

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the California Public Utilities Commission in a rate proceeding involving natural gas rates of the Southwest Gas Corporation (Application No. 53727).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,
Acting Administrator
of General Services.

FEBRUARY, 20, 1973.

[FR Doc.73-3629 Filed 2-26-73; 8:45 am]

NATIONAL ADVISORY COUNCIL ON SUPPLEMENTARY CENTERS AND SERVICES

ANNUAL REPORT

Notice of Public Meeting

Notice is hereby given, pursuant to Public Law 92-463, that the next meeting of the National Advisory Council on Supplementary Centers and Services will be held on March 8 and 9, 1973, at 9 a.m. in Room 800, 2100 Pennsylvania Avenue NW., Washington, DC.

The National Advisory Council on Supplementary Centers and Services is established under section 309 of Public Law 91-230. The Council is directed to:

(1) Review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

(2) Review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to section 305 (a) (2) (E);

(3) Evaluate programs and projects carried out under this title and disseminate the results thereof; and

(4) Make recommendations for the improvement of this title, and its administration and operation.

The meeting of the Committee shall be open to the public. The proposed agenda includes a discussion of the annual report of the Council. Records shall be kept of all Council proceedings (and shall be available for public inspection at the office of the Council's Executive Sec-

retary, located in Room 818, 2100 Pennsylvania Avenue NW., Washington, DC).

Signed at Washington, D.C., on February 19, 1973.

GERALD J. KLUMPKE,
Executive Secretary.

[FR Doc.73-3602 Filed 2-26-73; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 186]

ASSIGNMENT OF HEARINGS

FEBRUARY 22, 1973.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 138141, Louis Sanitara, Jr., doing business as AAA United Limousine Service, now being assigned April 24, 1973 (3 days), at Newark, N.J., in a hearing room to be later designated.

MC 51146 Sub 279, Schneider Transport, Inc., now being assigned March 12, 1973 (1 week), will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL.

MC-107818 (Sub-No. 56), Greenstein Trucking Co. is continued to April 3, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-7722, Truck Transport, Inc.—Investigation and Revocation of Certificates—, now being assigned hearing May 2, 1973 (1 day), at St. Louis, Mo., in a hearing room to be later designated.

MC-124211 Sub 209, Hilt Truck Line, Inc., now assigned March 26, 1973, at Chicago, Ill., is canceled and transferred to modified procedure.

MC 115841 Sub 439, Colonial Refrigerated Transportation, Inc., now being assigned hearing April 26, 1973 (1 day), at St. Louis, Mo., in a hearing room to be later designated.

MC 105506 Sub 73, Sam Tanksley Trucking, Inc., now being assigned hearing May 1, 1973 (1 day), at St. Louis, Mo., in a hearing room to be later designated.

MC 124266 Sub 1, Nelson Gwillim, now being assigned hearing April 27, 1973 (1 day), at St. Louis, Mo., in a hearing room to be later designated.

MC-115841 Sub 438, Colonial Refrigerated Transportation, Inc., now assigned March 19, 1973, at Washington, D.C., is postponed indefinitely.

MC 128944 Sub 11, Reliable Truck Lines, Inc., MC 136678, Alabama-Tennessee Express, Inc., now being assigned May 14, 1973 (1 week), will be held at the Sheraton Motor

Inn, 300 10th Street, North Birmingham, AL.

MC 105506 Sub 79, Sam Tanksley Trucking, Inc., now being assigned hearing April 30, 1973 (1 day), at St. Louis, Mo., in a hearing room to be later designated.

MC 112822 Sub 242, Bray Lines, Inc., now being assigned hearing April 23, 1973 (3 days), at St. Louis, Mo., in a hearing room to be later designated.

MC-136460, Murphy Rigging & Erecting, Inc., application dismissed.

MC 111383 Sub 33, Braswell Motor Freight Lines, Inc., now assigned March 19, 1973, will be held in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-3634 Filed 2-26-73; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 22, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before March 14, 1973.

FSA No. 42628—Iron or steel pipe from points in southern territory. Filed by Southwestern Freight Bureau, agent (No. B-391), for interested rail carriers. Rates on iron or steel pipe and related articles, in carloads, as described in the application, from points in Alabama, Georgia, and Tennessee, to points in Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

Grounds for relief—Rate relationship and carrier competition.

Tariff—Supplement 252 to Southwestern Freight Bureau, agent, tariff ICC 4620. Rates are published to become effective on March 21, 1973.

FSA No. 42629—Salt to Akron, Ohio. Filed by Southwestern Freight Bureau, agent (No. B-384), for interested rail carriers. Rates on salt, common, in boxcars, in packages, in bulk, as described in the application, from specified points in Louisiana, to Akron, Ohio.

Grounds for relief—Barge-truck and market competition.

Tariff—Supplement 41 to Southwestern Freight Bureau, agent, tariff ICC 4914. Rates are published to become effective on March 30, 1973.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-3635 Filed 2-26-73; 8:45 am]

[Notice 216]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 19, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73734. By supplemental order of January 30, 1973, the Motor Carrier Board approved the transfer to Hedding Truck Service, Inc., Union Center, Wis., of the operating rights in Certificate No. MC-109490 (Sub-No. 8), issued November 8, 1972, to H. W. Hedding, doing business as Hedding Truck Service, Union Center, Wis., authorizing the transportation of (1) (a) animal and poultry feed, animal and poultry feed ingredients, except commodities in bulk, and (b) animal and poultry medications in mixed loads with commodities in (1) (a) above except commodities in bulk, from the plantsite of American Feeds & Livestock Co., at Howard Lake, Minn., to points in Illinois, Iowa, and Wisconsin; animal and poultry feeds and animal and poultry feed ingredients except commodities in bulk, from Union Center, Wis., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, and Pennsylvania; and materials, equipment, and supplies used thereof, from the destination States immediately above to Union Center, Wis., restricted to the plantsite of Merrick Dry Milk Co., Inc., at Union Center, Wis. Edward Solie, 4513 Vernon Boulevard, Madison, WI 53705, attorney for applicants.

No. MC-FC-74044. By order entered January 30, 1973, the Motor Carrier Board approved the transfer to Pop Trucking, Inc., Cornelia, Ga., of the operating rights set forth in Permit No.

