



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 18, 2023

L'Gena Shaffer
Director, Regulatory Compliance
Council on the Safe Transportation of Hazardous Articles
101 Ridge Street, Suite I
Glens Falls, NY 12801

Reference No. 23-0071

Dear Ms. Shaffer:

This letter is in response to your August 18, 2023, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the use of a comma in place of a decimal point in the United Nations (UN) specification packaging marking when used for describing the specific gravity on a packaging. In your letter, you provide an image of a United Nations (UN) specification packaging marking and ask whether the decimal comma in “/Y1,6/” is acceptable to represent the specific gravity of 1.6.

The answer is yes. The HMR do not specifically authorize or prohibit the use of the decimal comma. Additionally, the decimal comma is commonly used in international commerce, and the intent of the UN performance packaging system - to include the UN specification package marking - is to facilitate both domestic and international commerce. Therefore, this Office would not consider use of the decimal comma to be a violation of the provisions of the HMR.

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

Sincerely,

Shane C. Kelley
Director,
Standards and Rulemaking Division

From: [Foster, Glenn \(PHMSA\)](#)
To: [Jones, Jessie Jane CTR \(PHMSA\)](#)
Cc: [Kelley, Shane \(PHMSA\)](#)
Subject: FW: PHMSA interpretation on European indicators for decimal place
Date: Thursday, August 3, 2023 4:05:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[8.4.2023 COSTHA LOI European indicators for decimal place.pdf](#)

Jessie,

Here you go.

From: L'Gena Shaffer <Lgena@costha.com>
Sent: Thursday, August 3, 2023 2:45 PM
To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>
Cc: Andrews, Steven (PHMSA) <steven.andrews@dot.gov>; Tom Ferguson <Tom@costha.com>; Chris Yakush <Chris@costha.com>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>; L'Gena Shaffer <Lgena@costha.com>
Subject: RE: PHMSA interpretation on European indicators for decimal place

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Shane,

Please find attached a formal letter of interpretation request for your consideration.

Best regards,

L'Gena Shaffer, CDGP
Director, Regulatory Compliance
COSTHA
<https://www.costha.com/>

From: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>
Sent: Thursday, August 3, 2023 12:30 PM
To: L'Gena Shaffer <Lgena@costha.com>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>
Cc: Andrews, Steven (PHMSA) <steven.andrews@dot.gov>; Tom Ferguson <Tom@costha.com>; Chris Yakush <Chris@costha.com>; L'Gena Shaffer <Lgena@costha.com>
Subject: Re: PHMSA interpretation on European indicators for decimal place

Great. You can send it directly to me and I'll help expedite.

From: L'Gena Shaffer <Lgena@costha.com>
Sent: Thursday, August 3, 2023 12:26:17 PM
To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>

Cc: Andrews, Steven (PHMSA) <steven.andrews@dot.gov>; Tom Ferguson <Tom@costha.com>; Chris Yakush <Chris@costha.com>; L'Gena Shaffer <Lgena@costha.com>

Subject: RE: PHMSA interpretation on European indicators for decimal place

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you Shane, we appreciate your response.

We will be submitting a formal letter of interpretation request under separate cover.

Regards,

L'Gena Shaffer, CDGP
Director, Regulatory Compliance
COSTHA
<https://www.costha.com/>

From: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>

Sent: Wednesday, August 2, 2023 2:58 PM

To: L'Gena Shaffer <Lgena@costha.com>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>

Cc: Andrews, Steven (PHMSA) <steven.andrews@dot.gov>; Tom Ferguson <Tom@costha.com>; Chris Yakush <Chris@costha.com>; L'Gena Shaffer <Lgena@costha.com>

Subject: Re: PHMSA interpretation on European indicators for decimal place

I'm of the opinion this is an acceptable internationally recognized format that introduces no safety concerns, but welcome the comments of others on this chain. Unfortunately this may be a discretionary area managed at the inspector level as - unless I am missing a cite my team can point to - it is not specifically addressed. If an interp would help, and we don't have one on record, the team was just remarking to me today that the interp stack is getting low and we could use a new request or two.

From: L'Gena Shaffer <Lgena@costha.com>

Sent: Wednesday, August 2, 2023 2:48:13 PM

To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>

Cc: Andrews, Steven (PHMSA) <steven.andrews@dot.gov>; Tom Ferguson <Tom@costha.com>; Chris Yakush <Chris@costha.com>; L'Gena Shaffer <Lgena@costha.com>

Subject: FW: PHMSA interpretation on European indicators for decimal place

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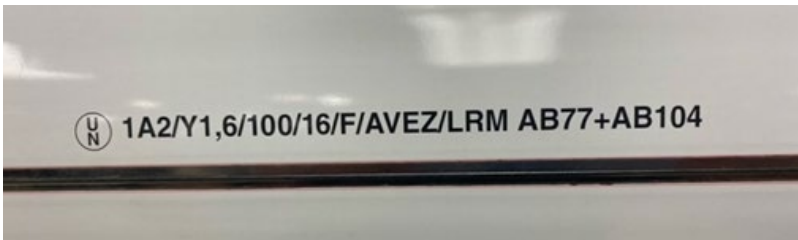
Good Afternoon PHMSA,

COSTHA is evaluating some outstanding inquires to PHMSA and we are following up on this

request from November 2022.

