



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

APR - 6 2001

Mr. Gene Secor  
EHS/Transportation Specialist  
HB Fuller Company  
25200 Malvina Ave.  
Warren, MI 48089

Reference No.: 01-0042

Dear Mr. Secor:

This is in response to your February 8, 2001 fax inquiring whether the individual serial number of a DOT 57 portable tank must be entered on the shipping paper under the Hazardous Materials Regulations (HMR; 49 CFR, Parts 171-180).

The answer is no, serial numbers of portable tanks are not required to appear on the shipping paper entry, but may appear as additional information. Additional information must be placed after the basic description as specified in § 172.201(a)(4).

I hope this satisfies your request.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



U.S. Department  
of Transportation

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JUL 15 1996

400 Seventh Street, S.W.  
Washington, D.C. 20590

Mr. Gerry G. Kefalinos  
Abbott Laboratories  
Diagnostics Division, D3B4, AP1A  
Abbott Park, IL 60064

Dear Mr. Kefalinos:

This is in response to your letter of February 19, 1996 concerning shipping requirements. Your letter states that most of your hazardous materials shipments are transported by air. So as not to prepare different shipping papers for different regulations, Shipper's Declarations are printed with necessary additional information for all of the hazardous materials shipped by Abbott Laboratories regardless of whether that specific hazardous material is listed on that particular shipping paper.

One of your carriers challenged an additional handling information statement that reads, "Prior arrangements as required by the IATA Dangerous Goods Regulations 1.3.3.1 have been made." Infectious substances, 6.2, to which this statement applies, are among the hazardous materials sometimes described on these shipping papers. However, the above statement can be found on shipping papers when Infectious substances, 6.2 are not a part of the shipment. You question whether the quoted statement placed on all of your shipping papers is consistent with required regulations when Infectious substances, 6.2 are not described on the shipping paper.

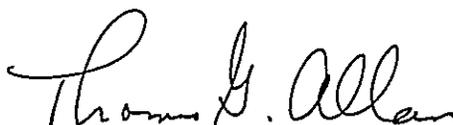
Because the quoted statement is inconsistent with the required description for shipments that do not include an Infectious substance, 6.2, it may not appear as additional information on your shipping papers. See § 172.201(a)(4).

The carrier also contends the unit of measure used in the quantity limitation of a Consumer commodity, ORM-D, as specified in § 172.101(j), must reflect the gross weight of each package. You indicated that the quantity of hazardous material and type of package was described on the shipping paper as "1 Fiberboard Box x 110 ml", as allowed by § 172.202.

Section 172.101(j)(2) and ICAO Technical Instructions 11.5.1 indicate the maximum net weight (mass or volume) of hazardous material permitted per package on an aircraft. The maximum weight per package may be further limited by the type of packaging used. The applicable regulation is § 172.202 and ICAO 4.1.3 where actual total quantity of the hazardous material including the unit of measure (net or gross) and type of packaging are required.

If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Thomas G. Allan". The signature is written in black ink and is positioned above the printed name.

Thomas G. Allan  
Deputy Director  
Office of Hazardous Materials Standards

**FAX**

Corbin  
\$ 172.202  
Shipping Papers  
01-0042

**DATE: February 8, 2001****TO: RSPA, Office of Hazardous Materials Standards, DHM-10****FAX NUMBER: 202-366-3012****FROM: GENE SECOR, HB FULLER CO****PHONE: 248-526-4783****FAX: 810-447-1117****e-mail: gene.secor@hbfuller.com****PAGES INCLUDING COVER SHEET: One (1)**

**MESSAGE: We recently had an audit by a representative of the FMCSA. One of the items from the audit concerns shipment of Tote Tanks (DOT-57 types), less than 1000 gal capacity. The inspector claims that we must mark on the shipping paper individual serial numbers for each tote shipped which contains a hazmat; that way we have a tracking system for the whereabouts of these containers. Although this would be an excellent business practice, I cannot find in the hazardous materials regulations where this requirement is called out for inclusion on shipping papers.**

