



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

FEB 27 2006

Mr. Mark A. Connolly  
Manager, Transportation Regulations  
and Security  
Akzo Nobel Chemicals  
525 West Van Buren Street  
Chicago, Illinois 60607-3823

Ref. No.: 05-0259

Dear Mr. Connolly:

This responds to your letter regarding clarification of the shipping paper requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they apply to the export of hazardous materials by vessel in accordance with § 171.12(b). Specifically, you asked if your company is required to include a consignor's name and address on the shipping paper as prescribed under the International Maritime Dangerous Goods (IMDG) Code.

In § 171.12(b), the HMR authorize the use of the IMDG Code for hazardous materials shipments offered and accepted for transportation or transported within the United States when all or part of the transportation is by vessel. Paragraphs (b)(2) - (4) of this section allow the alternative use of the IMDG Code subject to certain conditions and limitations. If you elect to ship your product in accordance with the IMDG Code, you must comply with all IMDG Code requirements. Thus, the shipping paper must include the consignor's name and address.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,



John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



050259

171.12 (b)  
172.202



Engrum  
§171.12(b)  
§172.202  
Shipping Papers  
05-0259

Hi Bob and John,

I need your clarification on a subject of shipping paper preparation at our U.S. manufacturing site for a shipment to be transported export.

The DOT regulations require the name of the Consignor (**shipper**) but do not require the name and address of the Consignee to be shown on the shipping paper. [49CFR 172.200-172.204]

The IMO regulations DO REQUIRE the name and address of the Consignor (shipper) AND Consignee to be shown on the shipping paper. [IMDG 5.4.1.3]

In accordance with the DOT and IMO references noted above, a shipping paper prepared in accordance with DOT regulations it does not require the customer's name and address. If it is being prepared in accordance with the requirements of the IMO it does require the customer's name and address.

**Scenario:**

Our product is regulated as a hazardous material per DOT and a dangerous good per IMO. We are preparing a shipping paper for transport from our U.S. manufacturing site. The customer requests the material to be marked labeled and prepared for export water shipment AND does not want to provide us with the name of the consignee or their address (they fear we will sell directly to this party and eliminate their business):

- To streamline the handling of the dangerous goods at origin port//destination port we prepare the shipment and the shipping paper at our U.S. manufacturing site in accordance with IMO regulations (classification, marking, placarding, packaging and shipping paper preparation). The DOT regulations allow us to do this if all or part of the transport is by vessel. [49CFR171.12 (b)]
- Per the above noted DOT reference we add the following statement on the bill of lading (shipping paper) as it's generated for shipment from the Akzo Nobel Chemicals Inc. U.S. facility: "Prepared for shipment per 49CFR 171.12(B) / IMO for continuation by vessel"

**Clarification item for PHMSA:**

Is Akzo Nobel chemicals Inc. required to obtain the Consignee Name and address for this shipment? Is the wording in 171.12(b) to be interpreted to address only the shipping description IMDG 5.4.1.4.1 or to all of IMDG 5.4.1?

Your feedback is appreciated.

Regards,

Mark A. Connolly  
Manager Transportation Regulations and Security  
Akzo Nobel Chemicals  
Telephone: 312.544.7177  
Facsimile: 312.544.7087  
Email: mark.connolly@akzonobel.com

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**Engrum, Helen <PHMSA>**

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**From:** RBornhorst@comdt.uscg.mil on behalf of Bornhorst, Richard [RBornhorst@comdt.uscg.mil]  
**Sent:** Wednesday, February 15, 2006 11:41 AM  
**To:** Engrum, Helen <PHMSA>  
**Subject:** RE: Interpretation Ref. No.: 05-0259

Helen,

I concur. Section 5.4.1.3 of the IMDG Code clearly states that the name of the consignor is required on the shipping paper.

Richard C. Bornhorst  
Chemical Engineer, G-PSO-3  
Office of Operating and Environmental Standards  
U.S. Coast Guard  
(202) 267-1694

-----Original Message-----

**From:** helen.engrum@DOT.GOV [mailto:helen.engrum@DOT.GOV]  
**Sent:** Wednesday, February 15, 2006 10:23 AM  
**To:** Bornhorst, Richard  
**Cc:** john.gale@DOT.GOV  
**Subject:** Interpretation Ref. No.: 05-0259

Please provide me with your review/concurrence on the attached letter of clarification addressing inclusion of the consignor's name and address on the shipping paper under the IMDG Code.

If you have any questions, e-mail me at Helen.engrum@dot.gov or call me on 202-366-4473. Thank you for your assistance.