

index (TI) may alternatively be determined by direct measurement as prescribed in §173.403 of this subchapter under the definition for “transport index,” taken by the person initially offering the packages contained within the overpack for shipment.

(4) The category of Class 7 label for the overpack must be determined from the table in §172.403(c) using the TI derived according to paragraph (h)(3) of this section, and the maximum radiation level on the surface of the overpack.

(5) The category of the Class 7 label of the overpack, and not that of any of the packages contained therein, must be used in accordance with Table 1 of §172.504(e) to determine when the transport vehicle must be placarded.

(6) For fissile material, the criticality safety index which must be entered on the overpack FISSILE label is the sum of the criticality safety indices of the individual packages in the overpack, as stated in the certificate of approval for the package design issued by the NRC or the U.S. Competent Authority.

[Amdt. 172-29, 41 FR 15996, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §172.403, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

#### § 172.404 Labels for mixed and consolidated packaging.

(a) *Mixed packaging.* When hazardous materials having different hazard classes are packed within the same packaging, or within the same outside container or overpack as described in §173.25 and authorized by §173.21 of this subchapter, the packaging, outside container or overpack must be labeled as required for each class of hazardous material contained therein.

(b) *Consolidated packaging.* When two or more packages containing compatible hazardous material (see §173.21 of this subchapter) are placed within the same outside container or overpack, the outside container or overpack must be labeled as required for each class of hazardous material contained therein.

#### § 172.405 Authorized label modifications.

(a) For Classes 1, 2, 3, 4, 5, 6, and 8, text indicating a hazard (for example FLAMMABLE LIQUID) is not required on a primary or subsidiary label.

(b) For a package containing Oxygen, compressed, or Oxygen, refrigerated liquid, the OXIDIZER label specified in §172.426 of this subpart, modified to display the word “OXYGEN” instead of “OXIDIZER”, and the class number “2” instead of “5.1”, may be used in place of the NON-FLAMMABLE GAS and OXIDIZER labels. Notwithstanding the provisions of paragraph (a) of this section, the word “OXYGEN” must appear on the label.

(c) For a package containing a Division 6.1, Packing Group III material, the POISON label specified in §172.430 may be modified to display the text “PG III” instead of “POISON” or “TOXIC” below the mid line of the label. Also see §172.313(d).

[Amdt. 172-123, 55 FR 52594, Dec. 21, 1990, as amended at 56 FR 66255, Dec. 20, 1991; 57 FR 45458, Oct. 1, 1992; 64 FR 10776, Mar. 5, 1999; 66 FR 33425, June 21, 2001]

#### § 172.406 Placement of labels.

(a) *General.* (1) Except as provided in paragraphs (b) and (e) of this section, each label required by this subpart must—

(i) Be printed on or affixed to a surface (other than the bottom) of the package or containment device containing the hazardous material; and

(ii) Be located on the same surface of the package and near the proper shipping name marking, if the package dimensions are adequate.

(2) Except as provided in paragraph (e) of this section, duplicate labeling is not required on a package or containment device (such as to satisfy redundant labeling requirements).

(b) *Exceptions.* A label may be printed on or placed on a securely affixed tag, or may be affixed by other suitable means to:

(1) A package that contains no radioactive material and which has dimensions less than those of the required label;

(2) A cylinder; and