

(3) If the transport vehicle or freight container contains more than one material meeting the provisions of this paragraph (c), it shall be marked with the identification number for one material, determined as follows:

(i) For different materials in the same hazard zone, with the identification number of the material having the greatest aggregate gross weight; and

(ii) For different materials in both Hazard Zones A and B, with the identification number for the Hazard Zone A material.

(d) For a packaging containing a Division 6.1 PG III material, "PG III" may be marked adjacent to the POISON label. (See § 172.405(c).)

[Amdt. 172-123, 55 FR 52592, Dec. 21, 1990, as amended at 57 FR 46624, Oct. 9, 1992; Amdt. 172-151, 62 FR 1228, Jan. 8, 1997; 62 FR 39398, 39405, July 22, 1997; 63 FR 16075, Apr. 1, 1998; 64 FR 10776, Mar. 5, 1999]

#### § 172.315 Packages containing limited quantities.

Except as otherwise provided in this subchapter, a package containing a limited quantity of hazardous materials is not required to be marked with the proper shipping name provided it is marked with the identification (ID) number, preceded by the letters "UN" or "NA," as applicable, for the entry as shown in the § 172.101 Table, and placed within a square-on-point border in accordance with the following:

(a) The ID number marking must be durable, legible and of such a size relative to the package as to be readily visible. The width of line forming the square-on-point must be at least 2 mm and the height of the ID number must be at least 6 mm. The marking must be applied on at least one side or one end of the outer packaging.

(b) When two or more hazardous materials with different ID numbers are contained in the package, the packaging must be marked with either individual square-on-points bearing a single ID number, or a single square-on-point large enough to include each applicable ID number.

[68 FR 45030, July 31, 2003]

#### § 172.316 Packagings containing materials classed as ORM-D.

(a) Each non-bulk packaging containing a material classed as ORM-D must be marked on at least one side or end with the ORM-D designation immediately following or below the proper shipping name of the material. The ORM designation must be placed within a rectangle that is approximately 6.3 mm (0.25 inches) larger on each side than the designation. The designation for ORM-D must be:

(1) ORM-D-AIR for an ORM-D that is prepared for air shipment and packaged in accordance with the provisions of § 173.27 of this subchapter.

(2) ORM-D for an ORM-D other than as described in paragraph (a)(1) of this section.

(b) When the ORM-D marking including the proper shipping name can not be affixed on the package surface, it may be on an attached tag.

(c) The marking ORM-D is the certification by the person offering the packaging for transportation that the material is properly described, classed, packaged, marked and labeled (when appropriate) and in proper condition for transportation according to the applicable regulations of this subchapter. This form of certification does not preclude the requirement for a certificate on a shipping paper when required by subpart C of this part.

[Amdt. 172-29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172-123, 55 FR 52592, Dec. 21, 1990; 56 FR 66254, Dec. 20, 1991]

#### § 172.320 Explosive hazardous materials.

(a) Except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, each package containing a Class 1 material must be marked with the EX-number for each substance, article or device contained therein.

(b) Except for fireworks approved in accordance with § 173.56(j) of this subchapter, a package of Class 1 materials may be marked, in lieu of the EX-number required by paragraph (a) of this section, with a national stock number issued by the Department of Defense or identifying information, such as a product code required by regulations for commercial explosives specified in 27 CFR part 55, if the national stock

§ 172.321

number or identifying information can be specifically associated with the EX-number assigned.

(c) When more than five different Class 1 materials are packed in the same package, the package may be marked with only five of the EX-numbers, national stock numbers, product codes, or combination thereof.

(d) The requirements of this section do not apply if the EX-number, product code or national stock number of each explosive item described under a proper shipping description is shown in association with the shipping description required by §172.202(a) of this part. Product codes and national stock numbers must be traceable to the specific EX-number assigned by the Associate Administrator.

(e) The requirements of this section do not apply to the following Class 1 materials:

(1) Those being shipped to a testing agency in accordance with §173.56(d) of this subchapter;

(2) Those being shipped in accordance with §173.56(e) of this subchapter, for the purposes of developmental testing;

(3) Those which meet the requirements of §173.56(h) of this subchapter and therefore are not subject to the approval process of §173.56 of this subchapter;

(4) Until October 1, 1993, those which are shipped under §171.19 of this subchapter; and

(5) Those that are transported in accordance with §173.56(c)(2) of this subchapter and, therefore, are covered by a national security classification currently in effect.

[Amdt. 172-123, 56 FR 66254, Dec. 20, 1991, as amended by Amdt. 172-139, 59 FR 67487, Dec. 29, 1994; 66 FR 45379, Aug. 28, 2001]

§ 172.321 Air eligibility mark.

(a) *General.* Except as otherwise specified in this subchapter, each person who offers for transportation by aircraft a hazardous material in a non-bulk package must mark the package as required by this section to indicate that it meets the applicable requirements for air transport. The marking is a certification that the person offering the package for transportation has determined that it meets the air transport requirements of this subchapter;

such as, the package is authorized and properly marked and labeled, its contents are properly classed and within quantity limits for air transport, and it conforms to all relevant packaging provisions such as those pertaining to closures, compatibility, pressure differential, and use of absorbent materials.

(b) *Location and design.* The marking must—

(1) Be placed adjacent to the markings prescribed in §172.301(a);

(2) Be durable, legible and of a size relative to the package so as to be readily visible;

(3) Include an aircraft within a circle and may include the words “Air Eligible” in conjunction with the mark, such as:



Air Eligible

(c) *Exceptions from the air eligibility mark.* The air eligibility mark is not required for—

(1) Packages that are transported in accordance with the small quantity exceptions in §173.4 of this subchapter;

(2) Packages that contain solid carbon dioxide (dry ice) and no other materials subject to the requirements of this subchapter;

(3) Except when overpacked, hazardous materials contained in articles that are not required to be packaged according to the requirements of this subchapter.

(4) Cylinders, except for those which are required to be overpacked or placed in an outer packaging, in which case the overpack or outer packaging must be marked with the air eligibility marking; and

(5) Packages or articles which are excepted from the marking requirements of this subchapter (for example, non-spillable batteries, vehicles).

(d) *Prohibited display.* The air eligibility marking may not appear on a package containing a hazardous material which does not meet the requirements of this subchapter for air transport.