



Dangerous Goods Advisory Council

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February 22, 2007

Mr. Edward Mazzullo
Director, Standards Division
Hazardous Materials Safety
Pipeline and Hazardous Materials Safety Administration
U. S. Department of Transportation
Washington, DC 20590

Request for interpretation and petition for rulemaking

Dear Mr. Mazzullo:

This is to clarify that pictograms described in the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) are not prohibited under §172.401(b).

The United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling established the goal of implementing the GHS in 2008. To facilitate international trade, it is important that packages bearing GHS pictograms are acceptable for transport in the US.

The GHS pictograms may appear on packages used in transportation. For example, Annex 7 of the GHS shows examples of GHS pictograms appearing on drums. The GHS pictogram typically consists of a red bordered diamond with a hazard symbol such as a "flame" or "skull and cross bones" appearing inside. It would be expected to be smaller than the transport label required under DOT and international transport regulations.

We understand that based on clarification of the relationship between transport labels and GHS pictograms in Annex 7 of the GHS, PHMSA accepts that both GHS pictograms and transport labels may be visible on packages in transportation.

We would appreciate your confirmation by a letter of interpretation that a GHS pictogram visible on a package in transportation is not prohibited under §172.401(b). In addition, we are petitioning that this be clarified in the regulations by incorporation of the GHS by reference in §171.7 and amendment of §172.401(c) by the addition of new text reading as follows:

(5) The Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

We appreciate your consideration of this matter.

Sincerely,

Michael Morrisette
President