



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

OCT 17 2007

Mr. Richard Hessen  
Transportation Regulatory  
Reckitt Benckiser, Inc.  
399 Interpace Parkway  
Parsippany, NJ 07054-0225

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

Reference No. 07-0162

Dear Mr. Hessen:

This is in response to your August 7, 2007 letter concerning shrink-wrapped and stretch-wrapped trays as their use is authorized under § 173.25(b) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask several questions about how these packagings are defined and constructed under the HMR. Your questions are paraphrased and answered below.

Q1. Do the HMR define what shrink-wrapped and stretch-wrapped tray packagings are, what they are composed of, and how they are to be constructed as these terms are used under § 173.25(b)?

A1. The HMR do not define “shrink-wrapped tray” or “stretch-wrapped tray” packaging. However, we interpret these terms individually to mean:

- Shrink wrap – a plastic film wrapped around hazardous material packages or packagings that shrinks when heat is applied to form a tight protective fit around the items it covers.
- Stretch wrap – an elastic plastic film wrapped around hazardous material packages or packagings that uses its properties of elastic recovery to keep the items it covers tightly bound.
- Tray – a shallow flat receptacle with a raised edge or rim used to carry, hold, or display articles.

Under the HMR, shrink-wrapped and stretch-wrapped trays are considered “overpacks” for consolidating inner packagings of limited quantity or consumer commodity hazardous materials. See § 173.25(b). Under § 171.8, the HMR define an overpack as an enclosure used by a single consignor to provide protection or convenience in package handling, or to consolidate two or more packages. An overpack is excepted from the requirements in Subpart K of Part 178 of the HMR. Section 171.8 also defines an “inner packaging” as a packaging, other than the inner receptacle of a composite packaging, that requires an outer packaging for transport. Under the HMR, inner packagings of shrink-wrapped and stretch-wrapped trays may



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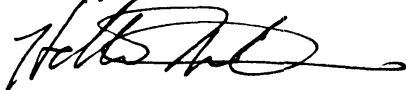
173.25  
171.8

not be fragile, liable to break, or easily punctured. The gross weight of a complete shrink-wrapped or stretch-wrapped package may not exceed 20 kg (44 pounds). See § 173.25(b)(1) and (b)(2). Although, the HMR require shrink-wrapped and stretch-wrapped packagings to conform with the general packaging requirements prescribed in §§ 173.24 and 173.24a, the HMR do not prescribe requirements as to how these packagings are to be constructed and what materials may be used for their manufacture.

- Q2. Must a shrink-wrap or stretch-wrap tray have a bottom and four upright sides made of corrugated fiberboard?
- A2. The answer is no. A shrink-wrap or stretch-wrap tray may be composed of any material that is compatible with the lading provided the packaging contains a tray, as defined in Answer A1, and meets all other applicable requirements prescribed for the packaging in the HMR.
- Q3. May a shrink-wrap or stretch-wrap tray be composed of inner packagings placed on a flat sheet of corrugated fiberboard with no sides and the entire package shrink or stretch wrapped on all sides?
- A3. No. Because a flat sheet of corrugated fiberboard does not have a raised edge or rim to contain the inner packagings, it does not meet the definition of a tray stated in answer A1.
- Q4. Can a shrink-wrap or stretch-wrap tray be composed only of inner packagings that are wrapped together with heavy-gauge strong plastic wrap?
- A4. No. These packagings do not contain a tray.

I hope this satisfies your request.

Sincerely,



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

8/7/07

**RECKITT  
BENCKISER**  
NORTH AMERICA

Edmonson  
§173.25  
Packagings  
07-0162

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
U.S. DOT/PHMSA (PHH-10)  
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Dear Mr. Mazzullo:

I have questions regarding § 173.25 (b) - shrink or stretched wrapped trays.

In the context of § 173.25 (b) is there any definition of what this tray is, what it is suppose to be made of, its construction characteristics and with what materials.  
I.E.

- a. Must it be, e.g. corrugated having a bottom and four upright sides?
- b. Can it be, e.g. just the inner packages placed on a flat sheet of corrugate all shrink/stretch wrapped?
- c. Could it be just the inner packages shrink/stretch wrapped with sufficiently heavy/strong gauge of shrink/stretch wrap.

In a-c above, I do understand that it would also have to be in conformance with the requisites of 173.25 (b) (1), & (2).

Thank you for your response.

Sincerely,



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