



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUN 9 2004

DOT-E 11458
(NINTH REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bristol-Meyers Squibb Co.
Stamford, CT

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of display packs of consumer commodities of Classes 2, 3, 8, 9 and Division 5.1 in packages that exceed the 30 kg gross weight limit. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: The marking requirements of §§ 172.203(a) and 173.156(b), in that transportation by common carriers is authorized.

5. BASIS: This exemption is based on the application of Bristol-Meyers Squibb Co. dated March 26, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Consumer commodity of Classes 2, 3, 8, 9 and Division 5.1	ORM-D	None	None

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Combination packages, which conform to the packaging requirements of Subpart B of 49 CFR Part 173, meeting the following limitations:

- (1) The inner containers must conform to the quantity limits for inner packagings prescribed in §§ 173.150(b), 173.152(b), 173.154(b), 173.155(b) and 173.306(a) and (b), as appropriate.
- (2) The inner containers must be packed into trays to prevent individual containers from moving freely inside the completed combination package during transportation.
- (3) The tray(s) must be placed into a fiberboard box. The fiberboard box must be banded and secured to the pallet by metal, fabric, or plastic straps to form a single palletized unit.
- (4) The maximum net quantity of hazardous material permitted on one palletized unit is 550 kilograms.

8. SPECIAL PROVISIONS:

a. For the purpose of this exemption display packs are defined as follows: a pallet-sized package intended to be placed on the floor of retail instrumentalities, and provide direct customer access to consumer commodities contained therein once the outer fiberboard packaging is removed.

b. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are

made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. The outside of each palletized unit covered by this exemption must be plainly and durably marked with "Consumer commodity, ORM-D" in a surrounding rectangle as prescribed in § 172.316 and "DOT-E 11458" in letters at least 1 inch in height and on backgrounds of sharp contrasting color. Additionally, the marking requirements of § 172.203(a) are waived.

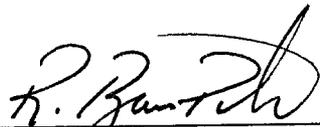
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: Packages covered by this exemption may be transported by rail freight only in trailer-on-flat-car (TOFC) or container-on-flat-car (COFC) service, or roadrailer/railrunner.
11. COMPLIANCE: Failure 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. 5101 et seq.:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:



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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUN 9 2004

(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.

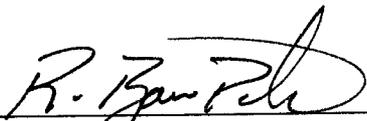
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: dl

JUN 9 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Accra Pac, Inc. Elkhart, IN	Apr 02, 2004	JUN 9 2004	Feb 28, 2006
ConAgra Foods Retail Products Co. Irvine, CA	Apr 14, 2004	JUN 9 2004	Feb 28, 2006
Creative Products Inc. dba ConAgra Foods, Inc. Rossville, IL	Mar 01, 2004	Mar 17, 2004	Feb 28, 2006
Reckitt Benckiser Inc. formerly Reckitt & Colman Wayne, NJ	Jan 23, 2004	Mar 17, 2004	Feb 28, 2006
The Proctor & Gamble Company West Chester, OH	Mar 26, 2004	JUN 9 2004	Feb 28, 2006



fe Robert A. McGuire
Associate Administrator for
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Date