MC-104724 (Sub-No. 13), issued January 21, 1972, to Superior Trucking Co., Inc., Atlanta, Ga., authorizing the transportation of nonalcoholic beverages, in containers, and nonalcoholic beverage concentrate and sirup, other than frozen, in containers, from the plant and warehouse sites of Custom Canners, Inc., at points in Gwinnett and De Kalb Counties, Ga., to points in Alabama, Florida, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia; and materials, supplies, and equipment used in the production and distribution of nonalcoholic beverages (except commodities in bulk), from the destination points described above, to the plant and warehouse facilities of Custom Canners, Inc., at points in Gwinnett and De Kalb Counties, Ga., under a continuing contract, or contracts, with Custom Canners, Inc., of Gwinnett County, Ga. Guy H. Postell, Suite 713, 3384 Peachtree Road NE., Atlanta, GA 30326, attorney for applicants.

No. MC-FC-74139. By order entered February 2, 1973, the Motor Carrier Board approved the transfer to South Eastern Xpress, Inc., Fort Worth, Tex., of the operating rights set forth in Certificates Nos. MC-118130 and MC-118130 (Sub-No. 65), issued May 12, 1972, and October 2, 1972, respectively, to Paul A. Johnson, Fort Worth, Tex., authorizing, generally, the transportation of meat, meat products and meat byproducts, and articles distributed by meat packing-houses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766; bananas, coconuts and pineapples, frozen potatoes and frozen potato products, canned foods, canned and bottled foodstuffs, frozen onion rings, charcoal briquets and lump wood charcoal, in containers, foodstuffs, malt beverages, drinking containers, beverage coolers, chests and coasters, and bait buckets, from, to, or between points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. Billy R. Reid, 6108 Sharon Road, Fort Worth, TX 76116, practitioner for applicants.

No. MC-FC-74183. By order entered January 31, 1973, the Motor Carrier Board approved the transfer to Trans-

port Service Co., Inc., Crescent City, Fla., of the operating rights set forth in Certificate No. MC-118917 (Sub-No. 3), issued by the Commission, September 19, 1963, to Agricultural Delivery Service, Inc., Lakeland, Fla., authorizing the transportation of phosphatic feed supplements, in bags and in bulk (except in liquid form in tank vehicles), from Bonnie and Tampa, Fla., to points in Alabama, Arkansas, Arizona, California, Illinois, Indiana, Iowa, Kansas, Kentucky, Mississippi, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wisconsin. E. P. Lamb, Route 1, Box 19D6, Crescent City, FL 32012, representative for transferee and J. Hardin Peterson, Post Office Drawer BS, Lakeland, FL 33802, attorney for transferor.

No. MC-FC-74200. By order of February 2, 1973, the Motor Carrier Board approved the transfer to Bert's Ski Club of America, Inc., New York, N.Y., of License No. MC-12622 issued November 26, 1962, to Julius Wein, doing business as Ski Club of America, New York, N.Y., authorizing him to engage in operation as a broker of passengers and their baggage, in round-trip all-expense ski tours, during the season extending from November 15 to April 15 of each year, beginning and ending at points in the New York, N.Y., commercial zone, as defined by the Commission, and extending to points in Connecticut, Massachusetts, New Hampshire, Vermont, and New York. William D. Traub, 10 East 40th Street, New York, NY 10016, and Samuel Harris Cohen, Esq., 1370 Avenue of the Americas, New York, NY 10019, applicants' representatives.

No. MC-FC-74244. By order entered January 31, 1973, the Motor Carrier Board approved the transfer to Kemp Transfer, Inc., West Bridgewater, Mass., of the operating rights set forth in Certificate of Registration No. MC-120262 (Sub-No. 1), issued by the Commission March 26, 1965, to Kemp Trans. & Storage, Inc., Boston, Mass., evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of general commodities (except household goods as defined by the Interstate Commerce Commission) anywhere within the Commonwealth of Massachusetts, over irregular routes. Frank J. Weiner, 15 Court Square, Boston, MA 02108, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-3636 Filed 2-26-73; 8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during February.

