



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

NOV 04 2015

Mr. Louis Le
Product Stewardship Manager
Education Technology
Texas Instruments Incorporated
12500 TI Boulevard
Dallas, TX 75243

Reference No. 15-0027

Dear Mr. Le:

This is in response to your e-mails and the supplemental information you provided requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to properly shipping calculators that contain lithium-ion batteries. You state some of your company's calculators that contain these batteries are routinely frustrated in transit. Specifically, you ask if your company's products meet the conditions of § 173.185(c) of the HMR and Special Provision 188 of the International Maritime Dangerous Goods (IMDG) Code.

You provided the material safety data sheet (MSDS) of the lithium-ion batteries installed in the calculators. It describes the battery as a 3.7 Volt, 4.44 Watt hour (Wh), lithium ion battery Model Nos. P11P35-09-N01 and P11P35-11-N01, manufactured by Samsung SDI Company, Ltd. The MSDS indicates that the batteries are of a type proven to meet the requirements of each test in the United Nations Manual of Tests and Criteria, Part III subsection 38.3. You further state the calculators containing installed batteries are packed in blister packs and placed in a strong outer packaging.

The information you provided indicates that your shipments of lithium ion batteries contained in equipment meet the cell/battery testing, size, and packaging requirements of § 173.185(c) and Special Provision 188 of the IMDG Code. Hazard communication requirements in § 173.185 and IMDG Code Special Provision 188 apply to packages that contain more than four lithium cells or two lithium batteries contained in equipment.

I hope this satisfies your request.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Edmanson
§ 173.185(c)
Batteries
15-0027

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Monday, February 02, 2015 4:07 PM
To: Hazmat Interps
Subject: FW: Letter of Interpretation Requested for 49 CFR 173.185(c) exception for transportation of product containing Lithium battery

Importance: High

Shante/Alice,

Please submit this for formal letter of interpretation. Mr Le spoke to Shelby in the HMIC.

Thanks,

Mike

From: Le, Louis [<mailto:louis.le@ti.com>]
Sent: Monday, February 02, 2015 3:42 PM
To: PHMSA HM InfoCenter
Subject: Letter of Interpretation Requested for 49 CFR 173.185(c) exception for transportation of product containing Lithium battery
Importance: High

Hi,
I have products that contains Lithium Ion battery or Lithium Metal battery. Currently, there are delayed in country due to authorities and/or carriers stating that due to the product being categorized as an calculator that contains an lithium battery is an Dangerous Goods. HS codes that is used for my product is 8470.10.0000

UN3481 – Lithium ion contained in equipment
Battery Capacity / Lithium Content per battery
<= 20Wh/ Cell and not more than 4 cells or
<= 100Wh / Battery and not more than 2 batteries
Texas Instruments Incorporated Lithium Ion batteries are 4.44Wh and contains 1 Cell or 1 Battery
UN 38.3 T1-T8 Rev.3 Am1 tested and passed.

UN3091 – Lithium metal contained in equipment
Battery Capacity / Lithium Content per battery
<= 1 gram of Lithium / Cell and not more than 4 cells or
<= 2 grams of Lithium / Battery and not more than 2 batteries
Texas Instruments Incorporated Lithium Metal batteries CR2025 contains 0.042 grams of Lithium and CR2032 contains 0.06 grams of Lithium.
UN 38.3 T1-T8 Rev.3 Am1 tested and passed.

Please confirm that Texas Instruments Incorporated products meets the DOT 49 CFR 173.185(c) and IMDG Special provision 188 therefore should be deemed non-Dangerous Goods or General Cargo for air, rail, road, and vessel shipment and exempted from requirements in 49 CFR Part 172, Subparts C, D, E, F, G, and H and UN performance packaging requirements prescribed in 49 CFR 173.185(b)(3)(ii) an d(b)(4).

Regards,

Louis Le
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“Things do not happen. Things are made to happen” – John F. Kennedy

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