



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 4, 2024

Mr. Roy Kluthe
8712 North Decatur St. Unit 503
Portland, OR 97203-5457

Reference No. 23-0075

Dear Mr. Kluthe:

This letter is in response to your July 5, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers. Specifically, you ask whether a shipping paper containing columns may include a company slogan or other non-regulatory information directly below the shipping description. You provided an example of a shipping paper, and below is a redacted excerpt with the text you are concerned about:

Units	HM	Description of Materials, Special Marks and Exceptions	Weight
1 T/T	X	Delivery No: 12345678 Order: 1234567 UN 1830 SULFURIC ACID, 8, II RQ (Sulfuric acid) ERG GUIDE No. 137 O/Y Order ref: 86588/ SULFURIC ACID 93% TECHNICAL BULK Excellence in Performance # Pride in Achievement	50000 LB

In general, company slogans and additional information that are not part of the shipping description must be placed after the information required under § 172.202(a). In the example you provided, the text “Excellence in Performance # Pride in Achievement” is clearly not part of the basic description and also not interspersed in the description. Provided the additional non-regulatory information is not inconsistent with the required shipping description, it is the opinion of this Office that—in the specific example you provided in your letter—the additional non-regulatory information would not be a violation of the HMR.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Steven Andrews
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

July 5, 2022

Mr. Shane Kelley.

Requesting a written response, to the question below, if you would, please.

Is a company motto allowed in the description column of a Hazmat bill of lading?

Sending a copy of the bill of lading in question. Please Note: The last line "Excellence in Performance # Pride in Achievement".

My argument is that, mottos, company logos or promotions are not allowed in the "Description of Materials, special Marks and Exceptions" column. Only information related to the chemical itself.

Company mottos can go with the letterhead around the perimeter or water marked. But not in the body of the bill. Recall learning this years ago but can't find anything in print to back it up.

I could be wrong. Would your office please send me a ruling or explanation. Thank you.

Roy Kluthe
8712 N. Decatur St. #503
Portland, Oregon 97203

roykluthe@gmail.com

Bill of Lading - Short Form - Not Negotiable

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination. If on its route, otherwise, to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Uniform Freight Classification if effect on the date hereof, if his is a rail or rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification of tariff which governs the transportation of this shipment and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Eco Services Operations Corp
2002 Timberloch Place
The Woodlands, TX 77380

<p align="center">SHIP FROM</p> Portland ECO SERVICES OPERATIONS CORP 4429 NORTH SUTTLE ROAD PORTLAND OR 97217-7719	<p align="center">Carrier: Include this Shipment # on Freights bills</p> Shipment/BOL No: 1100640121 Page 1/1
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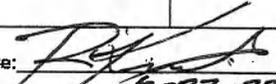
<p align="center">SHIP TO</p> NIPPON DYNAWAVE PACKAGING CO FILTER PLANT 3401 INDUSTRIAL WAY LONGVIEW WA 98632 US Unloading: Delivery time:	<p>Carrier Name : PORTLAND PRIVATE FLEET Car or Vehicle : 47-6 Seal Number: Delivering Carrier / Route:</p>
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Customer Order Information

Shipping Date:	Delivery Date:	Cust. Purchase Order#:	Carrier	Customer	If changes are to be prepaid write or stamp here. "To Be Prepaid."
05.26.2022	05.27.2022	305810	1RDA	2043940	Prepaid

Units	HM	Description of Materials, Special Marks and Exceptions	Weight	PREPAID SHIPMENTS ONLY INVOICING INSTRUCTIONS FOR PAYMENT
1 T/T	X	Delivery No: 83550254 Order: 2114871 UN 1830 SULFURIC ACID, 8, II RQ (Sulfuric acid) ERG GUIDE No. 137 O/Y Order ref.: 86588/ SULFURIC ACID 93% TECHNICAL BULK Excellence in Performance # Pride in Achievement	50000 LB	Eco Services Operations C/O CASS INFOR Po box : 67 SAINT LOUIS MO 63166-0067 US Subject to Section 7 of Conditions of applicable bill of lading. If the shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement. The carrier shall not make delivery of the shipment without payment of freight and all other lawful charges. Eco Services Operations Corp (Signature of consignor)
		 93.4%	47,520	

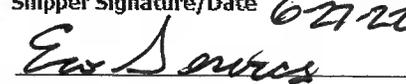
1	TOTAL UNITS SHIPPED: PALLETS 0 LOOSE	TOTAL WEIGHT	50000 LB	C.O.D. Amt. _____ Collection Fee _____ Total Charges _____
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PROPER PLACARDS IN PLACE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NOT REQUIRED	<input checked="" type="checkbox"/> ERG is in cab of Tractor# 47 <input checked="" type="checkbox"/> ERG# 137 received by driver. <input checked="" type="checkbox"/> MSDS for Haz. Mat Received by driver	Driver's Signature:  Date: 6-27-22	FREIGHT CHARGE
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For emergencies involving a spill, leak, fire, exposure, or accident contact CHEMTREC® at 800-424-9300

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight."
 NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____

This is to certify that the above named materials are properly classified, described packaged, marked and labeled, and are in the proper condition for transportation, according to the applicable regulations of the Department of Transportation.

Shipper Signature/Date  6-27-22	Carrier/Pickup Date P.P.F. 6-27-22	Driver (sign) 
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