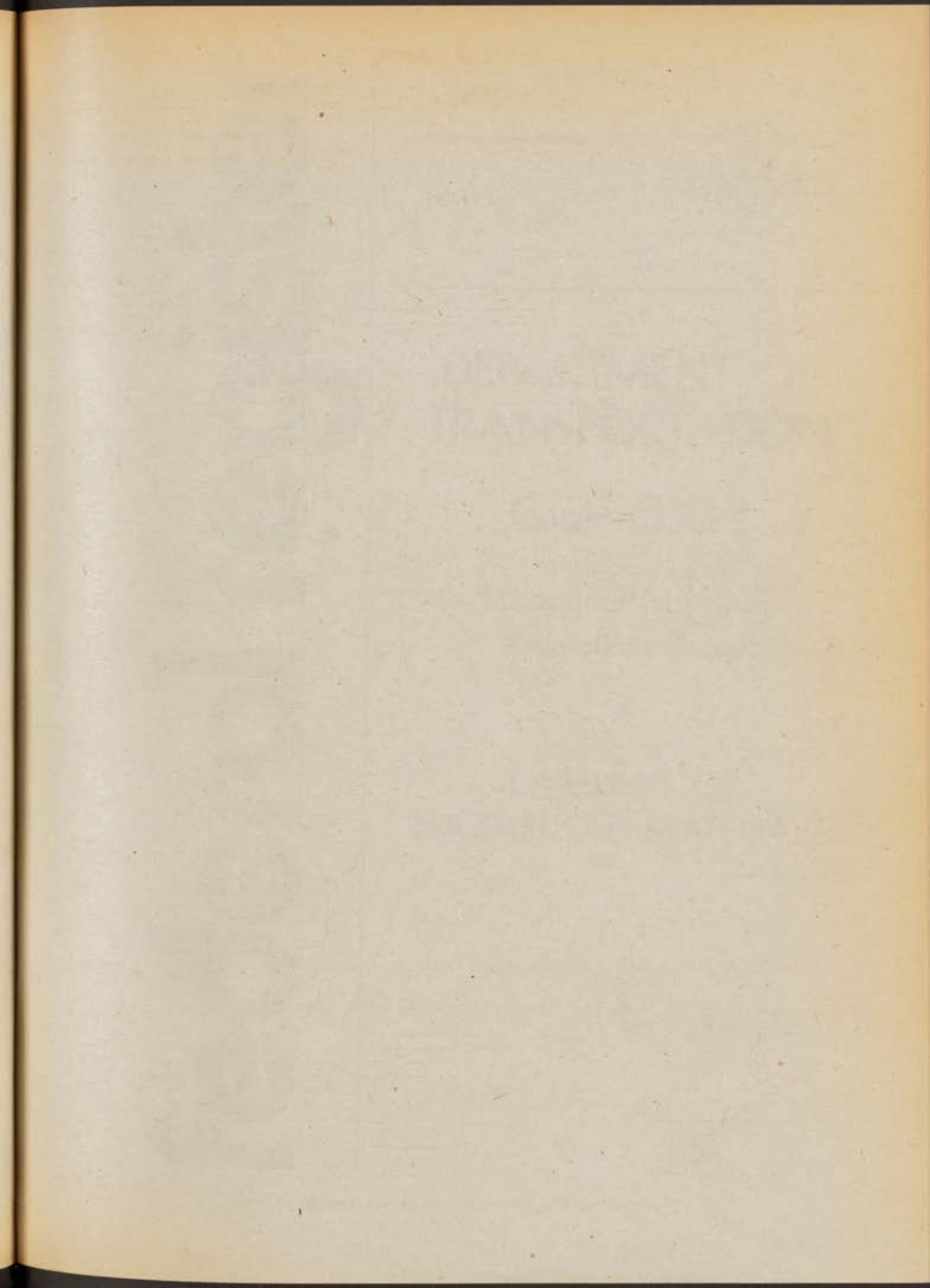
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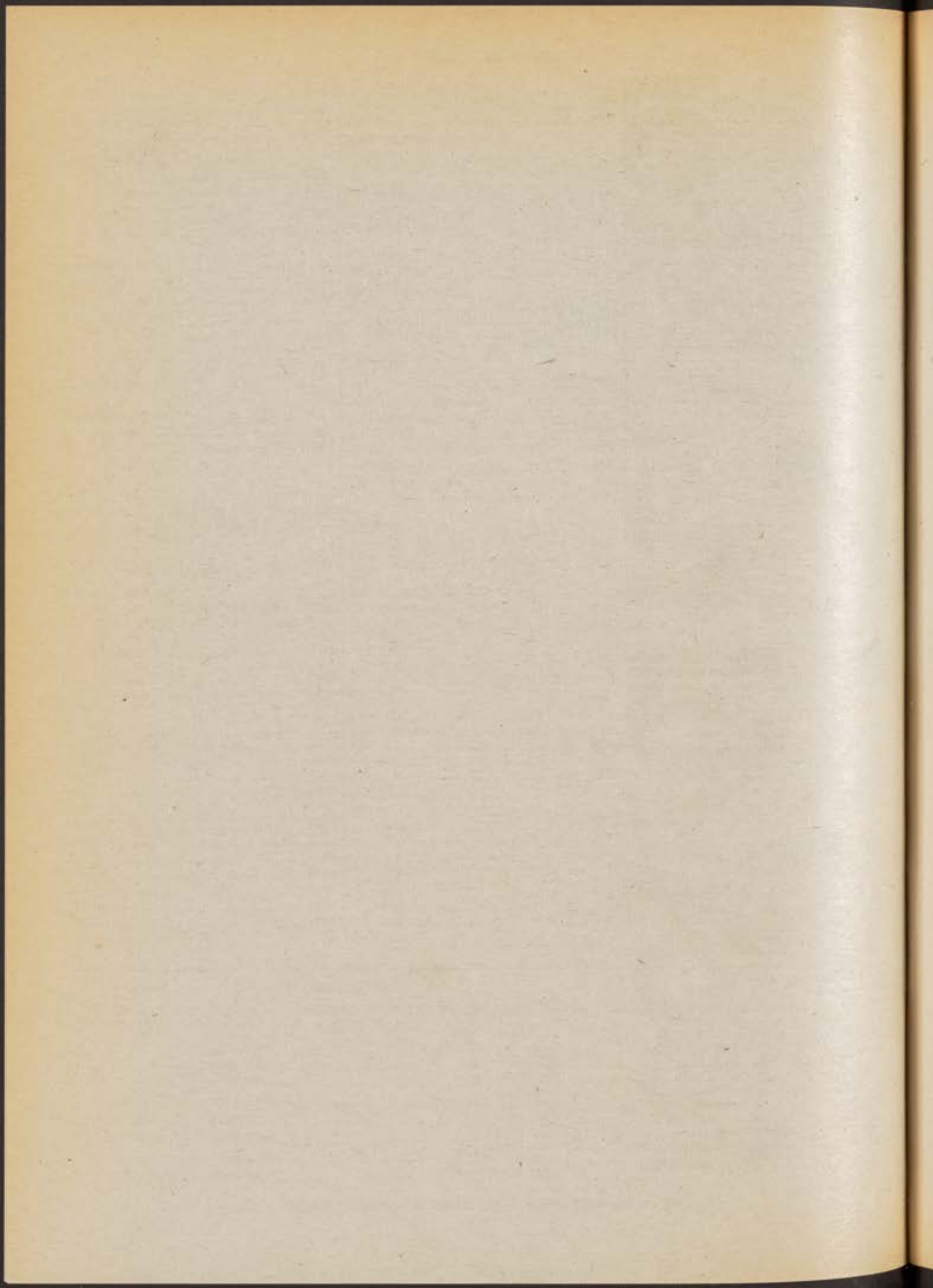
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DEPARTMENT OF TRANSPORTATION

Coast Guard

**Hazardous Materials
Regulations Board**

■

LABELING OF HAZARDOUS MATERIALS

Title 49—Transportation
CHAPTER I—DEPARTMENT OF
TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS
REGULATIONS BOARD

[Docket No. HM-8; Amdts. 172-19, 173-70,
 174-17, 175-10, 176-5, 177-24]

LABELING OF HAZARDOUS MATERIALS

The purpose of these amendments to the hazardous materials regulations of the Department of Transportation is to adopt new labels and specify new regulations pertaining to their use on packages containing hazardous materials.

On July 22, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-8; Notice 70-13 (35 FR 11742), which proposed to change its labeling requirements to be consistent with those contained in the United Nations recommendations. Interested persons were afforded an opportunity to participate in this rule making. Prior to Notice No. 70-13, the Board published a request for public advice on labels and classification in the *FEDERAL REGISTER* on October 16, 1968 (33 FR 15347), setting out the basis of the United Nations Labeling System. Subsequent to Notice No. 70-13, the Board published Notice No. 71-13 in the *FEDERAL REGISTER* on May 25, 1971 (36 FR 9449), setting forth additional proposals pertaining to the implementation of the new labeling system. The amendments published herein, however, are derived primarily from the proposals made under Notice No. 70-13 to the extent necessary to adopt the new labels. The other matters proposed under Docket No. HM-8 will be handled in future rule making actions.

