § 178.601(g)(1), your company tested each packaging configuration and that each passed the UN performance tests.

Based on the information contained in your letter, the answer is yes. Each tested package may be marked once to denote the most stringent tested packing group performance level and maximum gross mass. For future reference, all tested configurations may be included on a single test report.

I hope this satisfies your request.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

**Cadbury Schweppes**



Edmonson

178.601



GLOBAL BEVERAGES  
TECHNOLOGY CENTER

( ) ( )  
Markings  
Testing Packagings  
00-0269

September 14, 2000

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
U.S. DOT/RSPA (DHM-10)  
400 7<sup>th</sup> Street S.W.  
Washington, D.C. 20590-001

Dear Mr. Mazzullo:

I am writing to request confidential interpretation and confirmation of proper marking for a specific set of circumstances related to class 3, packing group II, combination packaging.

We have a series of UN Standard combination packaging (Kits) using the same outer corrugated package and various inner packaging containing Class 3 PG II hazardous products. All have been tested in their actual shipping configuration and passed the required tests. Below are pack configurations that cover the various inner packs at the highest usage level. (P# indicates part number) In some cases, not all of the inner packages contain hazardous materials, however we treat each as such for test purposes to determine the performance of the actual finished shipping unit.

PET- Polyethylene Therephthalate

HDPE- High Density Polyethylene

1. P1-2x1gal PET+P2-2x0.5gal PET+P3-2x4oz HDPE
2. P1-2x1gal PET + P-2 2x32oz PET
3. P1-2x1gal PET+P2-2x0.5gal PET+P3-2x32oz PET (Covers #1 & #2, but tested others for assurance purposes)
4. P1-2x1 gal PET + P2-1x5L HDPE
5. P1-1x1gal HDPE + P2-3x2.0L HDPE
6. P1-4x3.0L HDPE + P2-4x8oz HDPE
7. P1-4x1gal HDPE + P2-4x4oz HDPE +4x60gm bag non haz powder
8. 4x1gal HDPE + 4x 0.81 # bags non haz powder
9. 2x1gal PET + 1x8.5#+1x4.49#+2x10.36# bags non haz powder
10. P1-2x1gal PET + P2- 2x16oz PET + 2x2.82#+2x2.0#+2x1.7# bags non haz powder
11. P1-1x.5gal PET+P2-1x1galPET+5.36#+ 2.83#+ 13.08# bags non haz powder
12. 4x1 gal PET
13. P1-1x32oz PET + P2-1x32oz PET+ P3-3x1gal PET

In some cases, we include non-hazardous bagged dry ingredients, which are non-reactive and help fill any voids to keep the unit tight and stable. Also several of the inner packages could fall under the variation 1 provisions, however we have choose to test each for assurance of performance.



30 Trefoil Drive Trumbull, Connecticut 06611 203.459.3000 tel 203.459.3109 fax

A MEMBER OF THE CADBURY SCHWEPPEs plc GROUP

September 14, 2000

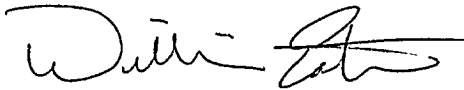
I am interpreting the DOT regulations for marking as follows. Within the UN marking is the maximum weight tested for that outer package. For all of the above noted tests, the UN Marking would be the same with the exception of the weight tested. We are proposing to use a single marking that indicates the heaviest tested package weight. Having an individual UN marking for each pack tested would serve no purpose to my knowledge and should not be required if the level of testing covers the most severe packing group. We also include on the bottom flap reference to each UN test report number to allow easy and quick access to necessary details of tested components.

The reason for approaching this issue in this manner is that we have 13 different test packs for the single outer package and using individual UN markings for each would take up an entire side of the box. This space is necessary for product, hazard and instructional labeling for proper handling and storage. I have spoken to Diane Levalle at the Hazmat Service Center as well as other contacts. Most are in agreement with my interpretation, however our supplier is not in agreement as they have received responses from local enforcement agents indicating a UN marking for each test pack needs to appear on the box. This would equate to having up to 13 UN markings with essentially the same information in each line with the exception of the weight of the tested package.

Due to business needs to continue production, we are proceeding to mark the outer shipper with a single marking for PG II, using the highest weight tested and our M number issued to us from the DOT. Please confirm if this approach is appropriate. If this is not the correct means of marking based on the above situation, please provide details on properly marking our shippers for the above circumstances.

Thank you in advance for your response.

