



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUL 27 2005

Mr. J.H. Cleveland
125 Kossutz Street
Piscataway N.J. 08854

Ref. No. 05-0170

Dear Mr. Cleveland:

This is in response to your request for clarification of requirements to identify poisonous materials on shipping papers under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the word "poison" must appear as part of a shipping description if the wording "6.1" or "poison" already appears in the shipping description.

The answer is no. In accordance with 49 CFR 172.203 (m)(1), if a liquid or solid material meets the definition of Division 6.1, Packing Group I or II, and has the hazard class entry or the word "poison" as part of the shipping description, duplication of the word "poison" is not required. Note that in accordance with § 172.203 (m)(2), materials that are poisonous by inhalation must include the words "Poison-Inhalation Hazard" and the words "Zone A", "Zone B", "Zone C" or "Zone D", for gases or "Zone A" or "Zone B" for liquids as appropriate, immediately following the shipping description. If the word "poison" already appears in the shipping description, only the words "Inhalation Hazard" must appear.

I hope this information is helpful. Please contact us if you require additional assistance

Sincerely,

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



050170

172-203

Relford

§ 172.203

Proper Shipping Name

05-0170

125 Kossuth Street
Piscataway, N.J.

Zip 08854

Ph- 732-752-8608

Ph- 609-242-0585

Fax 732-752-7009

To: U.S. Department of Transportation

400 Seventeenth Street, S.W.

Washington, D.C., 20590

Att: Mr. John A. Gale

Chief, Standards Development

Office of Hazard Standards

Subject: Request clarification of the shipping paper
requirement for Poisonous Materials, 49 CFR Part 172.203

(3)(1)(C):

"If a liquid or solid material in a package meets the
definition of a Division 6.1, Packing Group I or II according to
this subchapter is not disclosed in the shipping name or class
entry, the word toxic or poison shall be entered on the shipping
paper in association with the shipping description"

I have checked several hundred shipping papers that
identify the Division 6.1, never found one with the word Toxic,
I note the use of the word "shall" as opposed to "must"

Should I assume that use of Division 6.1 in the proper
shipping name negates the need to identify the word toxic or poison?

P. H. Cleveland