U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

JUL 15 2009

Carolyn Arms, MT(ASCP)
Director of Laboratory
Yakima Regional Medical & Cardiac Center
Toppenish Community Hospital
110 South 9th Avenue
Yakima, WA 98902

Reference No. 08-0158

Dear Ms. Arms:

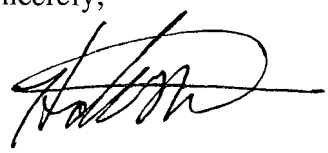
This is in response to your e-mail requesting clarification of requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of infectious substances. Specifically, you ask if a Petri dish containing a Category B infectious substance and covered with a lid that is not leak- or sift-proof meets the definition of a primary receptacle (packaging) under § 173.199 of the HMR. You also ask if the packaging would be considered leak- or sift-proof if it is placed inside another container that does meet this requirement, such as a sealed polyethylene bag. We apologize for the delay in responding and any inconvenience this may have caused.

A Petri dish covered with a lid that is not leak- or sift-proof does not meet the definition of a primary receptacle under § 173.199 of the HMR. The HMR require primary receptacles for Category B infectious substances to be leak-proof for liquids and sift-proof for solids. Often these types of closure can be achieved by securely attaching a lid to a packaging with wire, tape, or any other positive means, such as a friction closure. See § 173.199(b)(1) and (c)(1). Alternatively, to meet this requirement, a petri dish may be placed in a second container, such as a sealed polyethylene bag, that is leak-proof if the dish contains liquids and sift-proof if it contains solids. In this case, the polyethylene bag is the primary receptacle for purposes of the triple packaging requirement in § 173.199. It is the opinion of this Office that placing the Petri dish within the polyethylene bag in a manner that secures the lid to the dish while the packaging is in transportation may facilitate the successful performance of this packaging. Primary receptacles must be packed in a secondary packaging in a manner that ensures the primary receptacles cannot break, be punctured, or leak their contents under normal transportation conditions. The secondary packaging must be secured in a rigid outer packaging with cushioning material that must not become impaired or impair the performance of the outer packaging if exposure to the packaging's contents occurs. Further, the completed

package must be designed, constructed, maintained, filled, its contents limited, and each container in the packaging closed so that under normal transportation conditions the completed package will not permit any release of hazardous material into the environment. See § 173.199(a)(2), (a)(3), and (a)(4).

I hope this satisfies your request.

Sincerely,



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

Edmonson
§173.199
Infectious Substances
08-0158

Drakeford, Carolyn <PHMSA>

From: Edmonson, Eileen <PHMSA>
Sent: Tuesday, June 03, 2008 7:02 AM
To: Drakeford, Carolyn <PHMSA>
Cc: Mitchell, Hattie <PHMSA>; INFOCNTR <PHMSA>
Subject: FW: Shipping of petri dishes

From: Arms, Carolyn [mailto:Carolyn.Arms@yakima.hma-corp.com]
Sent: Friday, May 30, 2008 1:30 PM
To: INFOCNTR <PHMSA>
Cc: Gicca, Ron
Subject: Shipping of petri dishes

To: US Dept of Transportation
ATTN: Eileen Edmundson - DOT - (202) 366-8553

My name is Carolyn Arms and I am the Laboratory Director of a small rural hospital in Washington State. This email is in response to a phone conversation between myself and Eileen Admundson of the DOT on Wednesday May 28, 2008. I called Eileen for a clarification of the regulations regarding shipment of Category B infectious substances; specifically shipping inoculated culture media on petri dishes.

Our laboratory currently plates microbiology cultures onto petri dishes and incubates the cultures until transport to a larger hospital in our area. We have been placing the petri dishes into sealed bags, then placing the bags into a secondary and tertiary container as directed in the regulations. The Washington State Department of Health released an article in their publication "Elaborations" in Nov/Dec 2007 stating that the petri dish must be considered as the "primary" container and is therefore unsuitable for shipment.

At our small hospital, if we cannot plate our cultures and incubate until transport, we will add up to 24 hours delay in diagnostic test results. This will significantly affect our patient care.

We are asking for a clarification in regard to what may be considered the primary container. Must we consider the petri dish as the "primary container" or is it acceptable to meet the intent of the regulation by placing the dishes into another container that is leak/sift proof?

Thank you for your time and consideration.
Carolyn Arms MT(ASCP)
Director of Laboratory
Yakima Regional Medical & Cardiac Center
Toppenish Community Hospital
110 So. 9th Ave.
Yakima, WA 98902
502 W. 4th Ave.
Toppenish, WA. 98948
(509)575-5132 or (509)865-1512