



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

1200 New Jersey Ave., S.E.
Washington, DC 20590

MAY 23 2012

Mr. George Kerchner
Wiley Rein, LLP
1776 K Street, NW
Washington, DC 20006

Ref. No. 11-0172

Dear Mr. Kerchner:

This responds to your July 18, 2011 request for clarification on the specifications for the Class 8 CORROSIVE label under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the shaded hand on the CORROSIVE label provided in your enclosed photograph complies with §§ 172.407 and 172.442 requirements.

The answer is no. The colors in the photograph you enclosed do not meet the label specification requirements. The label illustration in § 172.442 shows the outline of the hand in black with the hand in white on the white background in the top half of the label. "White," as defined by the American College Dictionary, is an "achromatic color of maximum lightness; as new snow." The variation in the white coloring in the top half of your example is not authorized.

Further, § 172.442(b) specifies that in addition to complying with the label specification requirements found § 172.407, the background of the CORROSIVE label must be white in the top half and black in the lower half. Section 172.407 also requires that the symbol, text, numbers, and border must be shown in black on a label except white must be used for the text and class number for the CORROSIVE label.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division



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July 18, 2011

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U.S. Department of Transportation
1200 New Jersey Avenue, SE
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Re: Request for Interpretation on Class 8 Corrosive Label

I am writing to request a clarification on an issue that recently was brought to our attention pertaining to the Class 8 Corrosive label and the color of the hand contained on that label.

We are aware of a driver that recently was issued a warning by a U.S. DOT inspector because the hand on the Class 8 label affixed to a package was not white, but rather a shaded, off-white color. Below is a photograph of the label in question.



There are no specifications in the labeling requirements of 49 CFR that address the color of the hand on the Corrosive label. We believe the shaded color above falls within the labeling specification found in 49 CFR § 172.407 for packages containing Class 8 corrosive hazardous materials and also meets the general labeling requirements. Therefore, we would appreciate confirmation from your office that such a label with the shaded hand is in compliance with the U.S. hazardous materials regulations.

Thank you for your assistance.

Sincerely,

George A. Kerchner

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