A COSTHA member purchased UN specification packaging (specification mark pictured below) that identifies the gross weight indicator with a European indicator of a “comma” and not a decimal point (e.g., 1,6 vs. 1.6).

The member is concerned this packaging will not be accepted for transport and/or that US inspectors (including FAA inspectors and thus airlines), may not recognize the gross weight indicator with a European indicator of a “comma” and not a decimal point.



We were unable to identify any letters of interpretation to provide clear guidance.

Is this acceptable?

We appreciate your review and response.

Regards,

L’Gena Shaffer, CDGP

Director, Regulatory Compliance
COSTHA

<http://www.costha.com>

lgena@costha.com

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COSTHA Office: 518-761-0389

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From: Tom Ferguson <Tom@costha.com>

Sent: Thursday, November 10, 2022 4:42 PM

To: shane.kelley@dot.gov

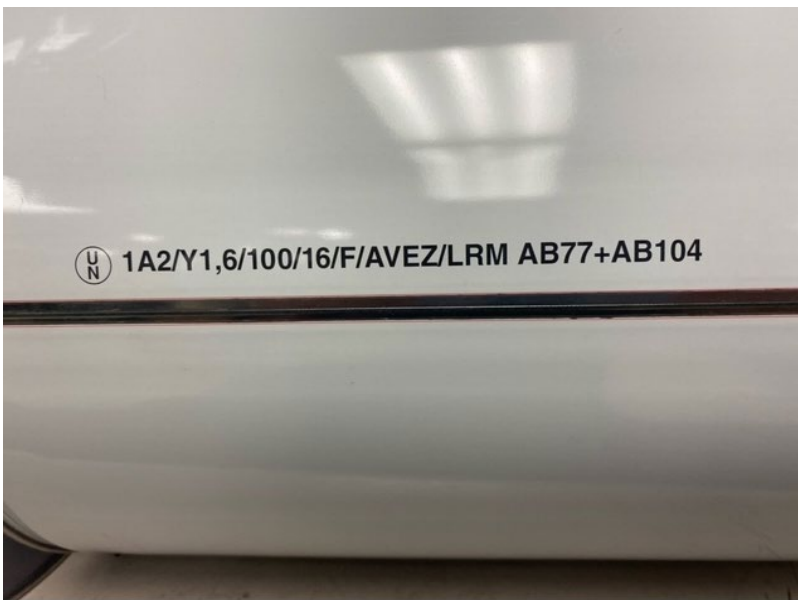
Cc: L'Gena Shaffer <Lgena@costha.com>; Chris Yakush <Chris@costha.com>

Subject: PHMSA interpretation on European indicators for decimal place

Shane,

We have not found any letters of interpretation on the topic and nothing that provides any clear guidance in 49 CFR.

Please take a look at the picture below:



You will notice the tested gross weight of the package is indicated as 1,6. They mean this to indicate that it was tested and certified to 1.6 kg. However, they have used the European indication for a decimal place.

Is this acceptable in the US? The member company that has purchased this package is very concerned that US inspectors (including FAA inspectors and thus airlines), may not recognize the indicator and thus would not accept it for transport.

Any direction would be greatly appreciated!

Best Regards,

Tom Ferguson, PG, CHMM, DGSA

Administrator and Chief Technical Officer

Council On Safe Transportation of Hazardous Articles (COSTHA)

Tom@costha.com

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Wim Verkuringen
Director DG & Transportation Safety
Johnson & Johnson

Mike Wentz
Manager, Dangerous Goods Compliance
American Airlines

General Counsel
Richard Schweitzer, PLLC

August 3, 2023

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590 USA
cc: infoctr@dot.gov

Dear Mr. Kelley:

The Council on Safe Transportation of Hazardous Articles, Inc. (COSTHA) requests a formal letter of interpretation regarding the use of the European gross weight indicator of a "comma" in place of a decimal point in a UN Specification packaging mark.

In the Hazardous Materials Regulations (HMR) §[178.503\(a\)\(4\)](#) states:

A designation of the specific gravity or mass for which the packaging design type has been tested, as follows:

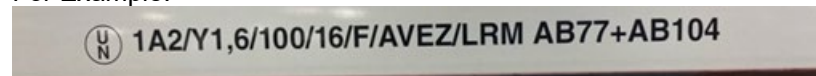
(i) For packagings without inner packagings intended to contain liquids, the designation shall be the specific gravity rounded down to the first decimal but may be omitted when the specific gravity does not exceed 1.2; and

(ii) For packagings intended to contain solids or inner packagings, the designation shall be the maximum gross mass in kilograms;

...

COSTHA specifically requests an interpretation as to whether a package marking identifying the gross weight indicator with a European indicator of a "comma" and not a decimal point (e.g., 1,6 vs. 1.6) is authorized for use under the HMR.

For Example:



COSTHA appreciates your review of this interpretation request, and we look forward to hearing from you soon.

Sincerely,

L'Gena Shaffer
Director, Regulatory Compliance
COSTHA
www.costha.com
lgena@costha.com

Council on Safe Transportation of Hazardous Articles

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