



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

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

OCT 28 2004

Gregory Sutherland, Ph.D.
Shane Havoc Consulting, LLC
1905 English Ivy Court
Mt. Pleasant, SC 29464

Ref. No.: 04-0225

Dear Dr. Sutherland:

This is in response to your September 22, 2004 letter requesting clarification of the requirements for inclusion of a technical name for a hazardous material described as "Corrosive liquid, acidic, organic, n.o.s." under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if "(contains organic acids)" is an acceptable technical name in accordance with § 172.203(k).

The answer is no. As defined in § 171.8 of the HMR, "technical name" means a recognized chemical name or microbiological name currently used in scientific and technical handbooks, journals, and texts. A chemical description is authorized for use as a technical name provided it readily identifies the general chemical group. Examples of acceptable generic chemical descriptions are "organic phosphate compounds" and "aqueous amino silane polymer."

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



040225

171.8
172.203 (K)

September 22, 2004

Mr. Ed Mazzullo
U.S. Department of Transportation
Office of Hazardous Materials Standards
400 Seventh Street, SW
Washington, DC 20590

Pollack
§ 171.8
§ 172.203 (k)
Technical Name
04-0225

Dear Sir,

I have a client that uses the following as a proper shipping name for an N.O.S. description;

Corrosive liquid, acidic, organic, n.o.s. (Contains Organic Acids)

They are stating that under 172.203 (k) and the definition of Technical Name in 171.8, they are allowed to use a generic group name rather than a specific Organic acid name.

This position is being questioned by ocean carriers that state; "They cannot look up Organic Acids in a standard reference text." They are requesting a specific Organic Acid be listed.

I understand the client's position to disclose as little as possible about their formulas for proprietary reasons. I also understand the carriers need to review what they are transporting. The MSDS the client issues does not disclose the specific Organic acid.

What I need is a DOT ruling on if Organic Acids is an authorized generic group that can be used as a technical name.

Please send your interpretation to:

Shane Havoc Consulting, LLC
1905 English Ivy Ct.
Mt. Pleasant, SC 29464
Gregory Sutherland Ph.D. (DGSA)

If you need any further clarification to my questions please give me a call at:
843-849-1463

Sincerely,

Gregory Sutherland