



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

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

OCT 17 2011

Mr. Chris Weigert
Engineer
PDT Packaging, Design & Testing, LLC
P.O. Box 64
10 Hazelwood Road
East Granby, CT 06026

Ref. No. 08-0269

Dear Mr. Weigert:

This responds to your letter requesting clarification of the test protocols for UN standard packagings under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Please accept my apology for our delay in responding and any inconvenience this may have caused. Your questions are paraphrased and answered as follows:

- Q1. We operate a DOT- recognized United Nations (UN) Third Party Certification Agency (Assigned Symbol +AV). Must we issue separate unique test report identifications to multiple manufacturers that use the same successfully-tested design?
- A1. If your agency issues packaging certifications to more than one manufacturer, as defined in § 178.2(e), a new unique certification number must be issued. For packaging variations issued to the same manufacturer, a single test certification number may be used provided the test report identifies all of the packaging variations represented by that unique number. For example, if a manufacturer's box design has been tested using three different closure methods, boxes with all three closures may be marked with the same certification number. The test report must indicate that all three closure methods were tested, and all three closure methods must be tested at the time of periodic retesting. Although not recommended, the same certification number may be used for more than one design; however, when using a single certification number for multiple designs, it should only be used to identify similar packaging designs which differ in minor respects. Packaging designs that differ substantially from each other should be described on separate test reports and issued separate certification numbers.
- Q2. Must a test report be prepared by a UN Third Party Certification Agency for UN standard packaging designs that fail when tested in accordance with the HMR?

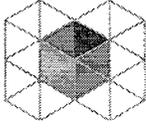
A2. Generally, requirements for test report preparation and their applicability to a DOT-recognized UN Third Party Certification Agency is prescribed under the terms and conditions of the approval authorization issued by this Office. Your company is assigned Approval CA2006070021. Neither the HMR nor your specific approval requires the preparation of a test report for a packaging design that fails the prescribed performance tests.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "T. Glenn Foster". The signature is written in black ink and is positioned above the typed name.

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



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October 22, 2008

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Washington, DC 20590-0001

Stevens
§ 178.601
Testing
08-0269

Request for Letter of Interpretation:

I have two areas of the 49CFR which I would like to have clarified.

First, does the four digit number associated with a test report apply to the manufacturer of the package or the specific packaging tested. The 49CFR states in §178.601(l)(3) A unique test report identification, and in our Third Party approval CA2006070021 in section 6 it states, "The identification symbol is to be followed by a number (four-digit minimum) which will refer to the specific packaging being certified..."

Our situation is that a customer of ours has asked us to issue this certification to two separate companies that will be using the same packaging as it is sold to them by our customer. It would be simpler for us to identify the tests using the same identification number so that each report is re-certified when necessary without repeat testing.

The second area in which I need clarification is also in §178.601(l). I was recently told that we need to issue reports of failures as well as successful testing. The way I read this section is that when a design qualification test or periodic retest fails it can be fixed and tested until successful. At which time, a new test report should be produced.

Sincerely,

Chris Weigert
Engineer