AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

(5) *Type E.* Organic peroxide type E is an organic peroxide which neither detonates nor deflagrates and shows low, or no, effect when heated under confinement.

(6) *Type F.* Organic peroxide type F is an organic peroxide which will not detonate in a cavitated state, does not deflagrate, shows only a low, or no, effect if heated when confined, and has low, or no, explosive power.

(7) *Type G.* Organic peroxide type G is an organic peroxide which will not detonate in a cavitated state, will not deflagrate at all, shows no effect when heated under confinement, and shows no explosive power. A type G organic peroxide is not subject to the requirements of this subchapter for organic peroxides of Division 5.2 provided that it is thermally stable (self-accelerating decomposition temperature is 50 °C (122 °F) or higher for a 50 kg (110 pounds) package). An organic peroxide meeting all characteristics of type G except thermal stability and requiring temperature control is classed as a type F, temperature control organic peroxide.

(c) *Procedure for assigning an organic peroxide to a generic type.* An organic peroxide shall be assigned to a generic type based on—

(1) Its physical state (i.e., liquid or solid), in accordance with the definitions for liquid and solid in §171.8 of this subchapter;

(2) A determination as to its control temperature and emergency temperature, if any, under the provisions of §173.21(f); and

(3) Performance of the organic peroxide under the test procedures specified in the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter), and the provisions of paragraph (d) of this section.

(d) *Approvals.* (1) An organic peroxide must be approved, in writing, by the Associate Administrator, before being offered for transportation or transported, including assignment of a generic type and shipping description, except for—

(i) An organic peroxide which is identified by technical name in the Organic Peroxides Table in §173.225(c);

(ii) A mixture of organic peroxides prepared according to §173.225(b); or

(iii) An organic peroxide which may be shipped as a sample under the provisions of §173.225(b).

(2) A person applying for an approval must submit all relevant data concerning physical state, temperature controls, and tests results or an approval issued for the organic peroxide by the competent authority of a foreign government.

(e) *Tests.* The generic type for an organic peroxide shall be determined using the testing protocol from Figure 20.1(a) (Classification and Flow Chart Scheme for Organic Peroxides) from the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter).

[Amdt. 173–224, 55 FR 52634, Dec. 21, 1990, as amended at 56 FR 66268, Dec. 20, 1991; Amdt. 173–234, 58 FR 51532, Oct. 1, 1993; Amdt. 173–241, 59 FR 67508, Dec. 29, 1994; Amdt. 173–261, 62 FR 24732, May 6, 1997; 65 FR 58629, Sept. 29, 2000; 66 FR 8647, Feb. 1, 2001; 66 FR 45379, Aug. 28, 2001; 68 FR 75744, Dec. 31, 2003; 69 FR 76155, Dec. 20, 2004]

§173.129 Class 5, Division 5.2—Assignment of packing group.

All Division 5.2 materials are assigned to Packing Group II in column 5 of the §172.101 table.

§173.132 Class 6, Division 6.1—Definitions.

(a) For the purpose of this subchapter, *poisonous material* (Division 6.1) means a material, other than a gas, which is known to be so toxic to humans as to afford a hazard to health during transportation, or which, in the absence of adequate data on human toxicity:

(1) Is presumed to be toxic to humans because it falls within any one of the following categories when tested on laboratory animals (whenever possible, animal test data that has been reported in the chemical literature should be used):

(i) *Oral Toxicity.* A liquid or solid with an LD_{50} for acute oral toxicity of not more than 300 mg/kg.

(ii) *Dermal Toxicity.* A material with an LD_{50} for acute dermal toxicity of not more than 1000 mg/kg.

(iii) *Inhalation Toxicity.* (A) A dust or mist with an LC_{50} for acute toxicity on inhalation of not more than 4 mg/L; or

(B) A material with a saturated vapor concentration in air at 20 °C (68