The reason for the Board's delay in acting on this docket is the consideration it has been giving to the implementation of a hazard information system, such as was proposed in Docket No. HM-103 published in the *FEDERAL REGISTER* on June 27, 1972 (37 FR 12660, advanced notice of proposed rule making). Since it was proposed to modify the labels that were proposed in Docket No. HM-8 by the addition of "hazard information blocks" in the lower portion of most of the labels, the Board did not want to impose one change immediately upon another change in an area that would involve considerable effort and expense on the part of regulated industries. However, recent events have convinced the Board that it should no longer delay the implementation of the labeling requirements previously proposed.

The principal reason for immediate adoption of the new labeling requirements now is the fact that a number of foreign governments have adopted the United Nations Labeling System and have made the use of United Nations' labels mandatory. The Board was recently advised by one large shipper that it was having difficulty making shipments into the Federal Republic of Germany since that country has adopted the new labels. The situation has been temporarily alleviated by the granting of an extension to March 31, 1973. Other

countries have advised that the use of the new labels will be made mandatory by January 1, 1974. It has been reported that the United States exports chemicals worth in excess of \$4 billion. This does not include explosives, petroleum products, and consumer materials. A substantial portion of the chemicals exported are classed as hazardous materials. With this in mind, and since the Board has decided to adopt the new labeling requirements, the Board believes it should no longer delay action in this area because of the proposals it has made in Docket No. HM-103. This does not mean the Board is abandoning the proposals it made in that docket; however, it will have to consider appropriate timing for implementation of changes if it decides to adopt the proposals made in Docket No. HM-103.

A number of commenters responding to Notice No. 70-13 indicated their support of the basic purpose of the proposal, i.e., to adopt the United Nations' labels. Many comments were made pertaining to matters outside the scope of the proposal and others to particular matters concerning the implementation of the proposal.

Concerning the content of labels, several commenters requested that no language pertaining to special handling precautions be included on labels, such as the words "Danger," "Warning," or "Caution." One commenter pointed out that the proposed signal words would be inconsistent with the requirements of the Food and Drug Administration in some cases. Concerning the Board's statement that it doubts whether this detailed information should be included on a primary warning label, no commenters presented sufficient justification to include this type of information on the labels. Therefore, the Board has not adopted any of the suggested language that was set forth in the notice. The Board recognizes the limitations on placing detailed handling and emergency procedure information on labels and has decided that the information should not be included on the labels due to space limitations precluding the use of such information in a beneficial manner.

Several commenters raised objections to the use of a skull and crossbones symbol on the irritant label pointing out that, historically, the use of the skull and crossbones has been limited to those materials which are highly or extremely toxic. The Board agrees that it is not appropriate to require the use of this symbol on materials that are intended for use on people and animals. However, this symbol is required on the United Nations' label. Therefore, the Board is adopting two labels for irritants—one containing the skull and crossbones which will be authorized for import and export traffic, and the other for domestic shipments. The Board intends to propose that some other symbol, such as a tearing eye, be adopted in the United Nations recommendations to correct this matter in the future.

A comment was made concerning the proposed change to § 173.86 that would

permit shippers to make tentative classifications of explosives shipped for laboratory examination. The Board agrees that this would permit the exercise of judgment by persons who may not be properly qualified to make explosives classifications. Therefore, the Board has decided that the determination of the classification and appropriate labels to be applied to packages containing these samples will be made by specified elements of the Department of Defense for military explosives, and the Bureau of Explosives for commercial explosives.

Several commenters objected to the requirements for the labeling of Class C explosives. The Board has decided to adopt the exemption for small arms ammunition as proposed in the notice. As to the comments raised concerning primers and percussion caps, no proposal was made to change § 173.107. Paragraph (h) of that section does not require the labeling of these materials. Concerning the Board's proposal that other Class C explosives be labeled, no convincing argument was presented to alter the Board's position that most Class C explosives be labeled to identify their hazards. Future exemptions from labeling in this area will be handled on a case-by-case basis in accordance with the rule making procedures (see § 170.11).

Several commenters questioned the entry "No exemption" in the commodity list, § 172.5, following the entries for certain Class C explosives. The heading of the column is "Exemptions and packing." When there are no small quantity partial exemptions provided for an individual class, or when the nature of the material is such that no small quantity exemption is warranted, the entry "No exemption," followed by section reference means the shipper must look to the referenced section for the requirements that pertain to the material. For example, § 173.101 specifies the packaging and marking requirements for small arms ammunition. There is no small quantity exemption for these materials. Therefore, a "No exemption" entry is entered in the list of hazardous materials. This does not mean that the individual section does not contain an exemption for labeling or certain other requirements.

The notice contained proposals to adopt two new classes—"Water reactive materials" and "Spontaneously combustible materials." The Board has decided to withdraw these proposals for further study. It is not necessary they be adopted to implement the new labeling requirements. Use of the "Dangerous When Wet" and "Spontaneously Combustible" labels in conjunction with specified labels is permitted by this amendment.

A commenter recommended that the Board adopt specifications for the colors on labels. Such a proposal was made by the Board in Docket No. HM-103. The Board agrees that the different colors should be specified due to the wide variations observed in the colors of the labels presently in use. However, since specific color requirements were not proposed in the notice, color specifications are only being included in this amendment by the

addition of an appendix to Part 173 with a statement in § 173.404(d) to indicate that the colors specified in the appendix "should" be used. Inclusion of the word "should" indicates that the specifications in the appendix are not mandatory.

The list of hazardous materials set forth in § 172.5 is not being changed other than to list "Irritant" in place of "Poison, Class C," to list names of the new labels in place of the labels previously specified, to add new label entries for explosives, and to make minor editorial changes. The Board has decided that it is no longer appropriate to describe labels by their colors and that the required inscription is the best method to specify the labels to be used. Also, there are many paragraphs of regulations set forth in these amendments which only change references to labels or change references from Poison C or Tear Gas to Irritant or Irritating material.

The Board believes the labels it is adopting in this amendment are a significant improvement in the Department's hazardous materials communications requirements. With their adoption, there will be a single, intermodal, labeling system harmonious with the regulations of other countries. It should be noted that new paragraph (h) in § 173.404 authorizes continued use of the labels presently required (except for explosives) until January 1, 1975. However, exporters are advised that their shipments may not be accepted for transportation by water or air to foreign destinations if they bear the labels required before this amendment since many countries are implementing labeling requirements conforming to the United Nations Recommendations.

