



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Ave., SE
Washington, DC 20590

OCT 16 2008

Mr. Gregory Sutherland
Shane Havoc Consulting, LLC
1905 English Ivy Court
Mount Pleasant, SC 29464

Ref. No.: 08-0231

Dear Mr. Sutherland:

This responds to your September 12, 2008, letter requesting clarification on the proper spelling of a proper shipping name under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you are permitted to use an alternate spelling of the proper shipping name, "Extracts Flavouring Liquid" instead of the United States spelling "Extracts Flavoring Liquid" for shipments within the U.S. and vessel shipments.

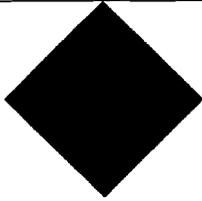
The HMR authorize the use of alternate spellings for proper shipping names as found in international standards, such as the International Civil Aviation Organization Technical Instructions on the Transport of Dangerous Goods by Air and the International Maritime Dangerous Goods Code. See §172.101(c)(1). Authorization to use such alternate spellings is **not** limited to shipments intended for international transportation or for which all or part of the transportation is by air or vessel. Thus, "Extracts Flavouring Liquid" is an authorized proper shipping name under the HMR.

I hope this answers your inquiry.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Gorsky".

Susan Gorsky
Acting Chief, Standards Development
Office of Hazardous Materials Standards



Shane Havoc Consulting, LLC
1905 English Ivy Ct.
Mount Pleasant, SC 29464
Phone: (843) 849-1463 Fax: (561) 423-3907

September 12, 2008

Office of Hazardous Materials Standards, Pipeline and Hazardous Materials Safety
Administration

Attn: PHH-10, U.S. Department of Transportation, East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Boothe
§ 171.25(a)
§ 172.101
IMDG
08-0231

Dear: Mr. Mazzullo

I would like the DOT to clarify a question on Proper Shipping name use.

I have a client that has uses the UN Proper shipping name "Extracts Flavouring Liquid" instead of the USA spelling "Extracts Flavoring Liquid" for all shipments within the USA in addition to it's shipment via ocean from their off shore manufacturing location. Since this is imported product it is labeled with the International spelling on the label. The automated shipping paper system would have difficulty in using two spellings for the same UN Number, in addition the product label would not match the shipping paper description.

They are having difficulty with a state DOT agency that is interpreting the 49 CFR to only allow use of this Proper Shipping Name for the continuation of an ocean or air shipment. They are citing 49 CFR 171.25(a)

It is our interpretation that the 172.101 table instructions 172.101(c) (1) allow alternate spellings as found in the ICAO or IMDG code without any requirement to be part of an air or ocean shipment.

Can you advise what the correct interpretation is?

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

Sincerely,


Gregory Sutherland PhD (DGSA)