



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

SEP - 1 1998

Mr. Anthony P. Wilson  
Senior Logistics Supply Administrator  
Mail Stop G-401  
Toyota Motor Sales, U.S.A., Inc.  
19001 South Western Avenue  
Torrance, California 90509-2991

Ref. No. 98-0235

Dear Mr. Wilson:

This responds to your letter of August 10, 1998, concerning labeling requirements of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if labels on shipments of auto parts you received from Japan comply with the HMR with regard to the text in English and Japanese and the background color.

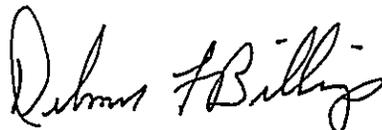
Text on a label that indicates a hazard is not required by the HMR. However, it is permissible to include such text. Labels conforming to specifications in the UN Recommendations on the Transport of Dangerous Goods may be used in place of the corresponding label under the HMR (see § 172.407(f)). These labels may contain text indicating the hazard in the language of the country from which a shipment originates.

Colors authorized for UN labels can be found in Chapter 13 of the Tenth Edition of the UN Recommendations (see section 13.5.1). While the UN Recommendations are not as specific as the HMR concerning color tolerances for labels, they do include color pictures for each label authorized for international transportation. Shippers should compare actual labels with the pictures in section 13.5.1 to ascertain whether specific labels comply with the UN Recommendations. With your letter, you enclosed two examples of the labels used by your Japanese shipper. It is the opinion of this office that the olive-green

label is not consistent with the color specification in the UN Recommendations; however, the darker green label does appear to comply with the UN standard.

I hope this satisfies your request. If you need additional assistance, do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards



Gorsky  
§ 172.407

Toyota Motor Sales, U.S.A., Inc.  
19001 South Western Avenue  
P.O. Box 2991  
Torrance, CA 90509-2991  
(310) 618-4000  
(310) 618-7800 Fax

98-0235

August 10, 1998

Edward Mazzullo  
Director  
Office of Hazardous Material Standards  
700 7<sup>th</sup> Street S. W.  
Washington, DC 20590

Dear Mr. Mazzullo:

Toyota Motor Sales, USA receives parts from Japan that are Articles, Pressurized Pneumatic, 2.2, UN3164 and Articles, Pressurized Hydraulic, 2.2, UN3164. The outer packaging are properly labeled with a Class 2 'green' label.

We have received two shades of green and neither color matches the color of the labels received from our domestic supplier, LabelMaster. Because of our doubt as to the validity of the color we are re-labeling all Japan cartons before re-shipment. We spoke with our Japanese counterparts within Toyota Motor Corporation on this issue and they informed us that the colors are correct according to the Japan Ministry of Transport.

Since we ship these parts to facilities within the United States we would like to know if the color Japan supplies on their cartons is acceptable for transport within the United States. We would ask you also to give your opinion of the verbiage. Are Japanese characters allowed on the label?

Attached are the labels defined as Example #1 and Example #2.

I would appreciate a phone call on this issue. Please call me at 310-787-5701. If I am not in please leave a voice mail message. A written response is also requested.

Sincerely,

Anthony P. Willson  
Sr. Logistics Administrator  
Mail Stop G-401

2014/04/23 #1



品名 酸素ガス





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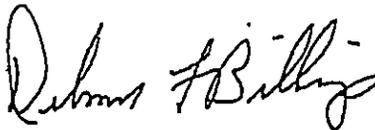
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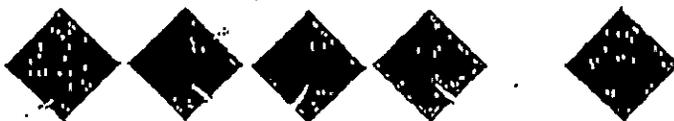
Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards

# LABELS, MARKS AND SIGNS

For each of Class 1 in division 1.1, compatibility group 5, each storage only subsidiary risk label 1.A.2

