



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

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Ms. Shelly Espinoza
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Ref. No. 04-0262

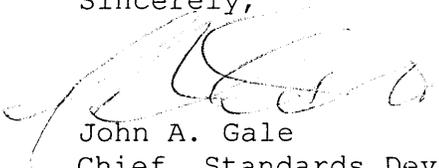
Dear Ms. Espinoza:

This is in response to your November 19, 2004, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the label category provided on the shipping paper as required by § 172.203(d)(4) must include the word "Radioactive."

Section 172.203(d)(4) requires the category of label applied to each package in the shipment to be included on a shipping paper, for example: "RADIOACTIVE WHITE-I." However, the word "Radioactive" does not need to be included in the label category. We will clarify this requirement in a future rulemaking.

I hope this satisfies your request.

Sincerely,


John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



040262

172.203(d)(4)



Baker Atlas

BAAH
§172.203(d)(4)
Shipping Papers
04-0262

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Shelley Espinoza
Sr HSL Advisor

November 19, 2004

Mr. Ed Mazzullo
Director, Hazardous Materials Standards, DHM-10
US DOT/RSPA
400 7th Street SW
Washington DC 20590

Subject: Interpretation Request

Dear Mr. Mazzullo,

When completing a shipping paper for radioactive material does the label category required under 49 CFR 172.203(d)(4) need to include the word "RADIOACTIVE", such as "RADIOACTIVE Yellow-II" or is it permissible to enter the information as "White-I", "Yellow-II" or "Yellow-III", as applicable to the package?

In the UN's *Recommendations on the Transport of Dangerous Goods Model Regulations, Thirteenth revised edition* section 2.7.8.4 the label categories do not contain the word "RADIOACTIVE". Therefore, section 5.4.1.5.7.1.c) requires only the words "I-WHITE", "II-YELLOW" OR "III-YELLOW" on the shipping paper to describe the package category.

Both the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* and the *International Maritime Dangerous Goods Code* follow the UN model regulations, not requiring the word "RADIOACTIVE" in the package category field of the shipping paper, sections 4.1.5.7.1.d) and 5.4.1.5.7.1.4, respectively.

As an international shipper of radioactive material, we fully appreciate harmonization of DOT's hazardous materials transportation regulations with the UN's model regulations. Such harmonization reduces human error when creating shipping papers under various transport regulations and affords US shippers the ability to standardize computer generated entries on shipping documents.

Since all radioactive material proper shipping names in 49 CFR now include the word "Radioactive", it seems redundant to also include the word in the label category area of the shipping paper. Your interpretation of 49 CFR 172.203(d)(4) regarding the need to include the word "RADIOACTIVE" in the label category of the shipping paper is greatly appreciated.

Regards

Shelley Espinoza
Sr. HSL Advisor