



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

APR 17 2003

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

Ms. Gail Dixon  
Prince Agri Products, Inc.  
P.O. Box 1009  
Quincy, IL 62306

Ref. No. 02-0158

Dear Ms. Dixon:

This is in response to your letter regarding the proper shipping name for your sodium selenite products. Specifically, you ask that the basic description "Sodium selenite, 6.1, NA2630, PG II" be added into the § 172.101 Table of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The entry was removed in a final rule published June 21, 2001 under Docket HM-215D. Alternatively, you ask that a Packing Group II entry for the proper shipping names "Selenates or Selenites," UN2630 be added to the Table. You state that your material meets the Packing Group II criteria in accordance with § 173.133.

We removed "Sodium selenite," NA2630 in the HM-215D final rule after receiving no opposing comments to the proposal in the notice of proposed rulemaking published on October 23, 2000. You may submit a petition for rulemaking in accordance with §§ 106.95 and 106.100 with respect to adding the domestic proper shipping name into the Table, or alternatively, adding a Packing Group II entry to the Table for "Selenates or Selenites," UN2630.

You state that because of the more restrictive packaging authorizations for the Packing Group I entry for "Selenates or Selenites," your package costs and handling procedures will increase. If your material does not meet the Packing Group I criteria for Division 6.1, "Selenates" or "Selenites," UN2630 are not appropriate proper shipping names. In accordance with § 172.101(c)(12)(ii), when an appropriate technical name is not listed in the § 172.101 Table, you must select a proper shipping name from the generic or n.o.s. descriptions. The proper shipping name must correspond to the specific hazard class, packing group, hazard zone, or subsidiary hazard, if



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172.101(c)

any, for your material. Based on the information in your letter, the appropriate basic description for your material is "Toxic solid, inorganic, n.o.s. (Sodium selenite), 6.1, UN3288, PG II."

I hope this information is helpful. If you have additional questions, please do not hesitate to contact this office.

Sincerely,

*Hattie L. Mitchell*

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

McIntyre  
§172.101(G)  
Proper Shipping  
Name  
02-0158



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May 8, 2002

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
Research and Special Programs Administration - DHM-10  
U. S. Department of Transportation  
400 7<sup>th</sup> Street, SW  
Washington, DC 20590-0001

RE: Request for Interpretation/Guidance

Dear Director Mazzullo:

It has come to Prince's attention that **Sodium selenite**, NA2630, has been eliminated from the 49 CFR §172.101 Hazardous Materials Table under the changes in HM-215D. It appears to us that the only remaining alternatives for this product are **Selenates or Selenites**, UN2630.

Selenium is a micronutrient regularly supplemented in livestock feed. In the U.S., three sources of selenium are allowed for animal feed supplementation: 1) calcium selenite, for which there is currently no practical commercial source; 2) selenium yeast, approved by FDA only for use in poultry feed, and; 3) sodium selenite, which is commonly and is widely used.

Domestic shipments of sodium selenite and sodium selenite-containing mixtures intended for feed use have been and are currently being transported in packages typical to the feed industry (multi-wall paper bags allowed under Packing Group II), using the domestic proper shipping name of **SODIUM SELENITE**. The inability to continue to use **Sodium selenite**, NA2630 for domestic shipments after 10/01/02 will cause hardship to the feed industry. This hardship is caused by the fact that the current table identifies **Selenates or Selenites**, UN2630 as Packing Group I materials, only. As such, Part 173 does not allow for multi-wall paper bags. As a result, package costs and handling procedures for these products will increase, with no obvious safety benefit.

Prince is unaware of any incidents where sodium selenite materials, when shipped per Packing Group II requirements, have resulted in releases or injury, or caused undue harm to people or the environment due to inadequately secure packaging. Testing of the material handled by our company shows it's oral rat toxicity LD50 is 7 mg/kg which exceeds the  $\leq 5$  LD 50 oral toxicity listed for Class 6.1 PG I, per 49 CFR §173.133.

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Animal  
Nutrition*

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Therefore, Prince Agri Products, Inc. respectfully requests under 172.101(1)(2), that sodium selenite and its mixtures be allowed to continue being transported domestically as Packing Group II materials. We ask that this be accomplished by reinstating **Sodium selenite, 6.1, NA2630, PG II** or authorizing a second description for Selenates or Selenites, 6.1, UN 2630, PG II in the 49 CFR §172.101 Hazardous Materials Table. While we disagree with identifying these products as PG I we would support that description if a Special Provision were allowed in Column 7 recognizing the validity of shipping these products as PG II materials.

Please take our concerns into consideration. Questions or concerns should be directed to my attention at PO Box 1009, Quincy, IL 62306-1009 or [gaidixon@princeagri.com](mailto:gaidixon@princeagri.com).

Sincerely,  
**PRINCE AGRI PRODUCTS, INC.**

  
Gail Dixon  
Regulatory Manager

cc: DOT file

