§ 173.128


§ 173.128 Class 5, Division 5.2—Definitions and types.

(a) Definitions. For the purposes of this subchapter, organic peroxide (Division 5.2) means any organic compound containing oxygen (O) in the bivalent -O-O- structure and which may be considered a derivative of hydrogen peroxide, where one or more of the hydrogen atoms have been replaced by organic radicals, unless any of the following paragraphs applies:

(b) Assignment of packing groups.

Assignment of packing groups.

(1) The packing group of a Division 5.1 material which is a solid shall be assigned using the following criteria:

(i) Packing Group I, for any material which, in either concentration tested, exhibits a mean burning time less than the mean burning time of a 3:2 potassium bromate/cellulose mixture.

(ii) Packing Group II, for any material which, in either concentration tested, exhibits a mean burning time less than or equal to the mean burning time of a 2:3 potassium bromate/cellulose mixture and the criteria for Packing Group I are not met.

(iii) Packing Group III for any material which, in either concentration tested, exhibits a mean burning time less than or equal to the mean burning time of a 3:7 potassium bromate/cellulose mixture and the criteria for Packing Group I and II are not met.

(2) The packing group of a Division 5.1 material which is a liquid shall be assigned using the following criteria:

(i) Packing Group I for:

(A) Any material which spontaneously ignites when mixed with cellulose in a 1:1 ratio; or

(B) Any material which exhibits a mean pressure rise time less than the pressure rise time of a 1:1 perchloric acid (50 percent)/cellulose mixture.

(ii) Packing Group II, any material which exhibits a mean pressure rise time less than or equal to the pressure rise time of a 1:1 aqueous sodium chlorate solution (40 percent)/cellulose mixture and the criteria for Packing Group I are not met.

(iii) Packing Group III, any material which exhibits a mean pressure rise time less than or equal to the pressure rise time of a 1:1 nitric acid (65 percent)/cellulose mixture and the criteria for Packing Group I and II are not met.


(b) Generic types. Division 5.2 organic peroxides are assigned to a generic system which consists of seven types. An organic peroxide identified by technical name in the Organic Peroxides
Table in §173.225 is assigned to a generic type in accordance with that table. Organic peroxides not identified in the Organic Peroxides table are assigned to generic types under the procedures of paragraph (c) of this section.

(1) Type A. Organic peroxide type A is an organic peroxide which can detonate or deflagrate rapidly as packaged for transport. Transportation of type A organic peroxides is forbidden.

(2) Type B. Organic peroxide type B is an organic peroxide which, as packaged for transport, neither detonates nor deflagrates rapidly, but can undergo a thermal explosion.

(3) Type C. Organic peroxide type C is an organic peroxide which, as packaged for transport, neither detonates nor deflagrates rapidly and cannot undergo a thermal explosion.

(4) Type D. Organic peroxide type D is an organic peroxide which—
   (i) Detonates only partially, but does not deflagrate rapidly and is not affected by heat when confined;
   (ii) Does not detonate, deflagrates slowly, and shows no violent effect if heated when confined; or
   (iii) Does not detonate or deflagrate, and shows a medium effect when heated under confinement.

(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.

(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).

§ 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 LD₅₀ for acute oral toxicity of not more than 300 mg/kg.

(ii) Dermal Toxicity. A material with an LD₅₀ for acute dermal toxicity of not more than 1000 mg/kg.

(iii) Inhalation Toxicity. (A) A dust or mist with an LC₅₀ 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 °F) greater than or equal to one-fifth of the LC₅₀ for acute toxicity on inhalation of vapors and with an LC₅₀ for acute toxicity on inhalation of vapors of not more than 5000 mL/m³; or

(2) Is an irritating material, with properties similar to tear gas, which causes extreme irritation, especially in confined spaces.

(b) For the purposes of this subchapter—

(1) LD₅₀ (median lethal dose) for acute oral toxicity is the statistically derived single dose of a substance that can be expected to cause death within 14 days in 50% of young adult albino rats when administered by the oral route. The LD₅₀ value is expressed in terms of mass of test substance per mass of test animal (mg/kg).

(2) LD₅₀ for acute dermal toxicity means that dose of the material which, administered by continuous contact for 24 hours with the shaved intact skin (avoiding abrading) of an albino rabbit, causes death within 14 days in half of the animals tested. The number of animals tested must be sufficient to give statistically valid results and be in conformity with good pharmacological practices. The result is expressed in mg/kg body mass.

(3) LC₅₀ for acute toxicity on inhalation means that concentration of vapor, mist, or dust which, administered by continuous inhalation for one hour to both male and female young adult albino rats, causes death within 14 days in half of the animals tested. If the material is administered to the animals as a dust or mist, more than 90 percent of the particles available for inhalation in the test must have a diameter of 10 microns or less if it is reasonably foreseeable that such concentrations could be encountered by a human during transport. The result is expressed in mg/L of air for dusts and mists or in mL/m³ of air (parts per million) for vapors. See §173.133(b) for LC₅₀ determination for mixtures and for limit tests.

(i) When provisions of this subchapter require the use of the LC₅₀ for acute toxicity on inhalation of dusts and mists based on a one-hour exposure and such data is not available, the LC₅₀ for acute toxicity on inhalation based on a four-hour exposure may be multiplied by four and the product substituted for the one-hour LC₅₀ for acute toxicity on inhalation.

(ii) When the provisions of this subchapter require the use of the LC₅₀ for acute toxicity on inhalation of vapors based on a one-hour exposure and such data is not available, the LC₅₀ for acute toxicity on inhalation based on a four-hour exposure may be multiplied by two and the product substituted for the one-hour LC₅₀ for acute toxicity on inhalation.

(iii) A solid substance should be tested if at least 10 percent of its total mass is likely to be dust in a respirable range, e.g. the aerodynamic diameter of that particle-fraction is 10 microns or less. A liquid substance should be tested if a mist is likely to be generated in a leakage of the transport containment. In carrying out the test both for solid and liquid substances, more than 90% (by mass) of a specimen prepared for inhalation toxicity testing