

4731.3025 EXEMPTION; CERTAIN CONCENTRATIONS.

Subpart 1. **Exemption.** Except as provided in subparts 3 and 4, a person is exempt from parts 4731.3000 to 4731.7280 to the extent that the person receives, possesses, uses, transfers, owns, or acquires products or materials containing radioactive material in concentrations not in excess of those listed in part 4731.3140.

Subp. 2. **Import not authorized.** Parts 4731.3000 to 4731.3245 do not authorize the import of radioactive material or products containing radioactive materials.

Subp. 3. **Introduction by specific licensee.** A manufacturer, processor, or producer of a product or material in an agreement state is exempt from parts 4731.3000 to 4731.7280 to the extent that:

A. the manufacturer, processor, or producer transfers radioactive material contained in a product or material in concentrations not in excess of those specified in part 4731.3140; and

B. the radioactive material is introduced into the product or material by a licensee holding a specific license issued by the NRC expressly authorizing such introduction.

The exemption in this subpart does not apply to the transfer of radioactive material in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

Subp. 4. **Transfer limitations.** No person may introduce radioactive material into a product or material knowing or having reason to believe that it will be transferred to persons exempt under this part or equivalent regulations of the NRC or an agreement state, except according to a specific license issued under Code of Federal Regulations, title 10, section 32.11.

Statutory Authority: *MS s 144.1202; 144.1203*

History: *29 SR 755; 33 SR 1440*

Published Electronically: *March 12, 2009*