



26-0082
Jacobson

Letter of Interpretation Request

INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>

Mon, Jun 22, 2026 at 12:08 PM

To: "Baker, Yul (PHMSA)" <yul.baker@dot.gov>, Hazmat Interps <hazmatinterps@dot.gov>

Good afternoon,

Please see the below interpretation request.

Let us know if you need anything,

Janaye

----- Forwarded message -----

From: **Lori DiRe** <lori.dire@upl-ltd.com>

Date: Wed, Jun 17, 2026 at 4:02 PM

Subject: :Re: Request for Interpretation – Application of supplemental explanatory regulatory statements on exterior packaging

To: infocntr@dot.gov <infocntr@dot.gov>

Dear Sir or Madam,

Our organization imports pesticide products in non-bulk packaging that meet the criteria for classification as Class 9 Marine Pollutants (UN3082 or UN3077) for transport by vessel and are marked in accordance with IMDG Code requirements.

Following import, these same non-bulk packages are transported domestically by ground within the United States. Under 49 CFR, the material is not regulated for domestic ground transport, and shipping papers accordingly indicate "Not Regulated." We understand that, pursuant to 49 CFR §171.4(c), packages prepared in accordance with international regulations may continue in transportation within the United States without re-marking or re-labeling. We further understand that PHMSA has historically allowed the retention of IMDG hazard communication elements in these situations, as reflected in prior Letters of Interpretation.

We also recognize that 49 CFR §172.502(a)(2) prohibits the display of markings or labels that are false, misleading, or not relevant to the hazardous material contained in the package.

With this in mind, we seek clarification on whether supplemental explanatory wording may be applied to the exterior of the package and respectfully request PHMSA's interpretation on the following:

1. Would the inclusion of a statement such as:
“Product is regulated for transport by vessel or air but is not regulated for domestic ground transportation in the U.S.”
be considered non-compliant under 49 CFR §172.502(a)(2) as a potentially misleading marking or one that falls outside the standardized hazard communication framework?
2. Is PHMSA’s position that the allowance under §171.4(c) is limited strictly to the continuation of existing hazard markings applied under international regulations, and does not extend to additional narrative explanations on packaging describing modal regulatory differences?

Thank you for your time and consideration of this request.

Sincerely,

Lori A. DiRe

Regulatory Compliance and Product Safety Specialist

M: +1 610-299-5217

E: lori.dire@upl-ltd.com



UPL NA, Inc.

[5 Laboratory Drive](#)

[Building 1, Suite 1000](#)

[Durham, NC 27009](#)

UPLCorp.com/US