Sincerely,




William Eaton  
Packaging Development Engineer


wre

Cc:  
Eric Crouch  
Denise Lefebvre  
Jack Neill  
Gene Metti  
Karen O'Toole  
Kathy Stohldrier

## TELEPHONIC CONVERSATION RECORD

<i>Specialist Placing Call:</i> Eileen Edmonson	<b>ROUTING</b>	
<i>Date of Call:</i> June 1, 2001 8:56 am voice mail message & 11:15 am conversation	<b>SYMBOL</b>	<b>INT</b>
<i>Person(s) Contacted:</i> William (Bill) Eaton, Packaging Development Engineer, Cadbury Schweppes, 30 Trefoil Drive, Trumbull, CT 06611, 203-459-3136, & 203-459-3109		
<i>Regarding:</i> The configuration of his tested packages and if all the variations met 178.601(g) (1), Variation 1.		
<i>Date of Incoming Letter:</i> 9/14/00		
<i>Specific Subject (including section #'s and key words):</i> His company has put together a variety of combination packagings and tested them all. He wants to know if he can mark the package for its highest design weight and the severest hazard it was tested for. He seems to be under the impression that he must mark the outside package with the UN specification marking for each packaging configuration he tested.		
<i>Summary:</i> Mr. Eaton said all of the configurations of his company's UN specification packaging where a smaller inner packaging is used meet the conditions listed in Variation 1 of § 178.601(g) (1). Mr. Eaton said in some cases inner packagings containing non-hazmat will be laid across the top of packages containing hazmat, but that all of these packaging configurations were tested and meet UN specification. He acknowledged that since his company tested all of their packaging configurations, they really didn't need the selective testing rules. However, one customer is insisting the HMR requires Cadbury Schweppes to mark each fiberboard box with the UN specification for all the configurations for which it was successfully tested. He wanted something from us in writing to say this was not an HMR requirement.		
<i>Comments for Further Action:</i> Finish draft & forward to supervisor.		
<i>Specialist Signature:</i> 		
<i>Date:</i> 6/1/01		

## TELEPHONIC CONVERSATION RECORD

<i>Specialist Placing Call:</i> Eileen Edmonson	<b>ROUTING</b>	
<i>Date of Call:</i> 12/05/00	<b>SYMBOL</b>	<b>INT</b>
<i>Person(s) Contacted:</i> William Eaton, Packaging Development Engineer, Cadbury Schweppes, 30 Trefoil Drive, Trumbull, CT 06611, 203-459-3136, & 203-459-3109.		
<i>Regarding:</i> Information needed to answer his letter		
<i>Date of Incoming Letter:</i> 9/14/00, 2:15 pm		
<i>Specific Subject (including section #'s and key words):</i> His company has put together a variety of combination packagings and tested them all. He wants to know if he can mark the package for its highest design weight and the severest hazard it was tested for. He seems to be under the impression that he must mark the outside package with the UN specification marking for each packaging configuration he tested.		
<p><i>Summary:</i> Mr. Eaton said he inner packagings are made of one of two types of plastic (polyethylene therephthalate and high density polyethylene), a variety of sizes, and similar in design. He said both plastics perform the same, that is they have equal resistance to the hazardous material. He also said his company tested all the packaging types and configurations they will be using, and all passed the HMR's performances tests.</p> <p>Mr. Eaton ships Class 3, PGII, and Class 8, PG III materials, sometime in the same package. He said all his packaging configurations are tested to the PGII standard. He said most packagings consist of 4-1 gallon inner packagings, but the company also ships with 3, 2 or 1 gallon inner containers along with bags of non-hazardous material or other types of cushioning to fill the void spaces.</p>		
<i>Comments for Further Action:</i> Prepare response and send through normal clearances.		
<i>Specialist Signature:</i> 		
<i>Date:</i> 3/21/01		



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400 Seventh Street, S.W.  
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MAR - 7 1996

Mr. Patrick R. Muncie  
Lockheed Martin Tactical Aircraft Systems  
P.O. Box 748  
MZ 6888  
Fort Worth, Texas 76101

Dear Mr. Muncie:

This is in response to your letter of December 21, 1995, concerning performance oriented packaging requirements. Your questions are answered as follows:

- Q1. Is a shipper permitted to use a vendor-provided UN packaging that was tested with four 1-gallon cans if the packaging contains only three 1-gallon cans and the void space is filled with vermiculite?
- A1. Yes. Variations are permitted in inner packagings of a tested combination package, without further testing of the package, provided an equivalent level of performance is maintained. A lesser number of the tested inner packagings may be used provided sufficient cushioning is added to fill void space(s) and to prevent significant movement of the inner packagings. See 49 CFR 178.601(g)(1) and 178.601(g)(1)(ii).
- Q2. Is a shipper allowed to ship vendor supplied cartons that have been manufactured more than 2 years prior?
- A2. Yes. The packaging manufacturer must periodically retest to ensure that each packaging produced by the manufacturer is capable of passing the design qualification tests. This retest requirement is only for manufacturers. A shipper may purchase a UN packaging, store it indefinitely and then use it without any testing requirements.

