



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

1200 New Jersey Ave, SE  
Washington, D.C. 20590

DEC - 2 2010

Mr. Luis Lopez  
President  
Dangerous Goods Declaration, Inc.,  
and DGD Transport, Inc.  
2030 NW 95<sup>th</sup> Street  
Miami, FL 33147

Reference No. 10-0036

Dear Mr. Lopez:

This is in response to your e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers. Specifically, you ask whether a hazardous materials shipment offered or intended for transportation by aircraft that contains more than one package must use the plural form to describe the type of package in a shipping description on a shipping paper. You further ask whether the package type can be expressed in singular form if the correct number of packages is provided in the description. In addition, you note that § 172.202(a)(7) states that abbreviations may be used to indicate a packaging type. We apologize for the delay in responding to your inquiry and any inconvenience this may have caused.

The answer is yes. If more than one package is included in the shipping description and the number and types of packages in a description are correct, the type of package may be expressed in singular form (e.g., 12 box or 4 cylinder). Section 172.202(a)(7) requires that a package's "number" and "type" be indicated in a shipping description, and provides examples in parentheses of both the singular and plural form of a package type (e.g., cyl., cylinder, and 12 drums), but does not require that the package type be expressed in plural form. This is consistent with § 171.9, Rules of Construction, which states "[w]ords imparting the singular include the plural ..."

I hope this satisfies your request.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention  
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Edmonson  
§ 172.202 (7)  
Shipping Papers  
10-0036

**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, February 19, 2010 8:34 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Formal Letter of Interpretation Request from Luis Lopez DGD Inc. Case Reference # (7864494020)

Carolyn,  
Attached is another request for written interpretation  
Thanks,  
Rob

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**From:** Luis Lopez [mailto:luis.lopez@dgdeclaration.com]  
**Sent:** Thursday, February 18, 2010 7:39 PM  
**To:** INFOCNTR (PHMSA)  
**Cc:** michael.lissandrello@chemetall.com; gregg.sanko@chemetall.com; barry.dance@chemetall.com; rodrigo.esau@kuehne-nagel.com; Maas, Philipp / Kuehne + Nagel / Mia FA  
**Subject:** Formal Letter of Interpretation Request from Luis Lopez DGD Inc. Case Reference # (7864494020)

Good Afternoon,

I would like to request in writing a Letter of Interpretation for clarification of a specific regulation that is becoming an issue locally in our Miami, Florida office operation. We are having issues tendering cargo by Air Freight to certain Operators, the Operators are stating that on the Dangerous Goods Declaration if a package consists of "more than one" package the plural form of the description "must be used". We have been having this issue for a numerous amount of shipments so to prevent operator rejection we have asked our Suppliers to please provide the plural form of the description when multiple boxes are being declared.

For Example:

if we are shipping UN1263, Paint, PG II and we are shipping "10" (4G) Fiberboard Boxes , on the declaration the word "boxes" must be used not the word "box".

Some more examples

14 Fiberboard Box X 12 L (Deemed Incorrect)  
12 Fiberboard Boxes X 12 L (Deemed Correct)

In 49 CFR 172.202(7) its states the following:

172.202(7) The number and type of packages must be indicated. The type of packages must be indicated by description of the package( for example, 12 "drums"). Indication of the packaging specification number("1H1")may be included in the description of the package(for example, " 12" 1H1 drums or "12" Drums

(UN1A1)"). Abbreviations may be used for indicating packaging types(for example "cyl. For "cylinder") provided the abbreviations are commonly used and recognizable.

*In regards to 172.202(7) this statement could be interpreted as unclear or maybe not to exact, clarification on this regulation would alleviate a potential issue.*

We are having problems expressing this information to our suppliers without them filing complaints stating that this is not mandated in the IATA Regulations and that there is no need to input the plural form. Our answer to that statement is that IATA is not a government agency nor does IATA have the exact and precise statements found in 49 CFR 105-180. We have been able to find more specific information in 49 CFR more specifically 172.202(7) that can make the operators refusal valid. We have also spoken with the National HazMat Response Line about this matter and the inspectors have also referenced 172.202(7).

We are simply trying to find a common ground between the suppliers needs and the Federal Government and the Operators requirements, and we believe with this LOI we will be able to come to a final conclusion.

Thank you very much for all your help and your response is greatly appreciated.

Best Regards,

Luis Lopez  
President



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**Luis Lopez' s Direct Extension: 703**

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