

January 30, 2012

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

UPDATE AND NOTIFICATION REGARDING RADIOACTIVELY CONTAMINATED TISSUE
HOLDERS (FSME-12-011)

Purpose: For your information, on January 27, 2012, the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) published in the *Federal Register* a Safety Advisory Notice on the return of radioactively contaminated tissue holders purchased from Bed, Bath and Beyond.

Background: Earlier this month, Bed, Bath and Beyond was notified by regulatory agencies that a product that they have carried since July, 2011, in approximately 200 of their 1000 stores in the U.S. and Canada, as well as their website, the Dual Ridge Metal boutique tissue holder, was contaminated with low levels of cobalt-60 (Co-60). Bed, Bath and Beyond has pulled the product off of their sales floor and removed it from their website.

Discussion: On January 25, 2012, a safety advisory notice was published in the *Federal Register* titled, "Return of radioactively contaminated tissue holders purchased from Bed Bath and Beyond." The summary of the safety advisory notice is as follows:

"PHMSA has been notified that Bed Bath and Beyond sold a number of tissue holders in the United States, identified as the Dual Ridge Metal tissue holder, model number DR9M, that emit low levels of radiation. PHMSA and the Nuclear Regulatory Commission believe that there is no immediate danger to the public; however, PHMSA is advising persons in possession of the contaminated tissue holders that they should arrange with Bed Bath and Beyond for their safe return. Any person in possession of this item should call Bed Bath and Beyond at 1-800-462-3966 to obtain information about the proper return procedures."

You may review the safety advisory notice at:

<https://www.federalregister.gov/articles/2012/01/27/2012-1714/safety-advisory-notice-return-of-radioactively-contaminated-tissue-holders-purchased-from-bed-bath>

Additionally, after notifying the Government of India nuclear regulator, the Atomic Energy Regulatory Board (AERB), on January 12, 2012 of the Co-60 contaminated metal facial tissue cover boxes shipped from India and received in the U.S., the AERB dispatched two officials/inspectors to investigate at the shipper's plant in Moradabad, India. Through inspection and systematic review of records, AERB tracked the metal sheets used in the contaminated boxes back from the fabricator, to its supplier, a material trader, then to an intermediate metal sheet roller, and then to a specific metal foundry, all in India. AERB is in the process of further investigation of suppliers of scrap metal to the foundry to determine the source of the contamination. AERB stated that it will initiate appropriate corrective action in this regard, and keep the U.S. Nuclear Regulatory Commission informed of their investigation.

If you have any questions regarding this correspondence, please contact me at 301-415-7278 or the individual named below.

POINT OF CONTACT: Duncan White
TELEPHONE: 301-415-2598

INTERNET: Duncan.White@nrc.gov
FAX: 301-415-3502

/RA/

Brian J. McDermott, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

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Brian J. McDermott, Director
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OFFICE	FSME/MSSA/ASPB	FSME/MSSA/ASPB	FSME/MSSA	FSME/MSSA
NAME	KSchneider	DWhite	PHenderson	BMcDermott
DATE	01/30/12	01/30/12	01/30/12	01/30/12

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