I hope this information is helpful.

Sincerely,

*Delmer F. Billings*  
Delmer F. Billings  
Chief, Regulations Development  
Office of Hazardous Materials  
Standards

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AP 2 of 1



U.S. Department  
of Transportation

Research and  
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Administration

400 Seventh Street, S.W.  
Washington, D.C. 20590

DEC 31 1992

Mr. Durwood Anderson  
Manager, Special Projects  
Wyle Laboratories  
1841 Hillside Ave.  
Norco, CA 91760

Dear Mr. Anderson:

This is in response to your letter of October 7, 1992 regarding third party test certification of packages. Your questions have been paraphrased as follows:

Q. If the outer fiberboard material of a 4G packaging that failed the Cobb test, but passed required performance tests, is treated to reduce water absorption (thus meeting Cobb test requirements) -- and that is the only change to the previously tested packaging -- must the packaging be requalified?

A. Yes. A packaging that does not meet Cobb test requirements in § 178.516(b)(1) cannot be certified a UN 4G packaging. The 4G outer packaging must conform to both the Subpart L Cobb test and the Subpart M test requirements (with inner packagings) before the combination packaging can be documented as a successfully tested design type, and UN certified.

Q. If a nearly identical friction lid is applied to the inner metal gallon cans in this design type, would the packaging have to be recertified?

A. No. Under selective testing variation 1 in § 178.601(g)(1)(A) and (B), inner packagings of similar design and material construction to the originally tested inner packagings may be used without further design testing provided an equivalent level of performance is maintained and the gross mass of the substitute packaging does not exceed the originally tested design type.

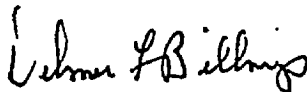
Q. Would the same UN configuration number be used for both the originally tested can and the substituted can?

7082  
AP 1 of 2

A. In the performance system adopted under HM-181, inner packagings of combination packagings are not marked with certification information. If by "UN configuration number" you are referring to the certification marking requirements in § 178.503, there would be no change in marking because, under variation 1, no design type change has been made requiring a new combination package certification mark.

If we can be of further assistance, please let us know.

Sincerely,



for  
Thomas G. Allan  
Deputy Director, Office of  
Hazardous Materials Standards

7082  
AP 20f2





U.S. Department  
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400 Seventh Street, S.W.  
Washington, D.C. 20590

NOV 13 1995

Ms. Patricia L. Garin  
Manager, Technical Services  
Ten-E Packaging Services, Inc.  
1666 County Road 74  
Newport, Minnesota 55055


Dear Ms. Garin:

This is in response to your August 23, 1995 letter concerning selective testing of packagings under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if Variation 1 in 49 CFR 178.601(g)(1)(i) permits use of a greater number of smaller inner packagings without further testing of the package.

The answer is yes. A greater number of smaller inner packagings may be used without further testing if: (1) an equivalent level of performance is maintained, such as by ensuring the thickness of cushioning material between inner packagings and the outside of the packaging is not reduced below the corresponding thickness of the originally tested packaging; (2) the gross mass of the package does not exceed that of the original package; and (3) all other requirements of § 178.601(g)(1)(i) are met.

If we can be of further assistance, please feel free to contact us.

Sincerely,

  
Edward T. Mazzullo  
Director, Office of Hazardous  
Materials Standards

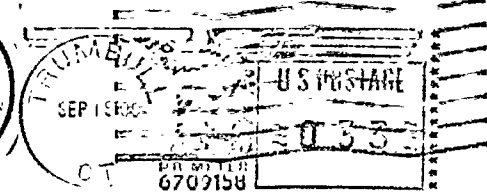
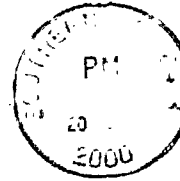
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AP 1 of 1

**Cadbury Schweppes**



GLOBAL BEVERAGES TECHNOLOGY CENTER  
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A MEMBER OF THE CADBURY SCHWEPES plc GROUP



Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials  
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