



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

**AUG 1 2003**

DOT-E 11634  
(FOURTH REVISION)

**EXPIRATION DATE: July 31, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Avon Products, Inc.  
New York, NY
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce, by motor vehicle, of materials classed as ORM-D consumer commodities without inner packagings having to be packed, secured and cushioned within the outer packaging as required by the regulations, subject to the conditions and limitations specified herein. This exemption provides no relief from any Hazardous Materials Regulation (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. REGULATION FROM WHICH EXEMPTED: 49 CFR § 172.301(c) and § 173.24a(a)(3), except as specified herein.
5. BASIS: This exemption is based on the application of Avon Products, Inc., dated July 24, 2003, 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	ORM-D	None	None

This exemption authorizes only the offering and transport of consumer commodities such as cosmetics, toiletries, fragrances and other personal care items.

7. SAFETY CONTROL MEASURES: Packages must comply with all requirements applicable to ORM-D consumer commodities, except that inner packagings need not be packed, secured and cushioned within the outer packaging as provided for in § 173.24a(a)(3) if each package offered for transportation is capable of withstanding, without leakage from the inner packagings: (a) a drop test from a height of 1.2 m (4 feet) on to a rigid, non-resilient, flat and horizontal surface in the orientation most likely to result in failure of the package; and (b) the vibration standard prescribed in § 178.608.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

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

c. This exemption authorizes only the transport of packages prepared to fill orders placed by Avon Representatives, and that are being transported from an Avon regional distribution center to the Avon Representative.

d. MARKING - Markings must meet the requirements applicable to ORM-D consumer commodities.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: Packages authorized for transport under this exemption may only be transported by a private or contract motor carrier, or a common carrier motor vehicle under exclusive use for such service.
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 Registration required by § 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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.

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

AUG 1 2003

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(DATE)

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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: sln