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

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

APR - 6 2001

Mr. Michael F. Ryan
Regulatory Specialist
Limited Logistics Services
Two Limited Parkway
Columbus, Ohio 43230

Ref. No. 01-0013

Dear Mr. Ryan:

This responds to your letter requesting clarification of the mixed contents packaging requirements for safety matches under § 173.186(c) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered as follows:

Q1. The exception in § 173.186(c) specifies that safety matches may only be packed in the same outer packaging with materials not subject to the HMR. May safety matches be packaged in the same outer packaging with a Consumer commodity, ORM-D, if the outer package is marked for both hazards?

A1. The answer is no. A Consumer commodity, ORM-D, is subject to the HMR and, therefore, may not be packaged in the same outer packaging under the exceptions for safety matches in § 173.186(c). You may, however, overpack fully regulated hazardous materials with excepted packages of safety matches provided the overpack conforms to all applicable requirements of the HMR. See § 173.25.

Q2. May safety matches be packaged in the same outer packaging with a Class 3 or Division 2.1 material provided the package is marked and labeled for all hazards?

A2. No. See answer A1 above. In addition, depending on the mode of transportation used, overpacked packages of hazardous materials are subject to the segregation and quantity limitation requirements under Parts 174-177 of the HMR.

Q3. Are safety matches permitted to be overpacked (shrink-wrapped onto a pallet) with a Consumer commodity, ORM-D?

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173.186

A3. Yes, under certain conditions. Provided the safety matches are independently packaged as specified in § 173.186, they may be overpacked (shrink-wrapped) onto a pallet with any compatible material, hazardous or otherwise. See §§ 173.25 and 173.156.

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

Sincerely,

Hattie L. Mitchell

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

Stevens
§173.186(c)

January 8, 2001

Packaging
01-0013

Ms. Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
United States Department of Transportation
Office of Hazardous Materials Standards
DHM-12
400 7th Street, S.W.
Washington, DC 20590-0001

**RE: Clarification of 49 CFR 173.186(c)**

Dear Ms. Mitchell:

We would like to request a clarification to 49 CFR 173.186(c) regarding the shipment of safety matches. Specifically:

1. Can safety matches be packed into the same outer package with consumer commodities (ORM-D) provided that the outer package contains the appropriate markings for both hazards?

2. Can safety matches be packed into the same outer package with flammable liquids (Class 3) or aerosols (Division 2.1) provided that the outer package contains the appropriate markings and labels for all hazards?

3. Can safety matches be overpacked (shrink-wrapped onto a pallet) with consumer commodities?

We are looking forward to your response.

Sincerely,

Michael F. Ryan
Regulatory Specialist
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