



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 22, 2020

L'Gena Shaffer
Senior Technical Consultant
Currie Associates
10 Hunter Brook Lane
Queensbury, NY 12804

Reference No. 19-0083

Dear Ms. Shaffer:

This letter is in response to your June 19, 2019, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the lithium battery mark. Specifically, you ask whether the lithium battery mark provided in § 173.185(c)(3) may be modified to include supplementary information in addition to the required UN identification number and telephone number. You provide three examples of the modifications to the lithium battery mark and ask whether they meet the requirements of the HMR.

Your examples are paraphrased and responded to as follows:

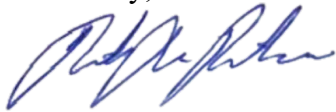
- Q1. Example 1: You ask whether the lithium battery mark may include a United States Postal Service (USPS) "Surface Mail Only, Lithium-ion Batteries- Forbidden for Transportation Aboard Passenger Aircraft" mark in addition to the UN number and telephone number required in § 173.185(c)(3)(i).
- A1. The answer is no. The purpose of the marking is to indicate that the package contains lithium batteries in a clear and universal way. Additional information not relevant to the components of the mark could diminish the effectiveness of the lithium battery mark and cause confusion in transportation. Therefore, the lithium battery mark may not be modified to include additional information not relevant to the components of the mark specified in § 173.185(c)(3)(i).
- Q2. Example 2: You ask whether additional text may be added outside of the required red hatchings on the lithium battery mark.
- A2. The answer is yes. It is the opinion of this Office that additional information outside of the required red hatching in the example provided would not diminish the effectiveness of the lithium battery mark.

Q3. Example 3: You ask whether the lithium battery mark may include a barcode in addition to the UN number and telephone number required in § 173.185(c)(3)(i).

A3. The answer is no. See answer A1.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Cardery
19-0083



June 19, 2019

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
United States
cc: infocntr@dot.gov

Dear Mr. Kelley,

Currie Associates would like to request a formal letter of interpretation regarding the specification and use of the lithium battery mark. Specifically, we would like to confirm the examples provided below are allowed per the HMR.

The lithium battery mark must be displayed on packages of smaller lithium cells or batteries in accordance with § 173.185(c)(3). The specification of the mark:

(i) The mark must indicate the UN number, 'UN3090' for lithium metal cells or batteries or 'UN 3480' for lithium ion cells or batteries. Where the lithium cells or batteries are contained in, or packed with, equipment, the UN number 'UN3091' or 'UN 3481' as appropriate must be indicated. Where a package contains lithium cells or batteries assigned to different UN numbers, all applicable UN numbers must be indicated on one or more marks. The package must be of such size that there is adequate space to affix the mark on one side without the mark being folded.



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- (A) The mark must be in the form of a rectangle with hatched edging. The mark must be not less than 120 mm (4.7 inches) wide by 110 mm (4.3 inches) high and the minimum width of the hatching must be 5 mm (0.2 inches) except markings of 105 mm (4.1 inches) wide by 74 mm (2.9 inches) high may be used on a package containing lithium batteries when the package is too small for the larger mark;
- (B) The symbols and letters must be black on white or suitable contrasting background and the hatching must be red;
- (C) The “*” must be replaced by the appropriate UN number(s) and the “***” must be replaced by a telephone number for additional information; and
- (D) Where dimensions are not specified, all features shall be in approximate proportion to those shown.

The lithium battery mark is for use in multimodal transport and the mark specifications are outlined in ICAO 2.4.16; IATA 7.1.5.5.3; and the IMDG Code 5.2.1.10. The U.S. Postal Service Publication 52 *Hazardous, Restricted, and Perishable Mail* requires the mark be “DOT-approved lithium battery mark as specified in 49 CFR 173.185(c)(j)” and a text marking “Surface Mail Only, Lithium ion Batteries – Forbidden for Transportation Aboard Passenger Aircraft”.

Currie Associates understands the placeholders identified by “*” and “***” are to indicate the UN number and telephone number. No additional text is REQUIRED as it would have to be translated into multiple languages. However, we would like to confirm that additional text to facilitate compliance with other transport standards is not prohibited. Specifically, we would like to confirm the examples provided below with additional text and/or bar code tracking are allowed in accordance with the HMR and do not impact the universal recognition of the mark.

Example 1

In order to facilitate ease of multimodal shipments, the mark includes the USPS surface mail only text in addition to the UN number and telephone number for additional information.





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Example 2

Additional text outside of the red hatchings.

UN3480

For emergencies only, Call: CHEMTREC
1-800-424-9300 NORTH AMERICA
1-703-527-3887 INTERNATIONAL

LD450C-3480 LABELS 2011 © 2011 CHEMTREC

**Surface Mail Only, Lithium-ion batteries – Forbidden
for Transportation Aboard Passenger Aircraft.**

Example 3

Incorporation of a bar code.

UN3480

For additional information call: CHEMTREC
1-800-424-9300 NORTH AMERICA
1-703-527-3887 INTERNATIONAL



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

Sincerely,

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