



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

MAR 30 2017

Jay White
President and General Manager
Teleflex
3015 Carrington Mill Boulevard
Morrisville, NC 27560

Reference No. 16-0200

Dear Mr. White:

This letter is in response to your December 11, 2016, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to exceptions for passengers, crewmembers, and air operators. You describe in your letter a small lithium metal battery contained in both the EZ-IO Intraosseous Infusion system and the OnControl Driver system, further stating that the battery meets the requirements of each test in the United Nations (UN) Manual of Testing and Criteria Part III, Sub-section 38.3 and contains less than 2 grams of lithium metal. Specifically, you ask if Teleflex employees are permitted to transport this small lithium metal battery, as well as the devices in which it is contained, in carry-on baggage aboard a passenger aircraft for the purpose of demonstrations and promotional shows.

The answer is yes, provided Teleflex employees follow the requirements in § 175.10(a)(18). The requirements of this section allow a passenger or crew member to carry a medical device containing dry cells or dry batteries (including lithium cells or batteries) in either checked or carry-on baggage. Spare lithium batteries must be individually protected to prevent short circuits (e.g., placing them in original retail packaging, insulating exposed terminals with tape, or placing each battery in a separate plastic bag or protective pouch) and must be placed in carry-on baggage only.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Baker
§ 175.10(a)(18)
Exceptions
16-0200

Teleflex®

December 11, 2016

3015 Carrington Mill Blvd.
Morrisville, NC 27560
USA
Phone: 919-544-8000

www.teleflex.com

U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Attention: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590

Request for Interpretation Letter on 49 CFR § 175.10(a)(18)

Dear Sir/Madam:

I am writing to request a formal interpretation letter on the exceptions in the hazardous materials regulations (HMR) found at 49 CFR § 175.10(a)(18). This provision applies to passengers or crewmembers when they carry aboard the aircraft for personal use "portable electronic devices (e.g., watches, calculating machines, cameras, cellular phones, laptop and notebook computers, camcorders, medical devices etc.) containing dry cells or dry batteries (including lithium cells or batteries) and spare dry cells or batteries for these devices." (Emphasis added.)

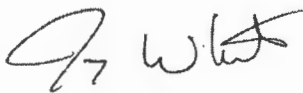
Teleflex is a manufacturer of two small, life-saving medical devices known as the EZ-IO Intraosseous Infusion system and the OnControl Driver system used in the delivery of fluids and medications to patients in the pre-hospital and hospital environments. These devices are powered by a small lithium metal battery that contains less than 2 grams of lithium metal content. The battery has been tested to meet the UN Manual of Tests and Criteria, Part III, Sub-section 38.3.

Representatives from Teleflex intend to carry these devices aboard the aircraft for personal use when traveling to give demonstrations at medical facilities and promotional shows. The devices will be placed in customized carrying cases that will protect them from being damaged and inadvertent activation. We note that your office issued a letter to Aric Tillberg with Morpho Detection on March 3, 2016 (Ref. No. 15-0202) confirming that a small lithium ion battery may be carried aboard the aircraft by a Morpho Detection employee who is traveling to show the battery "for demonstrations and [at] promotional shows."

The Teleflex situation is nearly identical to the one described in your March 3rd letter to Mr. Tillberg except that it addressed a lithium ion battery rather than a lithium metal battery-powered device. Therefore, we request confirmation that the EZ-IO Intraosseous Infusion system and the OnControl Driver system with a small lithium metal battery may be transported in carry-on baggage on passenger aircraft by Teleflex employees for the purpose of demonstrations and promotional shows.

Thank you for your assistance. I can be reached 919.433.4806 if you have any questions regarding this issue.

Sincerely,



Jay White
President and General Manager
Vascular

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Monday, December 19, 2016 4:20 PM
To: Hazmat Interps
Subject: FW: Request for Interpretation Letter on 49 CFR § 175.10(a)(18)
Attachments: Jay White- Teleflex_Request_for_DOT_Interp_Letter 12 19 16-signed.pdf

Hi Shante/Alice,

Please submit this as a letter of interpretation. Please let me know if you have any questions.

Thanks,
Jordan

From: Howington, Kim [mailto:Kim.Howington@teleflex.com]
Sent: Monday, December 19, 2016 10:01 AM
To: PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>
Cc: gkerchner wileyrein.com <gkerchner@wileyrein.com>; Ball, Michael <Michael.Ball@teleflex.com>; White, Jay <jay.white@teleflex.com>
Subject: Request for Interpretation Letter on 49 CFR § 175.10(a)(18)

Dear Sir/Madam:

Please see attached request for Interpretation Letter on 49 CFR § 175.10(a)(18).

Kindly confirm receipt,

Kim Howington
Executive Assistant to Jay White, President
Vascular Division

P: +1.919.433.4818 ext. 68.4818
E: kim.howington@teleflex.com

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