In consideration of the foregoing, 49 CFR Parts 172, 173, 174, 175, 176, and 177 are amended as follows:

PART 172—LIST OF HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL MATERIALS SUBJECT TO PARTS 170-189 OF THIS SUBCHAPTER

(A) In the table of contents following Subchapter A—Hazardous Materials Regulations Board, Part 172 is amended to read as set forth above.

(B) In Part 172 table of contents, the heading of Part 172 is amended to read as set forth above, and § 172.2 are amended to read as follows:

Sec. 172.2 Materials not described.

(C) Section 172.2 is amended to read as follows:

§ 172.2 Materials not described.

A material whose proper shipping name is not shown in the list in § 172.5, and which must be classified as a hazardous material under the definitions in §§ 173.53, 173.88, 173.100, 173.115, 173.150, 173.151, 173.240, 173.300, 173.326, 173.349, 173.381, 173.386, or 173.389 of this subchapter, must be prepared and offered for shipment in compliance with the regulations applicable to the appropriate hazard classification.

(D) In § 172.4 paragraph (a) is amended to read as follows:

§ 172.4 Explanation of signs and abbreviations.

(a) Listed below are the hazard classifications covered by this subchapter. Also listed are the abbreviations and symbols used in § 172.5. For information, the United Nations numerical class designations are shown.

Class A explosives. Expl. A

Class B explosives. Expl. B

Class C explosives. Expl. C

Flammable compressed gas. F. C. G.

Nonflammable compressed gas. Nonf. C. G.

Flammable liquid. F. L.

Flammable solid. F. S.

Oxidizing material. Oxy. M.

Poisonous gas or liquid, class A. Pds. A

Poisonous liquid or solid, class B. Pds. B

Irritating material. Irr.

Toxicologic agent. Eto. M.

Radioactive material. R. A. M.

Corrosive material. Cor.

Nonf. G.—Means nonflammable gas.

F. G.—Means flammable gas.

Oxy.—Means oxidizer.

Org. per.—Means organic peroxide.

Pois.—Means poison.

Pois. gas.—Means poison gas.

Not accepted.—Means not to be offered or accepted for transportation.

Forbidden.—Means prohibited by law.

Indicates that articles may be transported as rail baggage.

Required for rail express shipments only.

Required for rail express and water shipments only.

Means not otherwise specified.

Means not otherwise indexed.

Means not otherwise indexed by § 172.5 List of hazardous materials.

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 carload container by rail express
Acetaldehyde (ethyl aldehyde).....	F. L.	173.115, 173.119	F. L.	10 gallons.
Acetone.....	F. L.	173.115, 173.119	F. L.	10 gallons.
Acetone cyanhydride.....	Pds. B	173.345, 173.346	Pds. B	55 gallons.
Acetone oils.....	F. L.	173.115, 173.119	F. L.	10 gallons.
Acetonitrile.....	F. L.	173.115, 173.119	F. L.	10 gallons.
Acetyl benzoyle peroxide, solid.....	Not accepted.			Not accepted.
Acetyl benzoyle peroxide, solution.....	Oxy. M.	No exemption, 173.222	Org. per.	1 quart.
Acetyl chloride.....	Cor.	173.344, 173.347	Corrosive	1 gallon.
Acetyl peroxide, solid.....	Not accepted.			Not accepted.
Acetyl peroxide, solution.....	Oxy. M.	173.115 (b), 173.222	Org. per.	1 quart.
Acetylene.....	F. C. G.	173.306, 173.308	F. G.	300 pounds.
Acid carboys, empty.....	See § 173.29(c).			
Acids, liquid, n.o.s.....	Cor.	173.344, 173.345	Corrosive	5 pints.
Acid peric. See Fluoro acid.				
Acid sludge. See "Sludge acid."				
Acrolein, inhibited.....	F. L.	No exemption, 173.122	F. L.	1 quart.
Acrylonitrile.....	F. L.	173.115, 173.119	F. L.	10 gallons.
Aerobically.....	Expl. C	173.114	Expl. C	150 pounds.
Extinguisher or valve.....				
Adhesives, n.o.s. See Cement, liquid, n.o.s.				
Aerosol flares. See Special fireworks.				
Aerosol products. See Compressed gases, n.o.s.				
Air, compressed.....	Nonf. C. G.	173.306, 173.307	Nonf. G.	300 pounds.
Aircraft engines (commercial).....	F. S.	No exemption, 173.238	F. S.	50 pounds.
Aircraft rocket engine igniters.....	F. S.	No exemption, 173.238	F. S.	25 pounds.
Alcohols, n.o.s.....	F. L.	173.115, 173.123	F. L.	10 gallons.
Alcohol, allyl.....	Pds. B	173.345, 173.346	Pds. B	55 gallons.
Alcohol, ethyl.....	Pds. B	173.344, 173.376	Pds. B	200 pounds.
Aluminum, cast solid.....	See § 173.173			
Aluminum mixtures, liquid, with 60 percent or less alumin.....	Pds. B	173.345, 173.361	Pds. B	55 gallons.
Aluminum mixtures, liquid, with more than 60 percent alumin.....	Pds. B	173.344, 173.376	Pds. B	200 pounds.
Aluminum mixtures, dry, with more than 65 percent alumin.....	See § 173.376(b).			
Aluminum mixtures, dry, with 45 percent or less alumin.....	Cor.	173.344, 173.349	Corrosive	10 gallons.
Alkaline caustic liquids, n.o.s.....	Cor.	173.344, 173.349	Corrosive	10 gallons.
Alkaline corrosive battery fluid.....	Cor.	173.344, 173.349, 173.357	Corrosive	450 pounds.
Alkaline corrosive battery fluid with storage battery.....	Cor.	No exemption, 173.358	Corrosive	450 pounds.
Alkaline corrosive liquids, n.o.s.....	Cor.	173.344, 173.349	Corrosive	10 gallons.
Allyl alcohol. See Alcohol, allyl.				
Allyl aluminum halides. See Pyroforic liquids, n.o.s.				
Allyl bromide.....	F. L.	173.115, 173.119	F. L.	10 gallons.
Allyl chlorocarbonate. See Allyl chloroformate.				
Allyl chloroformate.....	Cor.	No exemption, 173.382	Corrosive	5 pints.
Allyl trichlorostannate.....	Cor.	No exemption, 173.380	Corrosive	10 gallons.
Aluminum alkyls. See Pyroforic liquids, n.o.s.				
Aluminum dross.....	See § 173.173.			
Aluminum liquid (or paint). See Paint, enamel, lacquer, stain, shellac, varnish, etc.				

