



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

OCT 23 2013

Ms. Georgia Barr
SC Johnson & Son, Inc.
1525 Howe Street
Racine, WI 53403-5011

Ref. No. 13-0169

Dear Ms. Barr:

This responds to your August 13, 2013 email regarding the marking of limited quantity packaging under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you are requesting an interpretation of the § 172.315(a)(1) size requirements for the limited quantity marking for ground shipments.

In your incoming email, you note that, in order to: (1) meet customer requests for structural perforations and graphics; (2) satisfy production, warehousing, and other governmental requirements for display of information (e.g., bar codes) on the packaging; and (3) satisfy the § 172.304 marking requirements, the limited quantity marking on your packagings would need to be 80 mm on each side. Additionally, you provide illustrations of these retail packagings.

It is the opinion of this Office that, to the extent necessary to accommodate pre-printing of the additional information needed with the limited quantity marking, the size of the marking may be reduced to no less than 50 mm on each side. Based on the illustrations of the retail packagings you provided, these packagings would still satisfy the intent of the limited quantity marking of § 172.315 and the marking requirements of § 172.304 of the HMR. Specifically, the packaging size appears to require a reduced size marking, the limited quantity marking you depicted is readily visible, and nearby markings do not substantially reduce the effectiveness of the marking given the relative sizes and prominence of the other non-DOT markings on the same side.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

Robert Benedict
Chief, Standards Development Branch
Standards and Rulemaking Division

Der Kinderen
§ 172.315
Marking of Limited Quantities

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Tuesday, August 13, 2013 3:44 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Interpretation request of 49CFR 172.315

13-0169

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,
Victoria

From: Barr, Georgia [mailto:GBarr@SCJ.COM]
Sent: Tuesday, August 13, 2013 3:32 PM
To: INFOCNTR (PHMSA)
Cc: Barr, Georgia
Subject: Interpretation request of 49CFR 172.315

Dear PHSMA,

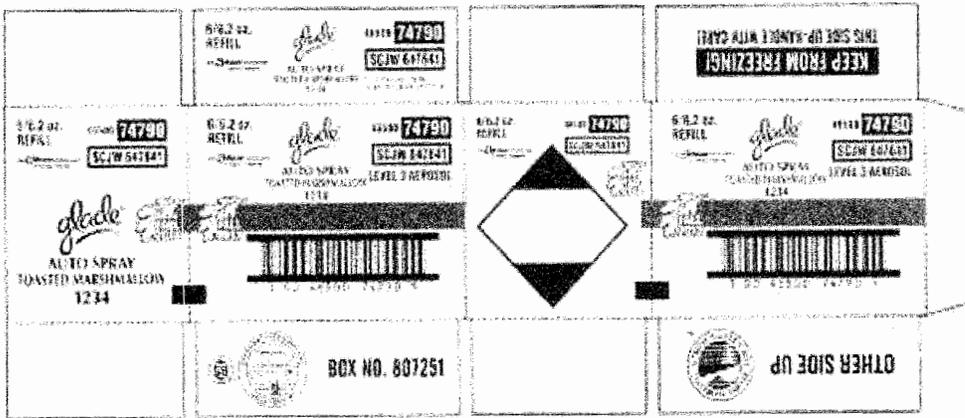
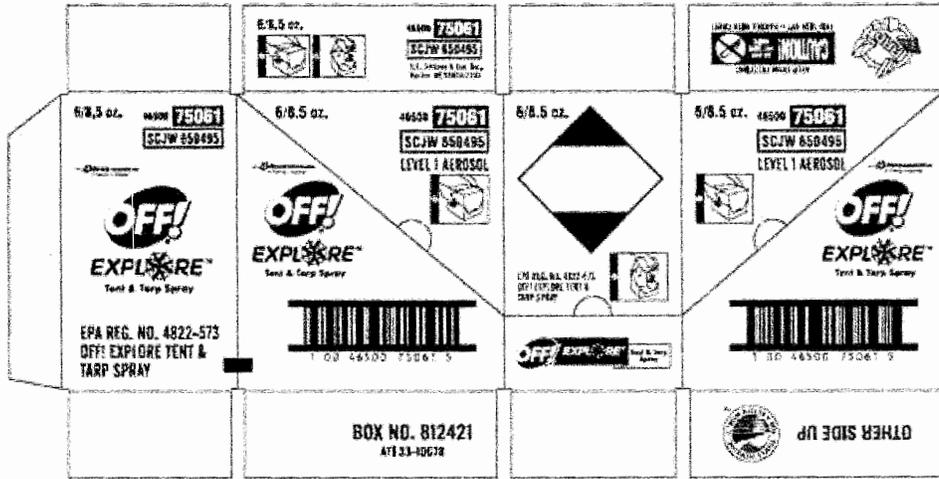
S.C. Johnson & Son, Inc. is a consumer products manufacturer.

Our customers are requesting retail ready packaging. Retail ready packaging consists of both unique structural (perforations) and graphic characteristics. This reduces the cost of labor associated with getting products ready to be put out on the shelf or place the case immediately on the retail floor.

In addition, there are case requirements for producing, warehousing, and other government agencies (i.e. production bar codes –similar to the ones mentioned in PHSMA interpretation #12-0177, product code information, aerosol levels, and EPA registration numbers).

We are requesting an interpretation on the limited quantity marking requirement 49 CFR 172.315 (a) (1), for shipments by ground, that states “must be 100 mm unless the package size requires a reduced size marking that must be no less than 50 mm on each side”.

To meet the marking requirements of 49 CFR 172.304 (1-4), in the examples below, the diamond would need to be 80MM. Do these examples meet the requirements of 172.315?



Georgia Barr
 Lead, Business Services, Technical Services, & Compliance
 S. C. Johnson & Son, Inc
gbarr@scj.com
 262-260-3456