

codes, and tank provision codes, or other special provisions assigned to the hazardous material in Column (7) of the Table. In addition, the portable tank must—

(i) Conform to applicable provisions in the UN Recommendations (IBR, see §171.7 of this subchapter) and the requirements of this subpart;

(ii) Be capable of passing the prescribed tests and inspections in part 180 of this subchapter applicable to the UN portable tank specification;

(iii) Be designed and manufactured according to the ASME Code (IBR, see §171.7 of this subchapter) or a pressure vessel design code approved by the Associate Administrator;

(iv) Be approved by the Associate Administrator when the portable tank is designed and constructed under the provisions of an alternative arrangement (see §178.274(a)(2) of this subchapter); and

(v) The competent authority of the country of manufacture must provide reciprocal treatment for UN portable tanks manufactured in the United States.

[Amdt. 173-224, 55 FR 52612, Dec. 21, 1990, as amended at 56 FR 66266, Dec. 20, 1991; Amdt. 173-234, 58 FR 51532, Oct. 1, 1993; Amdt. 173-243, 60 FR 40038, Aug. 4, 1995; Amdt. 173-252, 61 FR 28676, June 5, 1996; Amdt. 173-255, 61 FR 50624, Sept. 26, 1996; 66 FR 33426, June 21, 2001; 67 15743, Apr. 3, 2002; 68 FR 75742, Dec. 31, 2003; 74 FR 2255, Jan. 14, 2009]

#### §173.25 Authorized packagings and overpacks.

(a) Authorized packages containing hazardous materials may be offered for transportation in an overpack as defined in §171.8 of this subchapter, if all of the following conditions are met:

(1) The package meets the requirements of §§173.21 and 173.24 of this subchapter.

(2) The overpack is marked with the proper shipping name and identification number, when applicable, and is labeled as required by this subchapter for each hazardous material contained therein, unless marking and labels representative of each hazardous material in the overpack are visible.

(3) Each package subject to the orientation marking requirements of §172.312 of this subchapter is packed in the overpack with its filling holes up

and the overpack is marked with package orientation marking arrows on two opposite vertical sides of the overpack with the arrows pointing in the correct direction of orientation.

(4) The overpack is marked with the word "OVERPACK" when specification packagings are required, unless specification markings on the inside packages are visible.

(5) Packages containing Class 8 (corrosive) materials in Packing Group I or Division 5.1 (oxidizing) materials in Packing Group I may not be overpacked with any other materials.

(b) Shrink-wrapped or stretch-wrapped trays may be used as outer packagings for inner packagings prepared in accordance with the limited quantity provisions or consumer commodity provisions of this subchapter, provided that—

(1) Inner packagings are not fragile, liable to break or be easily punctured, such as those made of glass, porcelain, stoneware or certain plastics; and

(2) Each complete package does not exceed 20 kg (44 lbs) gross weight.

(c) Hazardous materials which are required to be labeled POISON may be transported in the same motor vehicle with material that is marked or known to be foodstuffs, feed or any edible material intended for consumption by humans or animals provided the hazardous material is marked, labeled, and packaged in accordance with this subchapter, conforms to the requirements of paragraph (a) of this section and is overpacked as specified in §177.841(e) of this subchapter or in an overpack which is a UN 1A2, 1B2, or 1N2 drum tested and marked for a Packing Group II or higher performance level.

[Amdt. 173-165, 48 FR 28099, June 20, 1983, as amended by Amdt. 173-224, 55 FR 52612 Dec. 21, 1990; 56 FR 66266, Dec. 20, 1991; Amdt. 173-234, 58 FR 51532, Oct. 1, 1993; Amdt. 173-214, 59 FR 67491, Dec. 29, 1994; 64 FR 10776, Mar. 5, 1999; 68 FR 45032, July 31, 2003; 69 FR 76155, Dec. 20, 2004; 70 FR 34397, June 14, 2005; 73 FR 57005, Oct. 1, 2008]

#### § 173.26 Quantity limitations.

When quantity limitations do not appear in the packaging requirements of this subchapter, the permitted gross weight or capacity authorized for a packaging is as shown in the packaging