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therein, unless marking and labels representative of each hazardous material in the overpack are visible.

(3) Each package subject to the orientation marking requirements of § 172.312 of this subchapter is packed in the overpack with its filling holes up and the overpack is marked with package orientation marking arrows on two opposite vertical sides of the overpack with the arrows pointing in the correct direction of orientation.

(4) The overpack is marked with the word "OVERPACK" when specification packagings are required, unless specification markings on the inside packages are visible. Alternatively, an overpack marked with a statement indicating that the "inside (inner) packages comply with prescribed specifications" may be used to satisfy the provisions of this paragraph until October 1, 2007.

(5) Packages containing Class 8 (corrosive) materials in Packing Group I or Division 5.1 (oxidizing) materials in Packing Group I may not be overpacked with any other materials.

(b) Shrink-wrapped or stretch-wrapped trays may be used as outer packagings for inner packagings prepared in accordance with the limited quantity provisions or consumer commodity provisions of this subchapter, provided that—

(1) Inner packagings are not fragile, liable to break or be easily punctured, such as those made of glass, porcelain, stoneware or certain plastics; and

(2) Each complete package does not exceed 20 kg (44 lbs) gross weight.

(c) Hazardous materials which are required to be labeled POISON may be transported in the same motor vehicle with material that is marked or known to be foodstuffs, feed or any edible material intended for consumption by humans or animals provided the hazardous material is marked, labeled, and packaged in accordance with this subchapter, conforms to the requirements of paragraph (a) of this section and is overpacked as specified in § 177.841(e) of this subchapter or in an overpack which is a UN 1A2, 1B2, or 1N2

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drum tested and marked for a Packing Group II or higher performance level.

[Amdt. 173-165, 48 FR 28099, June 20, 1983, as amended by Amdt. 173-224, 55 FR 52612 Dec. 21, 1990; 56 FR 66266, Dec. 20, 1991; Amdt. 173-234, 58 FR 51532, Oct. 1, 1993; Amdt. 173-214, 59 FR 67491, Dec. 29, 1994; 64 FR 10776, Mar. 5, 1999; 68 FR 45032, July 31, 2003; 69 FR 76155, Dec. 20, 2004; 70 FR 34397, June 14, 2005]

§ 173.26 Quantity limitations.

When quantity limitations do not appear in the packaging requirements of this subchapter, the permitted gross weight or capacity authorized for a packaging is as shown in the packaging specification or standard in part 178 or 179, as applicable, of this subchapter.

[Amdt. 173-224, 55 FR 52612, Dec. 21, 1990]

§ 173.27 General requirements for transportation by aircraft.

(a) The requirements of this section are in addition to the requirements in § 173.24 and apply to packages offered or intended for transportation aboard aircraft. Except for materials not subject to performance packaging requirements in subpart E of this part, a packaging containing a Packing Group III material with a primary or subsidiary risk of Division 4.1, 4.2, 4.3, 5.1, or Class 8 must meet the Packing Group II performance level when offered or intended for transportation by aircraft.

(b) Packages authorized on board aircraft. (1) When Column 9a of the § 172.101 table indicates that a material is "Forbidden", that material may not be offered for transportation or transported aboard passenger-carrying aircraft.

(2) When Column 9b of the § 172.101 table indicates that a material is "Forbidden", that material may not be offered for transportation or transported aboard aircraft.

(3) The maximum quantity of hazardous material in a package that may be offered for transportation or transported aboard a passenger-carrying aircraft or cargo aircraft may not exceed that quantity prescribed for the material in Column 9a or 9b, respectively, of the § 172.101 table.

(4) A package containing a hazardous material which is authorized aboard cargo aircraft but not aboard passenger aircraft must be labeled with the