



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

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

MAR 25 2004

Mr. Ruben N. Gonzalez
Associate Director
College of Veterinary Medicine
22 Thornwood Drive
Ithaca, NY 14850

Ref. No.04-0016

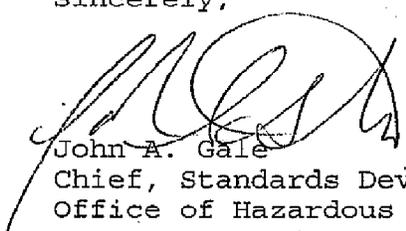
Dear Mr. Gonzalez:

This is in response to your letter of January 15, 2003, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if milk samples inoculated with Risk Group 2 or 3 pathogens shipped for proficiency testing meet the definition of a diagnostic specimen. In addition, you ask about the appropriate procedures for shipping a diagnostic specimen.

A diagnostic specimen is defined as any human or animal material, including excreta, secretions, blood and its components, tissue, and tissue fluids being transported for diagnostic or investigational purposes (§ 173.134). Inoculated milk samples shipped for diagnostic purposes meet the definition of a diagnostic specimen. Requirements for shipping a diagnostic specimen are specified in § 173.199. Exceptions for transporting a diagnostic specimen are prescribed in §§ 173.134(b)(2) and (b)(6).

I hope this satisfies your request.

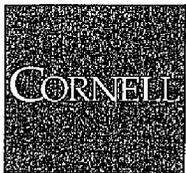
Sincerely,


John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



040016

173.199



BAH
§173.199
Diagnostic Specimens
04-0016

College of Veterinary Medicine

Quality Milk Production Services
Animal Health Diagnostic Laboratory

22 Thornwood Drive
Ithaca, NY 14850

Telephone: (607) 255-8202
Facsimile: (607) 257-8485
<http://qmps.vet.cornell.edu/>

January 15, 2004

Mr. Edward T. Manzullo, Director
Office of Hazardous Materials Standards
U.S. DOT/RSPA (DHM-10)
400 7th Street S.W.
Washington, D.C. 20590-0001

Dear Mr. Manzullo,

On November 7, 2003, Ms. Deborah Pawlosky, a Laboratory Technician in our Program, sent an e-mail message on a feedback form to infocntr@rspa.dot.gov with the following question:

"What is the correct procedure for labeling and shipping proficiency samples? Two vials containing commercial pasteurized milk in approximately 10-m quantities per vial, each one inoculated with an ATCC (American Type Culture Collection) strain of a bovine mastitis causing organism from Risk Group 2 or 3 will be used for proficiency testing purposes. These inoculated milk samples will be shipped for overnight delivery to various veterinary clinics throughout New York and the continental United States."

On that same date, informal e-mail guidance was received from Mr. Kurt Eichenlaub, Hazardous Materials Specialist, which stated, in part:

"Infectious substances shipped for diagnostic purposes, categorized as Risk Group 2 or 3 may be shipped as a diagnostic specimen. The requirements for shipping diagnostic specimens are specified in §173.199."

As an e-mail response is considered informal guidance, I am submitting this request for a formal written letter stating the proper labeling and shipping procedure to be kept in our files. Thank you very much.

Sincerely,

Rubén N. González, DVM, MPVM, PhD
Associate Director