OCT 17 1996

U.S. Department of Transportation
Research and Special Programs Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 11593

EXPIRATION DATE: **October 1, 1998**

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Johnson & Johnson
Skillman, NJ

2. PURPOSE AND LIMITATION: This exemption authorizes highway fusees packed in first-aid kits for retail sales, to be reclassed as ORM-D materials. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.101 in that highway fusees are not authorized for limited quantity.

5. BASIS: This exemption is based on the application of Johnson & Johnson dated November 3, 1995, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description - - proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Fusee (highway) | 4.1 | NA1325 | II |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - One 15-minute fusee is securely packaged in a sturdy plastic first-aid kit with a snap-locking lid, which is placed in a plastic shrink-wrap sleeve that keeps the plastic latches closed. Up to, 12 kits may be packed in a fiberboard box which meet the requirements for Packing Group II.

b. Reclassification - The completed package may be reclassed as ORM-D in accordance with section 173.151(c).

c. Marking - Each package authorized herein must be marked "DOT-E 11593".

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: No modal-specific requirements are required by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

OCT 17 1996

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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