



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

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

OCT 16 2001

Mr. Michael A. Roby
Manager-Technical Service Center
Rubbermaid Commercial Products
3124 Valley Avenue
Winchester, VA 22601

Reference No: 01-0201

Dear Mr. Roby:

This responds to your letter of July 16, 2001, requesting clarification on manufacturing packagings for regulated medical waste (RMW) under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that your company manufactures packagings for RMW but you do not provide the inner receptacles. You provide instructions stating:

- Only solids may be hauled (no semi-liquids or liquids);
- Gross weight may not exceed 27.2 kilograms;
- A 3 mil inner liner must be used (top gathered and tied in a single knot);
- Must be transported by private or contract motor carrier.

Your questions are paraphrased and responded to as follows:

Q1. Should any reference and/or restriction be made as to particulars of the "solids" being transported? How close to the type of "mix" tested is the end user required to apply to their "mix" to be hauled?

A1. Any mixture of solid materials may be transported in the above described container provided the maximum gross weight as marked on the packaging is not exceeded, however, the packaging may not be used for sharps unless it has been tested as such. For your information, the Food and Drug Administration also has requirements for sharps containers.

Q2. May pressure sensitive labels be used for marking a packaging? Is there a performance test that labels need to meet?

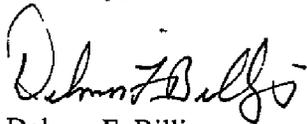


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A2. Pressure sensitive labels may be used for marking a package. There is no performance test for such labels.

I hope this information is helpful

Sincerely,



Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



Engram LaValle
§ 173.197
§ 178.3

Marking Packagings
01-0201

Memorandum

To: Diane LaValle
CC: Patricia Kennedy
From: Mike Roby
Date: 07/06/01

Re: Written Interpretation of Regulated Medical Waste Regulations

As a follow-up to our recent telephone conversation, Rubbermaid Commercial Products LLC (RCP LLC) requests written clarification/interpretation for the use of our UN number assigned to our 3517 Combo (base & lid), for the shipment of Regulated Medical Waste (RMW).

Since we will not be furnishing the inner packaging, we understand that "instructions" are required by us, to our customer. The "instructions" would state:

1. To use RCP's UN number for transporting RMW, the following restrictions apply:
 - a. Only solids to be hauled (no semi-liquids or liquids),
 - b. Gross weight not to exceed 27.2 kilograms,
 - c. 3 mil inner liner (top gathered, twisted and tied in a single knot),
 - d. Transported by private or contract motor carrier.
 - "Should any reference and/or restriction be made as to particulars of the "solids" being transported?" or,
 - "How close to the type of "mix" tested is the end user required to apply to their "mix" to hauled?" RCP's "Report" accompanies this memorandum.
2. Per our discussion, if pressure sensitive labels used, for marking container, they must comply with 49 CFR 178.3 (3).
 - Request DOT's interpretation of "permanence" requirement, per 178.3 (3), as it relates to "pressure sensitive" labels.
 - "Is there a performance test/requirement that labels need to meet?"

RCP thanks you in advance for your assistance in this matter.

Rubbermaid Commercial Products LLC

07/16/01
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