

October 12, 1999

Mr. Jerry Beasley  
Storage Technology Corp.  
One StorageTek Drive  
Louisville, Co 80028

Ref. No. 99-0220

Dear Mr. Beasley:

This is in response to your letter and subsequent telephone conversation with a member of my staff requesting clarification of the provisions under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding prohibited labeling.

Specifically, you ask whether a "Magnetized Material" label may remain on a package when transported by air in the United States after being transported by air from Puerto Rico in accordance with the International Civil Aviation Organization's (ICAO) Technical Instructions or the International Air Transport Association's (IATA) Dangerous Goods Regulations. You state that the packaged material has a magnetic field less than 0.00525 gauss measured at 15 feet and, therefore, is not regulated under the HMR. You state that you wish to transport the material in the United States as non-regulated rather than continuing in transportation under ICAO or IATA.

The display of the "Magnetized Material" label on the package when being transported as non-regulated in the United States is permitted by § 172.401(c). To avoid concerns about possible confusion and delays, you may consider adding a notation on the packages and shipping documents stating that the package contents are not subject to DOT regulations.

I hope this information is helpful. If you need further assistance, please do not hesitate to contact this office.

Sincerely,

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

172.303