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Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Cement, leather.	F. L.	173.158, 173.159.	F. L.	12 gallons.
Cement, linoleum, tile, wallboard, or concrete, liquid.	F. L.	173.118, 173.122.	F. L.	15 gallons.
Cement, liquid, n.o.s.	F. L.	173.118, 173.119, 173.122.	F. L.	15 gallon.
Cement, pyroxylin.	F. L.	173.118, 173.122.	F. L.	15 gallons.
Cement, roofing, liquid.	F. L.	173.118, 173.119.	F. L.	12 gallons.
Cement, rubber.	F. L.	173.118, 173.122.	F. L.	15 gallons.
Charcoal, activated.	F. S.	173.162.	F. S.	200 pounds.
Charcoal briquettes.	F. S.	173.162.	F. S.	200 pounds.
Charcoal, shell.	F. S.	173.162.	F. S.	200 pounds.
Charcoal, wood, ground, crushed, granulated or pulverized.	F. S.	173.162.	F. S.	200 pounds.
Charcoal, wood, lump.	F. S.	173.162.	F. S.	100 pounds.
Charcoal, screenings, made from pine wood.	F. S.	173.162.	F. S.	200 pounds.
Charcoal, wood screenings other than "pine wood screenings."	F. S.	No exemption, 173.162.	F. S.	Not accepted.
Charcoal, wet.	Not accepted.			Not accepted.
Charged oil well jet perforating guns (guns of which the contents in guns exceeding 20 pounds per meter are liquid).	Expl. A	No exemption, 173.53(a), 173.58.	Expl. A.	Not accepted.
Charged oil well jet perforating guns (guns of which the contents in guns not exceeding 20 pounds per meter are solid).	Expl. C.	No exemption 173.53(a), 173.114.	Expl. C.	Not accepted.
Chemicals, n.o.s. See "Drugs, chemicals, medicines or cosmetics, n.o.s."				
Chemical examination (containing class A poisons, liquids or gases).	Pois. A.	No exemption, 173.333.	Pois. gas.	Not accepted.
Chemical examinations (containing class B poisons, liquids or gases).	Pois. B.	173.345, 173.350.	Pois.	55 gallons.
Chemical examinations (containing irascible material).	Ir.	No exemption, 173.353.	Irascib.	30 pounds.
Chemical examination, explosives.	See § 173.59.			
Chemical kits.	See § 173.286.			
Chloroacetylene, gas, liquid, or solid.	Ir.	No exemption, 173.482.	Irascib.	75 pounds.
Chloracetri chloride.	Cor.	No exemption, 173.253.	Corrosive.	1 quart.
Chloride and borate mixtures.	Oxy. M.	173.153, 173.226.	Oxy.	100 pounds.
Chloride and magnesium chloride mixture.	Oxy. M.	173.153, 173.226.	Oxy.	100 pounds.
Chlorides, n.o.s.	Oxy. M.	173.153, 173.163.	Oxy.	100 pounds.
Chlorides, n.o.s., wet.	Oxy. M.	173.153, 173.163(a)(6).	Oxy.	200 pounds.
Chloride, explosive.	Oxy. M.	173.153, 173.163.	Oxy.	200 pounds.
Chloride of potash.	Oxy. M.	173.153, 173.163.	Oxy.	100 pounds.
Chloride of soda.	Oxy. M.	173.153, 173.163.	Oxy.	100 pounds.
Chloride powder. See High explosives.				
Chloride of phosphorus. See Phosphorus trichloride.				
Chloride of sulfur. See Sulfur chloride.				
C-Clorine.	Nonf. C. G.	173.306, 173.304, 173.314, 173.315.	Nonf. G.	150 pounds.
Chlorine dioxide hydrate, frozen.	Oxy. M.	No exemption, 173.257.	Oxy.	Not accepted.
Chlorine trifluoride.	Cor.	No exemption, 173.258.	Corrosive.	100 pounds.
Chlorobenzoyl peroxide (gases).	Oxy. M.	No exemption, 173.157, 173.158.	Oxy. per.	25 pounds.
Chlorobenzotrifluoride. See Dinitrochlorobenzene.				
Chlorobenzotrifluoride.	Pois. B.	No exemption, 173.357.	Pois.	1 quart.
Chlorobenzotrifluoride acid.	Cor.	173.244, 173.254.	Corrosive.	1 quart.
Chlorobenzotrifluoride acid-sulfur trioxide mixture.	Pois. A.	No exemption, 173.325(c).	Pois. gas.	Not accepted.
Chlorobenzotrifluoride acid-sulfur trioxide mixture, nonflammable, nonoxidized compressed gas mixtures.	Pois. B.	No exemption, 173.357.	Pois.	24 pounds.
Chlorobenzotrifluoride acid-sulfur trioxide mixture, nonflammable, nonoxidized compressed gas mixtures.	Pois. B.	No exemption, 173.357.	Pois.	75 pounds.

