



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

**OCT 03 2012**

Mr. Clifford Bartley  
Horizon Lines  
5800-1 William Mills Street  
Jacksonville, FL 32226

Ref. No.: 12-0150

Dear Mr. Bartley:

This responds to your July 11, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to marking requirements for cargo containers. Specifically, you state that your company ships refrigerated cargo in reefer containers. The reefer containers have safety markings (as pictured in your letter) on the back door of the container to provide guidance to equipment users. These markings are generally placed on the container by the manufacturer and have been noted on similar reefer equipment used by other container carriers. You ask if these markings would be a violation of § 172.502(a)(2).

The answer is yes. Displaying or affixing a sign, advertisement, slogan, or device on a transport vehicle or freight container that, by its color, design, shape, or content, could be confused with, or mistaken for, a hazard warning label or placard is prohibited under §§172.401(b) and 172.502(a)(2) of the HMR. This prohibition is intended to limit the potential for dilution of hazard warning communication provided by the appropriate hazardous materials labels and placards. It is the opinion of this Office that the marking pictured in your letter is not sufficiently distinct from a placard referenced by the HMR. Therefore, this logo is prohibited under the provisions of §§ 172.401(b) and 172.502(a)(3).

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

Sincerely,

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

Tuesday, June 19, 2012

Mr Charles Betts,  
Director of Hazmat Standards  
Office Hazardous Materials Standards  
US DOT PHMSA  
Attn:PHH-10  
U.S. Department of Transportation, East Building  
1200 New Jersey Avenue, SE.  
Washington, DC 20590-0001

Andrews  
§172.502(a)(2)  
Placarding  
12-0150

Re: 49CFR172.502(a)(2) – Prohibited Placarding

Dear Mr Betts,

Our Company, Horizon Lines, LLC, is a domestic ocean container water carrier who ship containerized cargo to offshore domestic locations. We also ship refrigerated cargo in reefer containers that have safety markings on the back door of the container to provide guidance to the equipment user. The markings are generally placed on the container by the manufacturer and have been noted on similar reefer equipment used by other container carriers.

Please provide guidance on whether the marking are a violation of 49CFR172.502(a)(2).

<b>Warning Marking</b>		<b>Placards</b>
Size	8 X 8 / 203 mm	10 ¾ X 10 ¾ or a minimum or 240 mm
Color	Dark Yellow	Light Yellow
Symbols	None	Yes
Hazard Class	None	Yes
Shape	Diamond	Diamond
Border	1/4 inch	1/2 inch or 12.7 mm
Text	½ inch	1.6 Inches high or 41 mm

Refrigerated containers or reefers rarely carry hazardous cargo so I have placed an Oxidizer placard on the back of a reefer container to illustrate the differences in the two attachments. The text on the marking is illegible at a distance of about 15 feet.

Thank you for taking the time to provide guidance on this question.

Sincerely,



Clifford Bartley,  
Manager Hazardous Materials



Airflight reefer  
Prevention of Vacuum Damage  
Procedure  
On start up, or PTL, first run the machine  
with the vent open more than 10% for 5 minutes minimum  
to relieve the pressure as the air changes volume rapidly.  
With a pre-cooled loaded box - if the cargo door is opened for  
any reason - also open the vent more than 10% for 5  
minutes minimum prior to closing the cargo door.  
Remarks to capture the vent to the  
cabin requirements



**OXIDIZER**

**5.1**