

closed by the use of a metal plug. Specification 3E cylinders must be shipped in an overpack that complies with the provisions of § 173.40.

[Amdt. 173-224, 55 FR 52669, Dec. 21, 1990]

§ 173.340 Tear gas devices.

(a) Packagings for tear gas devices must be approved prior to initial transportation by the Associate Administrator.

(b) Tear gas devices may not be assembled with, or packed in the same packaging with, mechanically- or manually-operated firing, igniting, bursting, or other functioning elements unless of a type and design which has been approved by the Associate Administrator.

(c) Tear gas grenades, tear gas candles, and similar devices must be packaged in one of the following packagings conforming to the requirements of part 178 of this subchapter at the Packing Group II performance level:

(1) In UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes. Functioning elements not assembled in grenades or devices must be in a separate compartment of these boxes, or in inner or separate outer boxes, UN 4C1, 4C2, 4D, or 4F, and must be so packed and cushioned that they may not come in contact with each other or with the walls of the box during transportation. Not more than 50 tear gas devices and 50 functioning elements must be packed in one box, and the gross weight of the outer box may not exceed 35 kg (77 pounds).

(2) In a UN 1A2 metal drum. Functioning elements must be packed in a separate inner packaging or compartment. Not more than 24 tear gas devices and 24 functioning elements must be packed in one outer drum, and the gross weight of the drum may not exceed 35 kg (77 pounds).

(3) In a UN 4G fiberboard box with inside tear gas devices meeting Specifications 2P or 2Q. Each inside packaging must be placed in fiberboard tubes fitted with metal ends or a fiber box with suitable padding. Not more than 30 inner packagings must be packed in one outer box, and the gross weight of the outer box may not exceed 16 kg (35 pounds).

(4) In other packagings of a type or design which has been approved by the Associate Administrator.

(d) Tear gas devices may be shipped completely assembled when offered by or consigned to the U.S. Department of Defense, provided the functioning elements are so packed that they cannot accidentally function. Outer packagings must be UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes.

[Amdt. 173-224, 55 FR 52669, Dec. 21, 1990, as amended 66 FR 45379, Aug. 28, 2001]

Subpart H [Reserved]

Subpart I—Class 7 (Radioactive) Materials

SOURCE: Amdt. 173-244, 60 FR 50307, Sept. 28, 1995, unless otherwise noted.

§ 173.401 Scope.

(a) This subpart sets forth requirements for the packaging and transportation of Class 7 (radioactive) materials by offerors and carriers subject to this subchapter. The requirements prescribed in this subpart are in addition to, not in place of, other requirements set forth in this subchapter for Class 7 (radioactive) materials and those of the Nuclear Regulatory Commission in 10 CFR part 71.

(b) This subpart does not apply to:

(1) Class 7 (radioactive) materials produced, used, transported, or stored within an establishment other than during the course of transportation, including storage in transportation.

(2) Class 7 (radioactive) materials contained in a medical device, such as a heart pacemaker, which is implanted in a human being or live animal.

(3) Class 7 (radioactive) materials that have been injected into, ingested by, or are otherwise placed into, and are still in, human beings or live animals.

§ 173.403 Definitions.

For purposes of this subpart—

A₁ means the maximum activity of special form Class 7 (radioactive) material permitted in a Type A package.

A₂ means the maximum activity of Class 7 (radioactive) material, other