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in outside container by rail express
Charclartin mixtures (containing no compressed gas or poisonous liquid, class A).	Poss. B.	No exemption, 173.387	Poss.	75 pounds.
Chloralhydrin and methyl chloride mixtures.	Poss. A.	No exemption, 173.329(b)	Poss. gas	Not accepted.
Chromic acid.	Oxy. M.	173.152, 173.164	Oxy.	100 pounds.
Chromic acid solution.	Cor.	173.344, 173.345, 173.387	Corrosive.	1 gallon.
Chromic anhydride. See Chromic acid.				
Chromium trioxide. See Chromic acid.				
Chromyl chloride.	Cor.	No exemption, 173.347	Corrosive.	1 gallon.
Cigar and cigarette lighter fluid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Cigarette lighters charged with fuel.	See §173.41(d).			
Cleaning fluids.	F. L.	No exemption, 173.111	Expl. C.	150 pounds.
Cleaning fluid or liquid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Cloud gas cylinders. See Chemical ammunition.				
Coal briquettes, hot.	Not accepted.			Not accepted.
Coal gas. See Hydrocarbon gas, non-liquefied.				
Coal, ground bituminous, see coal.	See §173.145.			
Coal lumps, etc.	F. L.	173.118, 173.119	F. L.	10 gallons.
Coal tar distillate.	F. L.	173.118, 173.119	F. L.	10 gallons.
Coal tar light oil.	F. L.	173.118, 173.119	F. L.	10 gallons.
Coal tar naphtha.	F. L.	173.118, 173.119	F. L.	10 gallons.
Coal tar oil.	F. L.	173.118, 173.119	F. L.	10 gallons.
Coaling solutions.	F. S.	No exemption, 173.146	F. S.	200 pounds.
Cobalt residue, precipitated.	Poss. B.	173.344, 173.345	Poss.	Not accepted.
Coke, hot.	Not accepted.			
Coke, solid (not cerry).	F. L.	173.118, 173.119	F. L.	10 gallons.
Collodion.	F. L.	173.118, 173.119	F. L.	10 gallons.
Colloidal cotton, wet. See Wet nitrocellulose.				
Colony spirits (absent).	F. L.	173.118, 173.119	F. L.	10 gallons.
Common fire. See Common fireworks.				
Combustible liquids (wood alcohol).	F. L.	173.118, 173.119	F. L.	150 pounds.
Combination tins.	Expl. C.	No exemption, 173.105	Expl. C.	150 pounds.
Combination primers.	Expl. C.	No exemption, 173.107	Expl. C.	150 pounds.
Compressed shaped charges. See High explosives.	See §173.65(h).			
Common fireworks.	Expl. C.	No exemption, 173.100(1), 173.108, 173.344, 173.345	Expl. C.	200 pounds.
Compounds, cleaning, liquid.	Cor.	173.344, 173.345	Corrosive.	1 quart.
Compounds, cleaning, liquid (containing hydrochloric (muriatic) acid).	Cor.	173.344, 173.345	Corrosive.	10 pints.
Compounds, cleaning, liquid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Compounds, cleaning, liquid (Containing hydrofluoric acid).	Cor.	173.344, 173.345	Corrosive.	10 pints.
Compounds, enamel.	F. L.	173.118, 173.119	F. L.	55 gallons.
Compounds, iron or steel rust preventing or removing.	Cor.	173.344, 173.345	Corrosive.	1 gallon.
Compounds, lacquer, paint, or varnish, etc., retreating, reducing or thinning, liquid.	F. L.	173.118, 173.119	F. L.	55 gallons.
Compounds, lacquer, paint, or varnish removing, liquid.	Cor.	173.344, 173.345	Corrosive.	1 gallon.
Compounds, polishing liquid.	F. L.	173.118, 173.119	F. L.	55 gallons.
Compounds, tree or weed killing, liquid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Compounds, tree or weed killing, liquid.	Poss. B.	173.345, 173.346	Poss.	55 gallons.
Compounds, tree or weed killing, solid.	Oxy. M.	173.118, 173.119, 173.228	Oxy.	100 pounds.
Compounds, type-clearing liquid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Compounds, vulcanizing, liquid.	F. L.	173.344, 173.345	Corrosive.	1 quart.
Compounds, vulcanizing, liquid.	F. L.	173.118, 173.119	F. L.	10 gallons.
Compressed gases, n.o.s.	Noml. C. G.	173.340, 173.345, 173.344, 173.350	Noml. G.	300 pounds.
Compressed gases, n.o.s.	F. C. G.	173.340, 173.345, 173.344, 173.350	F. G.	300 pounds.
Conductors, empty. See Acid carboys-empty; bottles empty; drums empty; cylinders empty.	See §173.39.			

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 container by container type rail express
Dichlorodifluoromethane-trichlorodifluoromethane-monochlorodifluoromethane mixture.	Nonf. C. G.	173,306, 173,304, 173,314.	Nonf. G.	300 pounds.
Dichlorodifluoromethane-trichlorotrifluoromethane mixture.	Nonf. C. G.	173,306, 173,304, 173,314.	Nonf. G.	300 pounds.
Dichlorodifluoromethane-mono-trichlorodifluoromethane mixture.	Nonf. C. G.	173,306, 173,314, 173,315.	Nonf. G.	300 pounds.
Dichlorodifluoromethane and difluoromethane mixture (constant boiling mixture).	Nonf. C. G.	173,304, 173,304, 173,314, 173,315.	Nonf. G.	300 pounds.
Dichlorodicyanuric acid, dry, containing more than 30% available chlorine.	Oxy. M.	173,153, 173,317.	Oxy.	100 pounds.
Dicyanuril peroxide, solid.	Oxy. M.	173,153, 173,154.	Oxy. per.	25 pounds.
Dicyanuril peroxide, 30% solution.	Oxy. M.	173,153(5), 173,324.	Oxy. per.	1 quart.
Diethyl dichlorosulfate.	Cor.	No exemption, 173,380.	Corrosive.	10 gallons.
Diethylamine. See Difluorochlorosulfate. See Difluoromethanol.	See § 173.31(d).	173,115, 173,119.	F. L.	10 gallons.
Difluoromethane.	F. C. G.	173,306, 173,304, 173,314.	F. G.	300 pounds.
Difluoromethane (1,1 di-fluoro-1-chloroethane).	F. C. G.	173,315.	F. G.	300 pounds.
Difluoromethane (1,1 di-fluoro-2-chloroethane).	Cor.	No exemption, 173,375.	Corrosive.	1 gallon.
Difluoromethane acid anhydrous.	Cor.	173,344, 173,349.	Corrosive.	1 quart.
Dibutyl acetyl acid phosphine.	Oxy. M.	173,150(6), 173,234.	Oxy. per.	1 quart.
Dipropyl sec-butyl hydroperoxide.	F. C. G.	173,306, 173,304, 173,314.	F. G.	300 pounds.
Dimethylamine, anhydrous.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Dimethylamine, aqueous solution.	F. L.	No exemption, 173,135.	F. L.	10 gallons.
Dimethylchlorosulfate.	F. C. G.	173,306, 173,304, 173,314.	F. G.	300 pounds.
Dimethyl ether.	Not accepted.			
Dimethylamine dihydroperoxide, dry.	Oxy. M.	No exemption, 173,137.	Oxy. per.	300 pounds.
Dimethylamine dihydroperoxide, wet.	F. L.	No exemption, 173,145.	F. L.	1 plate.
Dimethylhydrazine, unsymmetrical.	Cor.	No exemption, 173,355.	Corrosive.	1 quart.
Dimethyl sulfoxide.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Diethyl ether.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Diethylbenzene, solid.	Pols. B.	173,345, 173,346.	Pols.	200 pounds.
Diethylbenzene, liquid.	Pols. B.	173,345, 173,346.	Pols.	55 gallons.
Diethylchlorobenzene, solid (diethylchlorobenzene, chlorodichlorobenzene).	Pols. B.	173,345, 173,302A.	Pols.	200 pounds.
Diethylchlorobenzene, liquid.	Pols. B.	No exemption, 173,350.	Corrosive.	65 pounds.
Diphenylamine, solid.	Cor.	No exemption, 173,382.	Corrosive.	10 gallons.
Diphenylaminechloroethane, gas, liquid, or solid.	Ir.	No exemption, 173,382.	Irritant.	75 pounds.
Diphenylchloroethane, solid.	Ir.	No exemption, 173,382.	Irritant.	20 pounds.
Diphenyl ether. See Phosgene.	See § 173.314 (c) Table Note 13, 173.315(6) Table Note 9.			
Distillate.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Dodecyltrichlorosilane.	Cor.	No exemption, 173,350.	Corrosive.	10 gallons.
Dressing, leather.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Driers, paint, varnish, enamel, etc.	See Paint driers, liquid.			
Drill cartridges.	See § 173.35.			
Drugs, chemicals, medicines or cosmetics, n.o.s.	F. L.	173,115, 173,119.	F. L.	10 gallons.
Drugs, chemicals, medicines or cosmetics, n.o.s.	F. S.	173,153, 173,154.	F. S.	100 pounds.
Drugs, chemicals, medicines or cosmetics, n.o.s.	Oxy. M.	173,153, 173,154.	Oxy.	100 pounds.
Drugs, chemicals, medicines or cosmetics, n.o.s.	Cor.	173,344, 173,245.	Corrosive.	1 quart.
Drugs, chemicals, medicines or cosmetics, n.o.s. (liquid).	Pols. B.	173,345, 173,346.	Pols.	55 gallons.
Drugs, chemicals, medicines or cosmetics, n.o.s. (solid).	Pols. B.	173,354, 173,355.	Pols.	200 pounds.
Drums, empty.	See § 173.29.			

