



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

OCT 29 2014

Mr. Keith E. Smith
President
Vonco Products, LLC
201 Park Avenue
Lake Villa, IL 60046

Ref. No.: 14-0137

Dear Mr. Smith:

This is in response to your email dated July 15, 2014 and a follow-up telephone conversation with a member of my staff requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) relating to secondary packaging testing requirements for infectious substances. Specifically you ask whether for a triple packaging which has been successfully tested for transportation of a Category A infectious substance, a different secondary packaging may be substituted without further testing.

Section 173.196(a) provides that a packaging for a Category A infectious substance must meet the test standards of § 178.609. Section 178.609 does not authorize the substitution of a different secondary packaging without further testing. However, in accordance with Variation 3 found in § 178.609(i)(3), primary receptacles of any type may be placed within a secondary packaging and shipped without testing in the outer packaging provided all of the testing and requirements of § 178.609(i)(3) are met for both the secondary and outer packaging.

I trust this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Shane C. Kelley
Acting International Standards Coordinator
Standards and Rulemaking Division

Balsich
173.134(a)(1)(i)
Definitions
14-0137

Dodd, Alice (PHMSA)

From: Keith Smith <keith@vonco.com>
Sent: Friday, July 18, 2014 10:01 AM
To: Dodd, Alice (PHMSA)
Subject: RE: Request for Letter of Interpretation

Thanks Alice,

Please see my info below.

Keith

From: Alice.Dodd@dot.gov [mailto:Alice.Dodd@dot.gov]
Sent: Friday, July 18, 2014 8:53 AM
To: keith@vonco.com
Subject: Request for Letter of Interpretation

Good Morning Mr. Smith;

My name is Alice Dodd and I am an Admin Assistant in the Office of Standards and Rulemaking Division. I am in the process of assigning your letter of request but I am missing some information in order to proceed. Can you please provide me the following Highlighted portions. Thanks in advance.

Name: Keith Smith
Company: Vonco Products, LLC.
Email: Keith@vonco.com
Phone: 847 245-5520
Address: 201 Park Ave. Lake Villa, IL 60046

Alice Dodd
Office of Pipeline and Hazardous Materials Safety Administration (PHMSA)
Department of Transportation
1200 New Jersey Avenue SE
E-24-403
Washington, DC 20590
Office :202-366-9141
Fax:202-366-7041
Email: Alice.Dodd@Dot.Gov

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Tuesday, July 15, 2014 4:30 PM
To: Hazmat Interps
Subject: FW: Formal Letter of Interpretation - Vonco Products

Please submit this request for a formal letter of interpretation.

Thanks,

Mike

From: Keith Smith [mailto:keith@vonco.com]
Sent: Tuesday, July 15, 2014 3:39 PM
To: PHMSA HM InfoCenter
Subject: RE: Formal Letter of Interpretation - Vonco Products

To whom it may concern,

I am Keith Smith, President/Owner of Vonco Products, a flexible bag and pouch manufacturer in Lake Villa, IL. I am writing in regards to a formal letter of interpretation in regards to secondary packaging of category A biological substances. Vonco currently produces a bag that meets all requirements of secondary packaging. I am trying to understand what requirements are necessary to substitute a certified secondary package that meets all the secondary package criteria into a category A triple packaging product. Please feel free to reach me via email with any further questions to assist in putting together a formal letter of interpretation.

Thanks,

Keith E. Smith

*Spoke via telephone
7/31/14*

*substitution for primary but no subs
for sec*

*If secondary package pass all requirements
for a sec. can it be subed for a primary
for cat A*

*Substitute w/o further testing
for other secondary*

1

*Yours
Package subed
for secondary based
as a sec. in
a cat A*

*178.196
178.609*