



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 31, 2021

Mark Newitz
Inventory Manager
P.O.R. Products
38 Portman Road
New Rochelle, NY 10801

Reference No. 21-0004

Dear Mr. Newitz:

This letter is in response to your January 12, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking requirements. Specifically, you state that your company has a supply of preprinted packagings that contain both the ORM-D and limited quantity markings.

We have paraphrased and answered your questions as follows:

- Q1. You ask whether your company may continue to offer your preprinted packagings to deplete your pre-existing inventory although the transition period allowing for the continued display of the ORM-D marking ended on December 31, 2020.
- A1. It is the opinion of this Office that the display of both markings is confusing and may frustrate transportation of these packagings. However, since your preprinted packagings display the Limited Quantity marking they do comply with current requirements. While not covering the phased out ORM-D marking is not in violation of the HMR, we suggest that the best way to avoid frustration of the shipment is to cover the ORM-D marking, as noted in your email.

Q2. You ask whether carriers will accept shipments that display both markings.

A2. The HMR do not require carriers to accept shipments of hazardous materials. As noted above, display of both markings would not 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,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a prominent initial "D".

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Request for Interpretation
Date: Tuesday, January 19, 2021 4:14:01 PM
Attachments: [20210112123146946.pdf](#)

Please see below for letter of interpretation request.

Thank you,
Kathryn

From: Mark Newitz [mailto:mnewitz@porproducts.com]
Sent: Tuesday, January 12, 2021 1:13 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Interpretation

To Whom it may concern,

Please see attached DOT Notification Bulletin regarding ORM-D Phase -out.
My current supply of shipping boxes contain BOTH Consumer Commodity ORM-D symbols as well as the diamond Limited Quantity Mark. Since I have both on my shipping boxes can I ship as is without the time consuming effort to cover up the ORM-D markings on my thousands of boxes in my inventory? Additionally, will all carriers accept shipments if allowed? Extremely labor intensive to cover up existing box inventory.
Thank you for a prompt reply and if approved documentation to support.

Mark



Mark Newitz
Purchasing / Inventory Manager
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