



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

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

JAN 14 1999

Mr. Jim Glessner
COSBO
1310 Beaver Road
Sewickley, PA 15143-2008

Ref. No. 98-0377

Dear Mr. Glessner:

This is in response to your letter dated December 14, 1998, regarding whether your modular label, for placement on the shoulder of compressed gas cylinders, is in compliance with the labeling requirements of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You enclosed a sample of your company's modular label system and stated that these labels were modeled after the examples provided in the CGA Pamphlet C-7, Figure 3.

As you are aware, a cylinder containing a compressed gas that is not poisonous, carried by a private or contract motor carrier, not overpacked, and durably and legibly marked in accordance with CGA Pamphlet C-7, Appendix A, is excepted from the labeling requirements of the HMR. In accordance with the requirements of 49 CFR 172.400a(a)(1), these markings are recognized as an alternative to labeling under the HMR.

Your company's "modular label system" does not meet the requirements in the CGA Pamphlet C-7, Appendix A, Figure 3. Therefore, these modular labels are unacceptable and may not be used to meet the exceptions to labeling specified in 49 CFR 172.400a(a)(1).

You may wish to contact the CGA to inquire about getting your "modular label system" incorporated in the CGA system of markings for compressed gas cylinders, or petition for rulemaking under 49 CFR 106.31 to amend the requirements to allow for use of the modular labels.

I hope this satisfies your inquiry.

Sincerely,

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