



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 10 2001

Mr. Joseph Tan
Warehouse Supervisor
Sakura Finetek U.S.A. Inc.
1750 W. 214 Street
Torrence, CA 90501

Reference No. 00-0291

Dear Mr. Tan:

This is in response to your October 12, 2000 letter inquiring whether your company's product, a refrigeration unit, identified as a Tissue-Tek Cryo 2000, would be considered a "Refrigerating machine, UN2857" and, as such, not be subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You state that the refrigeration unit consists of a cold chamber and a microtome, which provides the means for freezing and cutting tissues for pathological examination. The machine contains 8 - 15 ounces of refrigerant R404A (pentaflouroethane and tetraflouroethane), is pressurized at 70-80 psi at 70 degrees Fahrenheit, and weighs 238 pounds.

Based on the information contained in your letter, it is our opinion that the Tissue-Tek Cryo 2000 would be considered a refrigerating machine. Section 173.307(a)(4), as amended, provides that a refrigerating machine containing 25 pounds or less of a non-flammable, non-toxic, liquefied gas is not subject to the requirements of the HMR (Docket No. RSPA 99-6213 (HM-218), 65 FR 50450, August 18, 2000).

I hope this satisfies your request. Please contact us if we can be of further assistance.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



000291

173.307



SAKURA® October 12, 2000

173 Corbin
173.307
~~173.306(e)~~, 173.22
Classification
Proper Shipping Name
00-0291

Mr. Edward Mazzullo
Director-OHMS/DHM-10
U.S. D.O.T./RESPA
400 7TH Street SW
Washington, D.C., 20590

Dear Sir:

Sakura Finetek U.S.A. Inc, based in Torrance, California is in business dealing with the health industry. Our products are used in laboratories and hospitals. I would like to request your good office for an opinion and/or confirmation of my understanding on the proper classification of our products that we are shipping both by air and ground, to domestic and international destinations. One example is the Tissue-Tek Cryo 2000 Cryostat (a product brochure is enclosed). It is a self contained refrigeration unit comprising of a cold chamber and a microtome, which provides the means for freezing and cutting tissues quickly while the patient is still in the recovery room, in order for pathologists to examine the morphology of cells and make rapid diagnoses. It contains 8 to 15 ounces of the refrigerant R404A that is pressurized at 70-80 psi at 70 degrees Fahrenheit. The refrigerant's Materials Safety Data Sheet from the manufacturer (DuPont) indicates the following information:

D.O.T./IMO Proper Shipping Name: LIQUEFIED GAS, N.O.S. (PENTAFLUROETHANE AND TETRAFLUROETHANE)
Hazard Class: 2.2
UN Number: 3163
D.O.T./IMO Label: NONFLAMMABLE GAS

At present, we consider the said item (The Tissue-Tek Cryo 2000 Cryostat) under the description "refrigerating machines" with UN 2857 under the Hazardous Materials Regulations (HMR: 49 CFR Parts 171-180), specifically, under the provisions of §173.306(e). We also consider the said product as an unrestricted item in accordance with the provisions of § 173.307 (a)(4). The instrument is well built and securely packaged for transportation so it is highly improbable for the refrigerant to leak or escape under normal conditions. The entire packaging measures 43" x 45" x 61". I have enclosed photographs and a brochure for the item.

Also, I would like to take this opportunity to commend your staff for the very professional and kind assistance afforded to people calling your office for much needed guidance. One particular person I would like to mention is Ms. Gigi Corbin who really extended her best effort to help out an inquiring person. Thank you in advance for your kind assistance on this matter.

Sincerely,
Joseph Tan
Warehouse Supervisor
Sakura Finetek U.S.A. Inc.
1750 W. 214th Street
Torrance, CA., 90501

cc:HK