



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

OCT 11 2005

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

Mr. Alan I. Roberts
President
Dangerous Goods Advisory Council
1100 H Street NW, Suite 740
Washington, DC 20005-5484

Ref. No.: 04-0261

Dear Mr. Roberts:

This is in response to your November 8, 2004 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Please accept my apology for our delay in responding and any inconvenience this may have caused. Specifically you ask this office to reconsider its previous interpretation regarding submitted examples of stenciled United Nations (UN) symbol markings (Ref. No.: 02-0265).

The markings as shown in the examples from the letter from Mr. Roland M. Kelley of Sandia National Laboratories do not conform to the requirements in § 178.503. However, a stencil with the minimum gap necessary to support the center of the circle with the letters "u" and "n" is authorized to apply the UN symbol to the packaging. We intend to clarify this issue in a future rulemaking.

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

Sincerely,

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

Cc: Mr. Roland M. Kelley, Sandia National Laboratories, P.O.
Box 5800 MS 1120, Albuquerque, NM 87185



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Dangerous Goods Advisory Council

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November 8, 2004

Mr. Edward Mazzullo, Director
Office of Hazardous Materials Standards (DHM-10)
Research and Special Programs Administration
U.S. Department of Transportation
400 Seventh St., SW
Washington, DC 20590-0001

Pollack
§ 178.503
Marking of Packagings
04 - 0261

Re: RSPA letter of interpretation dated November 8, 2002 clarifying the UN symbol marking on packagings

Dear Mr. Mazzullo,

In response to an enquiry from Sandia National Laboratories, RSPA issued a letter of interpretation (copy attached) stating that a stenciled version of the UN symbol containing small gaps in the circle is not acceptable. The basis of the decision appears to be that the circle must be completely solid, as illustrated in § 178.503(e). For various practical considerations, we ask that you reconsider this decision.

There are several techniques packaging manufacturers can employ to produce a durable mark on a UN certified packaging. A rather common method is to use a stencil for the UN symbol and other required information. Of course, by its nature, a stencil leaves small gaps in certain symbols, letters and numbers. Viewed from a short distance away, however, these gaps are hardly discernible and the overall effect is complete legibility of the information displayed. To achieve a solid circle requires a second method to apply the symbol, often a rubber stamp. This action incurs additional expense and, to make matters worse, results in a less clear marking. Controlling a two-step process with various inks introduces more variability, which many times results in a smeared image. Stamping on a rounded surface contributes to the problem.

If a stenciled image is legible to start with and the packaging manufacturer then goes through a more expensive process to achieve a solid, but blurred, image to meet the "letter of the regulation," does this achieve any useful purpose? For this reason we ask that you reconsider your earlier decision and issue a revised interpretation that permits the use of stenciling for the circle surrounding the UN symbol.

Sincerely,

Alan I. Roberts
President