



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

JUL 11 2007

Mr. James Traylor
Systems Engineer
Raytheon Technical Services Company
6125 East 21st Street
Mail Stop 44
Indianapolis, Indiana 46219

Ref. No. 07-0104

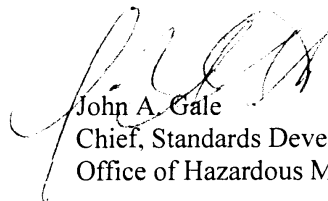
Dear Mr. Traylor:

This responds to your May 22, 2007 email requesting clarification of the duplicate labeling provisions of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may apply a duplicate label if you do not meet one of the conditions listed in §172.406(e) of the HMR.

The answer is yes. Generally, duplicate labeling is not required on a package or containment device except under the conditions specified in § 172.406(e) (see § 172.406(a)(2)). However, nothing in the HMR prohibits the application of duplicate labels. Thus, you may apply duplicate labels to a package even where the conditions specified in § 172.406(e) are not met. If you elect to apply a duplicate label, it is not necessary to also apply a duplicate shipping name marking.

I hope this answers your inquiry.

Sincerely,



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



070104

172.406 (e)
172.406 (a)(2)

INFOCNTR <PHMSA>

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From: James Traylor [james_traylor@raytheon.com]
Sent: Tuesday, May 22, 2007 2:21 PM
To: INFOCNTR <PHMSA>
Subject: REQUEST FOR FORMAL INTERPRETATION 49 CFR 172.406-E

§172.406(e)
Labeling
07-0104

Thank you for reading the over the telephone guidance that exactly answered our question. I called 800-467-4922 and received the favorable answer. However, I need the verbiage read to me over the phone in writing. Therefore this request is being made.

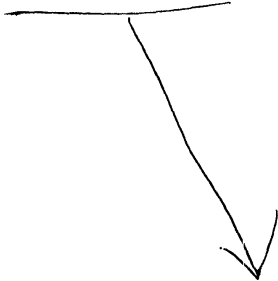
On 49 CFR 172.406E, if we do not meet any of the 5 listed situations, can we apply a duplicate label?

Is there a requirement that the duplicate label be accompanied by a duplicate shipping name marking?

The "over the phone" response we a YES, NO, not required.

Thank you

James Traylor
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