



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

MAR 12 2014

Adrian Shipman  
809 E. Moneta Avenue  
Peoria Heights, IL 61616

Ref. No. 14-0012

Dear Adrian Shipman:

This responds to your December 4, 2013 request for clarification of shipping lithium batteries under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air. You indicate you have a tablet computer powered by a lithium ion battery. Additionally, you indicate the tablet containing a lithium ion battery is packaged in the original packaging from the manufacturer and is shrink-wrapped. You also indicate that the package meets packaging requirements in subpart B of part 173 of the HMR and it is your understanding that marking or labeling requirements do not apply. Your questions are paraphrased and answered as follows:

Q1. May the proper shipping name and UN identification number "Lithium ion batteries contained in equipment, UN3481" be used for ground shipment of this material?

A1. The answer is yes. The proper shipping name and UN identification number, "Lithium ion batteries in contained in equipment, UN 3481" is authorized for ground shipments in the United States. Notice No. 09-04 [74 FR 42952], published August 25, 2009, provides approval to all shippers to use this international shipping name domestically.

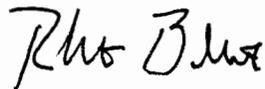
Q2. Can the manufacturer's packaging be considered the outside packaging if it has the manufacturer's logo and picture of the tablet on the outside?

A2. The answer is yes. The original manufacturer's packaging may be used as the outside packaging for transport provided the packaging meets the packaging requirements in subpart B of part 173. The packaging must be designed and

constructed so that the packaging can withstand normal conditions of transportation. Additionally, it should be noted that if your batteries meet the size conditions for small lithium ion batteries contained in equipment and comply with the applicable provisions in § 172.102(c), Special Provision 188, the tablet computer described in your letter would not be subject to any other requirements of the HMR.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Rho B. Benedict". The signature is written in a cursive, slightly slanted style.

Robert Benedict  
Chief, Regulations Development Branch  
Standards and Rulemaking Division

Boothe  
3172.101

**Drakeford, Carolyn (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, January 14, 2014 1:23 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

Applicability  
14-001Z

Hi Carolyn,

Did this letter get logged?

Thanks,  
Victoria

-----Original Message-----

**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, December 04, 2013 3:25 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation. This caller spoke with Mike Ciccarone in the HMIC on 12/4/13 and was referred Notice No. 09-4 published 8/25/2009.

Thanks,  
Victoria

-----Original Message-----

**From:** Wilson, LeAndrew (PHMSA) On Behalf Of HM-Enforcement (PHMSA)  
**Sent:** Wednesday, December 04, 2013 12:53 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** FW: Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

-----Original Message-----

**From:** PHMSA Webmaster  
**Sent:** Wednesday, December 04, 2013 12:48 PM  
**To:** HM-Enforcement (PHMSA); PHMSA Webmaster  
**Subject:** Feedback: General Questions/Comments Regarding the PHMSA Enforcement Program

Scenario:

I have a tablet, lithium ion battery contained in equipment. It is packaged in its original packaging from the manufacturer and it is shrink wrap and meets strong outer packaging, there is no marking or labeling requirements.

Question 1. If this was a fully regulated ground shipment could I use the ICAO Proper Shipping Name and UN number, UN3481, Lithium Ion Batteries contained in equipment?

Question 2. Can the manufacturer's packaging be considered as outside packaging if it has the manufactures logo's and picture of the tablet on the outside?

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Name: Adrian Shipman

Organization:

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