**Is this a regulatory requirement? If so, what is the citation in 49 CFR?**

**Regards,**

**Gene Secor  
EHS/Transportation Specialist  
HB Fuller Company  
25200 Malvina Ave  
Warren, MI 48089**

*Smith  
File: 172,202  
SC: 210,150*

*FEB 26 1996*

**Diagnostic Division**

Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, Illinois 60064-3500

19 February 1996

Gerry G. Kefalinos  
Abbott Laboratories  
Diagnostics Division, D3B4, AP1A  
Abbott Park, IL. 60064  
Tel: (847) 938-7653  
Fax: (847) 937-2515

Ed Mazzullo, Director  
Office of Hazardous Materials Standards  
US Department of Transportation  
400 Seventh Street S.W. DHM-10  
Washington D.C. 20590  
(202) 399-4488

Dear Mr. Mazzullo

Abbott Laboratories is a large multinational health care company doing business in all corners of the world. In order to remain competitive in the worldwide market place, we are continually looking for ways to reduce the cost of bringing our products to market and still maintain the same level of safety and quality. When we ship Hazardous Materials/Dangerous Goods, we complete a Shipper's Declaration for Dangerous Goods for all shipments as most of our shipments are transported by air. In order to keep from having different forms for different sets of regulations or modes of transportation, we try to print the shippers declarations with all appropriate information to satisfy all requirements.

We were recently challenged by one of our carriers about the unit of measure and quantity of hazardous material described on the shipping paper and about conflicting information printed in the additional handling information box. The domestic shipment in question was classified and described as a Consumer Commodity ORM-D. We indicated the quantity of dangerous goods and type of package as "1 Fiberboard Box x 110ml. Their contention was that we were in error in describing the actual amount of dangerous goods in the shipment and we were required to use the unit of measure as stated in Section 172.101(j)(2) "The quantity limitation is "net" except where otherwise specified, such as for "Consumer Commodity" which specifies "30 kg gross.". As I interpret the regulations for Consumer commodities, it is the shipper's desecration as to how to indicate the amount of hazardous material in the shipment. For Consumer Commodities we can either use the actual amount as required by Section 172.202(c) or the gross amount as stated in 172.101(j)(2). Our reasoning for using the actual amount is that in case of an emergency involving our 110 ml shipment, the emergency responder will be looking for a package with 110ml in it rather than trying to find 110ml described as a 30 kg (66lb) package.

The other reason the carrier frustrated the ship was because of a statement we had printed in the "Additional Handling Information" box, "Prior arrangements as required by the IATA Dangerous Goods Regulations 1.3.3.1 have been made." In addition to shipping consumer commodities we also use this same document to ship our other hazardous materials which include infectious substances of Class 6.2. Since we ship most classes of hazardous material both domestic and

*1 He 500ml  
actual not directly related to required  
per package per IATA max weight on aircraft only  
max allowable amt*

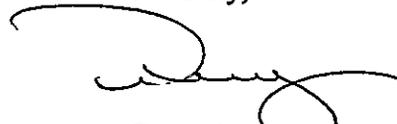
substances of Class 6.2. Since we ship most classes of hazardous material both domestic and internationally and in order to meet all our needs, this statement is printed on the document in the "Additional Handling Information" box thereby avoiding different forms for different shipments. Abbott Laboratories ships over 4 million packages per year and the associated costs of package preparation and shipping can add up very quickly. Since we are not shipping an Infectious Substance, this statement has no meaning or bearing on the actual shipment. The shipment is classified and described as a "Consumer Commodity" and the information below the basic description has no bearing. Section 172.202(a)(4) states that "A shipping paper may contain additional information concerning the material provided the information is not inconsistent with the required description". Section 172.202(a)(4) goes on to say that "Unless otherwise permitted or required by this subpart, additional information must be placed after the basic description required by 172.202(a).

Since the statement "Prior arrangements as required by the IATA Dangerous Goods Regulations 1.3.3.1 have been made" does not follow the basic description, does not indicate anything about any hazard class and is indicated below the Nature and Quantity of Dangerous Goods section, does it provide any information that would be inconsistent with the required description? Can we ship our materials described as Consumer Commodities ORM-D and still have this statement printed away from the basic description?

Abbott Laboratories uses many carriers around the world to get our products to the global market and it is only one carrier that frustrates our shipments. In order to prevent future carrier frustrations your written interpretation in this matter will be greatly appreciated.

If you have any questions or require further information, please do not hesitate to call.

Sincerely,



Gerry G. Kefalinos  
Manager - Hazardous Materials  
Transportation and Product Safety

*Confusion & frustration  
of shipment*