



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

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

**SEP 16 2003**

DOT-E 12358  
(SECOND REVISION)

EXPIRATION DATE: August 31, 2005

1. GRANTEE: BIC Corporation  
Milford, CT
2. PURPOSE AND LIMITATION:
  - A. This exemption authorizes shipments of lighters to be transported in commerce from the U.S. to a BIC facility in Canada, without marking the exemption number on shipping papers and packagings, or applying labels, as required by the Hazardous Materials Regulations (HMR). This exemption provides no relief from any regulations other than as specifically stated.
  - 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: 49 CFR § 172.400 in that the labeling requirement is waived, and §§ 172.301(c) and 172.203(a) in that marking the exemption number on shipping papers and packagings is waived.
5. BASIS. This exemption is based on the BIC Corporation's application dated August 26, 2003 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Lighters or Lighter refills	2.1	UN1057	n/a

7. SAFETY CONTROL MEASURES:

- a. PACKAGINGS: Packagings prescribed meet DOT specification packaging requirements under § 173.308.
- b. Lighters shipped under the terms of this exemption must be approved under § 173.21(i).
- c. Shipments must comply with all DOT requirements for lighters, including marking (except as stated in paragraph 7(g)), shipping paper and placarding requirements.
- d. Packages will originate only from BIC facilities located in the U.S. and be transported to a BIC facility in Ontario, Canada.
- e. The lighters must be transported in closed vehicles by contract carriers in exclusive use service. The vehicles must be sealed at the point of loading.
- f. The packages must be prepared, loaded and unloaded by appropriately trained BIC personnel or agents acting on BIC's behalf.
- g. MARKING: Marking the exemption number on shipping papers and packagings is waived.

8. SPECIAL PROVISIONS.

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

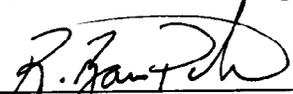
9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.
10. MODAL REQUIREMENTS. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption and be readily available in accordance with § 177.817(e).
11. COMPLIANCE. Failure by a person to 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.

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 the 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

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(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: AM