



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

SEP 24 2002

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

Mr. Tom Brooks
Materials Manager
Bioject, Inc.
7620 S.W. Bridgeport Road
Portland, Oregon 97224

Ref. No. 02-0193

Dear Mr. Brooks:

This responds to your letter concerning certain carbon dioxide cylinders that are used in a medical device to administer needle-free injections. Specifically, you ask if the cylinders may be carried on board a passenger-carrying aircraft in checked or carry-on luggage under the exception in § 175.10(a)(4)(i) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Our December 13, 2000 reply (Reference Number 00-0206) to Alaska Airlines remains valid. In that letter we stated that it is our opinion the cylinders may be carried aboard passenger-carrying aircraft in checked or carry-on luggage under the provision in § 175.10(a)(4)(i). We also stated that the devices do not qualify for the exceptions in §§ 175.10(a)(18) and 175.10(a)(25).

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

Sincerely,

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



020193

175.10



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Stevens
§ 175.10
Aircraft
02-0193

July 18, 2002

Mr. Edward T. Mazzullo
Director of OHMA
Department of Transportation, RSPA
400 Seventh Street
Washington, DC 20001

Dear Mr. Mazzullo:

This is a request for an updated copy of an exemption letter (Reference No. 00-0206). Since September 11, 2001 we have had our employees questioned on the validity of this letter due to the fact it is dated December 13, 2000. Nothing with our product has changed but we would like to request to have a letter with an updated date.

Please let me know if there is anything other information I need to provide you with. Thank you.

Sincerely,

Tom Brooks
Materials Manager
Bioject, Inc.
503-639-7221 ext. 4137
503-624-9002 fax