



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

Mr. Ken Martinmaas
Lead Shipping Coordinator
Tech Ord
47600-180th Street
Clear Lake, SD 57226

JUN 18 2015

Ref. No. 15-0003

Dear Mr. Martinmaas:

This responds to your January 5, 2015 email for clarification on the use of the CARGO AIRCRAFT ONLY (CAO) label under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a CAO label may be placed on a package containing hazardous material being transported by highway.

You state that your company ships hazardous materials and at times doesn't know if the shipment will be going by highway or aircraft. You ask if the CAO label may be applied to a package that is going to be shipped by highway instead of aircraft?

The answer to your question is yes provided that the type and amount of hazardous material is authorized on aircraft and the package conforms to all air transport requirements. See also PHMSA Interpretation Ref. No. 05-0269.

Section 172.402(c) requires the use of the CAO label when transporting hazardous materials by aircraft when it is only authorized by cargo aircraft. While the HMR does not prohibit use of the CAO label by highway, the CAO label is customarily used only in shipments properly offered for air transportation. As a result, usage of this label for shipments not properly prepared for air transport could create confusion for freight forwarders and carriers. Many air shipments of hazardous materials require additional hazard communications and more robust packaging. Please note § 172.204(c) requiring a shipper's certification that "all applicable air transport requirements have been met." You may wish to also inquire with your freight forwarder(s) and/or carriers on how to utilize their systems and protocols to clearly indicate your shipment is not prepared for air transportation when that is the case.

I hope this answers your inquiry. If you need additional assistance, please contact this Office at 202-366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with the first name "Dirk" being the most prominent.

Dirk Der Kinderen
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Boothe
\$172.488
Labeling
15-0003

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Monday, January 05, 2015 3:29 PM
To: Hazmat Interps
Subject: FW: Cargo Aircraft Only labels

Shante/Alice,

Please submit this for a formal letter of interpretation. Mr. Martinmaas spoke to Shelby in the HMIC.

Thanks,

Mike

From: Ken Martinmaas [<mailto:kmartinmaas@techord.net>]
Sent: Monday, January 05, 2015 1:50 PM
To: PHMSA HM InfoCenter
Subject: Cargo Aircraft Only labels

Good Morning,

I am requesting a formal letter of interpretation on the following subject. In shipping hazardous materials, we run into the situation where we are not sure of how the package will be shipped, be it by ground or air. Can a person apply the Cargo Aircraft Only label to a package that is going be shipped ground instead of air?

Thank You,



Ken Martinmaas
Lead Shipping Coordinator
47600-180th St
Clear Lake, SD 57226 USA
(605) 874-2631

New Email
kmartinmaas@techord.net

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