



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

AUG 24 2006

Mr. Don Silfies  
Air Products and Chemicals, Inc.  
7201 Hamilton Boulevard  
Allentown, PA 18195-1501

Ref. No.: 06-0078

Dear Mr. Silfies:

This responds to your letter dated March 29, 2006, regarding applicability of the requirements in § 172.12 to international shipments by vessel of three substances, "Titanium Tetrachloride, UN 1838", Phosphorus Oxychloride, UN 1810", and Boron Tribromide, UN 2692".

These substances are classed in accordance with the Hazardous Materials Regulations (49 CFR Parts 171-180) as a Class 8 (Corrosive) with a subsidiary hazard of Division 6.1 (Poison) liquid, and as a material poisonous by inhalation in Hazard Zone B. In the International Maritime Dangerous Goods (IMDG) Code these materials are classed as Class 8 (Corrosive) with no subsidiary hazard class assigned. Specifically, you ask whether it is required to include the subsidiary hazard of Division 6.1 (Poison) in the shipping description on the dangerous cargo manifest when exporting these three substances from the United States by vessel.

Section § 171.12(b) of the HMR permits transportation in the United States of a material that is packaged, marked, classed, labeled, placarded, described, stowed and segregated, and certified in accordance with the IMDG Code, provided that all or part of the transportation is by vessel. However, a material poisonous by inhalation must comply with the additional requirements of § 171.12(b)(8); including the requirements that the shipping description must include the words "Poison-Inhalation Hazard" or "Inhalation Hazard" as required by § 172.203(m); the package must be marked in accordance with § 172.313; and the package must be labeled or placarded in accordance with § 172.12(b)(8)(iv).

You are correct that § 171.12(b)(8) does not specify that a subsidiary hazard or Division, such as "6.1" (Poison) must be included in the shipping description. If your shipping description otherwise conforms to the requirements in § 171.12(b)(8), it is not necessary to include the subsidiary numeric Division "6.1" in the shipping description for the substances described above when shipped in accordance with the IMDG Code. However, it is recommended that the subsidiary hazard be included in the shipping description so



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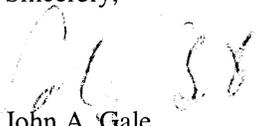
171.12(b)

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the documentation will match the package. A discrepancy of this nature may cause additional problems with the shipment.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,



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



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29 March 2006

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
U.S. DOT / PHMSA (PHH-10)  
400 7<sup>th</sup> Street S.W.  
Washington, D.C. 20590-0001

Dear Sir:

Subject: Request for Interpretation

We have a question regarding the application of Section 171.12 to international ocean shipments of three substances, Titanium Tetrachloride - UN1838, Phosphorus Oxychloride – UN1810, and Boron Tribromide – UN2692. Each of these substances is classified by 49CFR as a Class 8 Corrosive with a subsidiary hazard of Division 6.1 Toxic Liquid. They are also classified as a Toxic Inhalation Hazard in Zone B.

The International Maritime Dangerous Goods (IMDG) regulations classify all three of these substances as a Class 8 only. There is no subsidiary hazard class assigned.

When shipping from or to the United States, we add the "Poison-Inhalation Hazard, Zone B" phrase to the shipping description and the Poison Inhalation Hazard (6) subsidiary hazard label to the containers in accordance with 171.12 (b)(8).

Because we are shipping by ocean and using the IMDG shipping description, the final shipping description, after applying 171.12 (b)(8), does not include the subsidiary hazard 6.1. Example:

"UN1838, TITANIUM TETRACHLORIDE, 8, PGII, Poison-Inhalation Hazard, Zone B, EmS No. F-A, S-B"

We are not 100% sure that this end result is correct. The provisions of 171.12(b)(8) do not specify that it is necessary to add the subsidiary 6.1 hazard class in the shipping description if it is not included in the IMDG regulations. However, the resulting shipping description, without the 6.1 subsidiary, appears to be incorrect. It also does not match the container subsidiary labeling.

If we add the 6.1 subsidiary to the shipping description, we are certain that the ocean shipping line will not accept it because it is not specified in the IMDG classification. If we do not add it, then we believe we may be in violation of the USDOT regulations.

In conclusion, what is the correct shipping description for these three substances when shipping by ocean from the United States and applying the provisions of 171.12 ?

We sincerely appreciate your guidance in this matter.

Don Silfies  
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Engrum  
§171.12(b)  
IMDG  
06-0878