



Council on Safe Transportation of Hazardous Articles

August 28, 2026

Standards and Rulemaking Division
Pipeline and Hazardous Materials Safety Administration
Attn: PHH-10
Mr. Matthew Nickels
U.S. Department of Transportation
East Building, 1200 New Jersey Ave., SE
Washington, D.C. 20590-0001
Submitted: Via Email
cc: infocntr@dot.gov

Dear Mr. Nickels,

COSTHA respectfully requests a formal letter of interpretation regarding the permissible use of a pre-printed battery mark displaying a location for a telephone number to be included after January 1, 2027. Specifically, COSTHA seeks confirmation as to whether shippers may continue to use versions of the battery mark that contain the preprinted statement "For more information, call ____" when no telephone number is provided. An example of the mark in question is attached below.

COSTHA is a not-for-profit organization representing manufacturers, shippers, distributors, carriers, freight forwarders, trainers, packaging manufacturers, and others involved in the hazardous materials transportation industry. In addition to promoting regulatory compliance and safety, COSTHA assists its members and the public in evaluating the practicality and efficacy of laws, regulations, and industry practices governing the safe transportation and distribution of hazardous materials.

In the preamble to final rule HM-215Q, PHMSA stated that it was removing the requirement for a telephone number on the lithium battery mark, with a transition period allowing continued use of the existing mark through December 31, 2026. PHMSA further explained that the original requirement for a "telephone number for additional information" was intended to provide contact information for the consignor or other responsible individual who could provide information beyond that already available from the package marking.

The regulatory text was revised to include the following provision:

(ii) The lithium battery mark, in conformance with the requirements of this paragraph, in effect on May 9, 2024, may continue to be used until December 31, 2026.

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COSTHA understands and supports PHMSA's removal of the telephone number requirement and associated transition period. However, neither HM-215Q preamble discussion nor the revised regulatory text in §173.185(c)(3)(ii) appears to address whether additional wording associated with the former telephone number field must also be removed after December 31, 2026.

Accordingly, COSTHA requests PHMSA's interpretation whether the continued presence of additional text, i.e. "For more information, call", without a corresponding telephone number is permissible on battery marks used after January 1, 2027. Specifically, we seek confirmation that a battery mark containing this pre-printed text, with the telephone number left blank, would remain compliant with the Hazardous Materials Regulations (HMR), and not impact the universal recognition of the mark, and would not be considered a prohibited variation of the prescribed mark.

COSTHA notes that neither HM-215Q nor the current language in §173.185(c)(3)(ii) expressly addresses the treatment of such ancillary text. As a result, clarification would be beneficial to regulated parties that may have inventories of pre-printed packaging and labels containing this wording.

Example 1



If PHMSA requires any additional information to assist in its review of this request, please do not hesitate to contact us. Thank you for your consideration, and we look forward to receiving your interpretation.

Sincerely,

Frank Lopez
Regulatory Compliance Specialist
COSTHA