Labels of class

**1**



Subsidiary risk label of Class 1.1.2  
 1.1.2.1.1  
 1.1.2.1.2  
 1.1.2.1.3  
 1.1.2.1.4  
 1.1.2.1.5

The appropriate division number and compatibility group are to be placed in the location for division 1.1, 1.2 and 1.3, e.g. 1.1 D

The appropriate subsidiary risk label is to be placed in the location, e.g. D

The appropriate compatibility group is to be placed in the location, e.g. 5

Labels of class

**2**



Class 2.1

Class 2.2

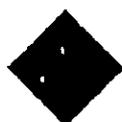
Class 2.3

MARINE POLLUTANT Mark



Label of class

**3**



ELEVATED TEMPERATURE Mark



Labels of class

**4**



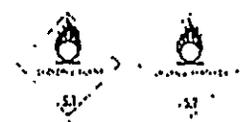
Class 4.1

Class 4.2

Class 4.3

Labels of class

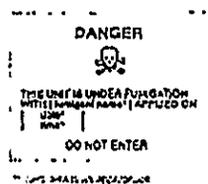
**5**



Class 5.1

Class 5.2

FUMIGATION WARNING Sign



Labels of class

**6**



Class 6.1

Class 6.2

Labels of class

**7**



Category I

Category II

Category III

Subsidiary risk labels

Subsidiary risk labels are as shown here, but they should not bear the class number in the bottom corner.  
 For example:



Label of class

**8**



**9**



For further information, see section B of the General Introduction to the IMDG Code.

THOMPSON  
HINE & FLORY LLP

Attorneys at Law

Gorsky  
follow-up

Facsimile:  
202/331-8330

December 3, 1998

Direct Dial:  
202/973-2705

VIA FACSIMILE

Ms. Diane Lavalle  
Office of Hazardous Materials Standards  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, DC 20590

Re: Your Ref. No. 98-0235

Dear Ms. Lavalle:

This letter will serve as a follow-up to our telephone conversation last week during which we discussed the Class 2 label color and the questions previously presented by my client, Toyota Motor Sales, U.S.A., Inc. In the course of that conversation, I noted that under the terms of the Department of Transportation's Hazardous Materials Regulations, 49 C.F.R. § 171.12(b), shipments transported to the United States from Japan by ocean vessel (which is Toyota's method of operation) may be "offered and accepted for transportation and transported within the United States" if "packaged, marked, classed, labeled, placarded, described, stowed, and segregated. . .in accordance with the IMDG Code. . . ." (emphasis added) It appears then that if there are any differences between the IMDG requirements and those of DOT, the shipment may be transported within the United States in spite of the differences if it meets the conditions specified in § 171.12(b) and conforms to the requirements of the IMDG Code. I will assume this conclusion to be correct unless I hear to the contrary from your office.

Very truly yours,



Norman J. Phillion  
Attorney for Toyota Motor Sales, U.S.A., Inc.

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# THOMPSON HINE & FLORY LLP

*Attorneys at Law*

## FAX COVER PAGE

TO WHOM SENT <b>Mr. Delmer F. Billings</b>		DATE SENT <b>11/17/98</b>	TIME <b>9:50</b>	NO. PAGES, INCL COVER <b>6</b>
COMPANY NAME <b>Chief, Standards Development Office of Haz. Mat. Standards U.S. Dept. of Transportation</b>		FROM (ATTORNEY NAME AND EXTENSION) <b>Norman Phillion</b>		
COMPANY PHONE <b>202-366-8553</b>	FAX NUMBER <b>202-366-3012</b>	SECRETARY'S NAME AND EXTENSION <b>Brenda Brooks</b>		
COMMENTS				

*If you have any problems receiving this fax call the operator at the appropriate office as indicated below.*

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COLUMBUS	(614) 469-3361	(614) 469-3200
DAYTON	(937) 443-6635	(937) 331-6100
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*1920 N Street, N.W. Washington, D.C. 20036-1601 202-331-8800 fax 331-8330*

BRUSSELS, BELGIUM CINCINNATI CLEVELAND COLUMBUS DAYTON PALM BEACH WASHINGTON, D.C.

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