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required to be submitted for further examination to be reclassed as a Class 9 material.

(4) *Shipments for recycling.* When offered for domestic transportation by highway, rail freight, cargo vessel or cargo aircraft, a serviceable air bag module or seat-belt pretensioner removed from a motor vehicle that was manufactured as required for use in the United States may be offered for transportation and transported without compliance with the shipping paper requirement prescribed in paragraph (c) of this section. However, the word ''Recycled'' must be entered on the shipping paper immediately after the basic description prescribed in §172.202 of this subchapter. No more than one device is authorized in the packaging prescribed in paragraph (e)(1), (2) or (3) of this section. The device must be cushioned and secured within the package to prevent movement during transportation.

(e) *Packagings.* Rigid, outer packagings, meeting the general packaging requirements of part 173, and the packaging specification and performance requirements of part 178 of this subchapter at the Packing Group III performance level are authorized as follows. The packagings must be designed and constructed to prevent movement of the articles and inadvertent operation.

(1) 1A2, 1B2, 1G or 1H2 drums.

(2) 3A2 or 3H2 jerricans.

(3) 4C1, 4C2, 4D, 4F, 4G or 4H2 boxes.

(4) Reusable high strength plastic or metal containers or dedicated handling devices are authorized for shipment of air bag inflators, air bag modules, and seat-belt pretensioners from a manufacturing facility to the assembly facility, subject to the following conditions:

(i) The gross weight of the container or handling device may not exceed 1000 kg (2205 pounds). The container or handling device structure must provide adequate support to allow them to be stacked at least three high with no damage to the containers or devices.

(ii) If not completely enclosed by design, the container or handling device must be covered with plastic, fiberboard, or metal. The covering must be secured to the container by banding or other comparable methods.

(iii) Internal dunnage must be sufficient to prevent shifting of the devices within the container.

(5) Packagings specified in the approval document issued by the Associate Administrator in accordance with paragraph (e) of this section are also authorized.

(f) *Labeling.* Notwithstanding the provisions of §172.402 of this subchapter, each package or handling device must display a CLASS 9 label. Additional labeling is not required when the package contains no hazardous materials other than the devices.

[Amdt. 173–230, 57 FR 1878, Jan. 16, 1992, as amended by Amdt. 173–241, 59 FR 67509, Dec. 29, 1994; Amdt. 173–261, 62 FR 24733, May 6, 1997; 62 FR 51560, Oct. 1, 1997; 64 FR 10778, Mar. 5, 1999; 65 FR 50461, Aug. 18, 2000; 65 FR 58629, Sept. 29, 2000; 66 FR 8647, Feb. 1, 2001; 66 FR 45183, 45379, Aug. 28, 2001; 68 FR 45034, July 31, 2003; 68 FR 57632, Oct. 6, 2003; 68 FR 61941, Oct. 30, 2003; 71 FR 54395, Sept. 14, 2006; 71 FR 78632, Dec. 29,2006]

§173.167 Consumer commodities.

(a) Effective January 1, 2013, a ''consumer commodity'' (*see* §171.8 of this subchapter) when intended for transportation by aircraft may only include articles or substances of Class 2 (nontoxic aerosols only), Class 3 (Packing Group II and III only), Division 6.1 (Packing Group III only), UN3077, UN3082, and UN3175, provided such materials do not have a subsidiary risk and are authorized aboard a passenger-carrying aircraft. Friction-type closures must be secured by secondary means. Inner packagings intended to contain liquids must be capable of meeting the pressure differential requirements (75 kPa) prescribed in §173.27(c) of this part. Consumer commodities are excepted from the specification packaging requirements of this subchapter and each completed package must conform to subpart B of part. Packages of consumer commodities must also be capable of withstanding a 1.2 m drop on solid concrete in the position most likely to cause damage and a 24-hour stack test. Inner and outer packaging quantity limits for consumer commodities are as follows:

(1) Non-toxic aerosols, as defined in §171.8 of this subchapter and constructed in accordance with §173.306 of

this part, in non-refillable, non-metal containers not exceeding 120 mL (4 fluid ounces) each, or in non-refillable metal containers not exceeding 820 mL (28 ounces) each, except that flammable aerosols may not exceed 500 mL (16.9 ounces) each; or

(2) Liquids, in inner packagings not exceeding 500 mL (16.9 ounces) each; or

(3) Solids, in inner packagings not exceeding 500 g (1.0 pounds) each; or

(4) Any combination thereof.

(b) Inner packagings are to be placed in an outer packaging not to exceed 30 kg (66 pounds) gross weight as prepared for shipment.

[76 FR 3377, Jan. 19, 2011]

§ 173.168 Chemical oxygen generators.

An oxygen generator, chemical (defined in §171.8 of this subchapter) may be transported only under the following conditions:

(a) *Approval.* A chemical oxygen generator that is shipped with an explosive or non-explosive means of initiation attached must be classed and approved by the Associate Administrator in accordance with the procedures specified in §173.56 of this subchapter.

(b) *Impact resistance.* A chemical oxygen generator, without any packaging, must be capable of withstanding a 1.8 meter drop onto a rigid, non-resilient, flat and horizontal surface, in the position most likely to cause actuation or loss of contents.

(c) *Protection against inadvertent actuation.* A chemical oxygen generator must incorporate one of the following means of preventing inadvertent actuation:

(1) A chemical oxygen generator that is not installed in protective breathing equipment (PBE):

(i) Mechanically actuated devices:

(A) Two pins, installed so that each is independently capable of preventing the actuator from striking the primer;

(B) One pin and one retaining ring, each installed so that each is independently capable of preventing the actuator from striking the primer; or

(C) A cover securely installed over the primer and a pin installed so as to prevent the actuator from striking the primer and cover.

(ii) Electrically actuated devices: The electrical leads must be mechanically shorted and the mechanical short must be shielded in metal foil.

(iii) Devices with a primer but no actuator: A chemical oxygen generator that has a primer but no actuating mechanism must have a protective cover over the primer to prevent actuation from external impact.

(2) A chemical oxygen generator installed in a PBE must contain a pin installed so as to prevent the actuator from striking the primer, and be placed in a protective bag, pouch, case or cover such that the protective breathing equipment is fully enclosed in such a manner that the protective bag, pouch, case or cover prevents unintentional actuation of the oxygen generator.

(d) *Packaging.* A chemical oxygen generator and a chemical oxygen generator installed in equipment, (e.g., a PBE) must be placed in a rigid outer packaging that—

(1) Conforms to the requirements of either:

(i) Part 178, subparts L and M, of this subchapter at the Packing Group I or II performance level; or

(ii) The performance criteria in Air Transport Association (ATA) Specification No. 300 for a Category I Shipping Container.

(2) With its contents, is capable of meeting the following additional requirements when transported by cargo-only aircraft:

(i) The Flame Penetration Resistance Test specified in Appendix E to part 178 of this subchapter.

(ii) The Thermal Resistance Test specified in Appendix D to part 178 of this subchapter.

(e) *Equipment marking.* The outside surface of a chemical oxygen generator must be marked to indicate the presence of an oxygen generator (e.g., ''oxygen generator, chemical''). The outside surface of equipment containing a chemical oxygen generator that is not readily apparent (e.g., a sealed passenger service unit) must be clearly marked to indicate the presence of the oxygen generator (example: ''Oxygen Generator Inside'').

(f) *Items forbidden in air transportation.* (1) A chemical oxygen generator is forbidden for transportation on board a passenger-carrying aircraft.