



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

NOV 28 2011

Mr. Daniel Vick
The University of North Carolina at Chapel Hill
Department of Environment, Health & Safety
1120 Estes Drive Ext., CB# 1650
Chapel Hill, North Carolina 27599

Ref. No. 11-0258

Dear Mr. Vick:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers. Specifically, you ask for guidance in determining what technical name, if any, should be indicated on a shipping paper for a Category A infectious substance prepared in accordance with § 172.203(k) when the specific agent or pathogen is known.

Category A infectious substances must be described on a shipping paper as “UN2814, Infectious substances, affecting humans, 6.2” or “UN2900, Infectious substances, affecting animals, 6.2”, as appropriate. Because both § 172.101 Hazardous Materials Table (HMT) entries are identified by the letter “G” in column 1 of the HMT, the technical name must be entered on a shipping paper, in parentheses, in association with the basic description as prescribed in § 172.203(k).

Section 171.8 of the HMR defines a "technical name" as a recognized chemical name or microbiological name currently used in scientific and technical handbooks, journals, and texts. It also authorizes a generic description to be used as a technical name provided it readily identifies the general chemical or microbiological group of the material. Therefore, when the identity of the pathogen contained in an infectious substance is known, the technical name of the pathogen must be indicated in parentheses in association with the basic description on a shipping paper as prescribed in § 172.203(k). When the identity of the pathogen contained in an infectious substance is not known, but sufficient information is available to strongly suspect that it does contain a Category A infectious substance, § 172.203(k) of the HMR requires that the words “suspected Category A infectious substance” must be entered in parentheses in place of the technical name as part of the

proper shipping description on a shipping paper. Further, as specified in §§ 172.203(k) and 172.301(b), regardless of whether the pathogen of an infectious substance is known or not known, the technical name of a Division 6.2 material should not be marked on the surface of its outer package.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



UNC
ENVIRONMENT,
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Stevens
§ 172.101
§ 172.203(k)
Shipping Papers
11-0258

September 22, 2011

Mr. Charles E. Betts
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Re: 49 CFR 172.203(k) interpretation request

Dear Mr. Betts,

I hope you can provide some clarification regarding 49 CFR 172.203(k) as it applies to UN2814 Infectious Substance, affecting humans.

According to section 172.101(b)(4) when the letter G appears in column one of the Table of Hazardous Materials (172.101) a technical name is required in parenthesis in association with the basic description. Section 172.203(k) also explains that any item with the letter "G" in column one of the Table of Hazardous Materials (172.101) must show a technical name in parenthesis in association with the basic description on the shipping paper. Since section 172.203(k) explains that a technical name for division 6.2 materials should not be marked on the outer package this request only pertains to the proper shipping name and technical name that is written on the shipping paper. Section 172.203(k) goes on to say that when a substance is suspected to contain a division 6.2 substance the phrase "suspected Category A infectious substance" should be entered in parenthesis in place of the technical name. This leads me to believe that when we know the technical name of the substance we are to write it in parenthesis next to the proper shipping name on the shipping paper.

We were told recently by a PHMSA agent that regardless of whether or not we know what the substance is we must always write "suspected Category A infectious substance" in parenthesis next to the proper shipping name on the shipping paper. I have read through the relevant sections of the 49 CFR and simply cannot find where this rule is written. Can you please clarify if we are to write the actual technical name in parenthesis after the proper shipping name on the shipping paper for UN2814 items or are we to write only "suspected Category A infectious substance" in parentheses next to the proper shipping name regardless if we know what the substance is?

Sincerely,

Daniel Vick

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