[illegible]

[illegible]

[illegible]

[illegible][illegible]

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in one container by rail express
Schell's green. See Copper arsenite.				
Self-lighting cigarettes.	See § 173.21			
Self-propelled vehicles.	See § 173.120, § 173.267, § 173.306, § 173.65			
Shaped charges, commercial. See (b).				
High explosives. Shellac. See "Paint, enamel, lacquer, stain, shellac, varnish, etc." Shellac liquid. Shells, fireworks. See Common fire- works or Special fireworks. Ship distress signals. See Special fireworks.	F. L.	173.118, 173.128.	F. L.	50 gallons.
Signal flares.	Expl. C.	No exemption, 173.198.	Expl. C.	200 pounds.
Silicon chloride (tetraethylchloride).	Cor.	173.344, 173.347.	Corrosive.	1 gallon.
Silver cyanide.	Nonf. C. G.	173.356, 173.362.	Nonf. G.	500 pounds.
Silver nitrate.	Oxy. M.	173.153, 173.182.	Oxy.	100 pounds.
"Snuff" acid.	Cor.	No exemption, 173.248.	Corrosive.	1 quart.
Small arms ammunition.	Expl. C.	No exemption, 173.101.	Expl. C.	180 pounds.
Small arms ammunition, tear gas cartridges.	Expl. C.	No exemption, 173.101.	Expl. C.	180 pounds.
Small arms primers.	Expl. C.	No exemption, 173.107.	Expl. C.	180 pounds.
Smoke candles.	Expl. C.	No exemption, 173.108.	Expl. C.	200 pounds.
Smoke grenades.	Expl. C.	No exemption, 173.108.	Expl. C.	200 pounds.
Smoke pots.	Expl. C.	No exemption, 173.108.	Expl. C.	200 pounds.
Smoke signals.	Expl. C.	No exemption, 173.108.	Expl. C.	200 pounds.
Smokes powder for cannons or small arms. See Propellant explosives, class A, or propellant explosives, class B.				
Smokes powder for small arms (100 pounds or less). Smokes powder with burning charge. See Explosive projectile. Smokes powder with exploding charge for various burning charge. See Special fireworks. Soda ash. See High explosives. Soda, caustic solution. See Caustic soda, liquid.	See H 173.58 (U), 173.57A.			
Sodium aluminum hydride.	F. S.	No exemption, 173.396.	F. S.	25 pounds.
Sodium amide, solid, liquid.	Cor.	173.344, 173.346.	Corrosive.	10 gallons.
Sodium azide.	F. S.	No exemption, 173.306.	F. S.	25 pounds.
Sodium bromate, solid.	Pols. B.	173.364, 173.365, 173.368.	Pols.	200 pounds.
Sodium arsenite (solution), liquid.	Pols. B.	173.345, 173.346.	Pols.	55 gallons.
Sodium azide.	Pols. B.	173.354, 173.373.	Pols.	100 pounds.
Sodium borohydride, solid (sodium borohydride).	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium borohydride, liquid.	Pols. B.	173.364, 173.365.	Pols.	200 pounds.
Sodium chlorate (soda chlorate).	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium chlorite solution (not ex- ceeding 52 percent sodium chlor- ite).	Cor.	No exemption, 173.166. 173.344, 173.352.	Corrosive.	100 pounds. 4 gallons.
Sodium cyanide. See Cyanide of sodium.				
Sodium dichloroacetate, dry, containing more than 86% avail- able chlorine.	Oxy. M.	173.153, 173.157.	Oxy.	25 pounds.
Sodium hydroxide.	F. S.	No exemption, 173.198.	F. S.	25 pounds.
Sodium hydroxide solution. See Caustic soda, liquid.				
Sodium metasilicate.	F. S.	No exemption, 173.206.	F. S.	25 pounds.
Sodium metasilicate, dispersion in or- ganic solvent.	F. S.	No exemption, 173.206.	F. S.	10 pounds.
Sodium metal.	F. S.	No exemption, 173.202.	F. S.	1 pound.
Sodium methoxide, dry.	F. S.	173.153, 173.154.	F. S.	100 pounds.
Sodium methylate, alcohol mixture.	F. L.	173.118, 173.119.	F. L.	10 gallons.
Sodium nitrate.	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium nitrite mixtures (sodium ni- trate, sodium nitrite, and potassium nitrate).	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium peroxide.	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium persulfate.	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Sodium pyrazole.	F. S.	No exemption, 173.205.	F. S.	25 pounds.
Sodium silico-phosphate.	F. S.	No exemption, 173.206.	F. S.	25 pounds.
Sodium sulfide.	F. L.	173.118, 173.119.	F. L.	15 gallons.
Special fireworks.	Expl. B.	No exemption, 173.88(d), 173.91.	Expl. B.	200 pounds.
Speed iron mass. See Iron mass, speed.				
Speed iron sponges. See Iron sponges, speed.				
Spent mixed acid.	Cor.	No exemption, 173.245.	Corrosive.	1 quart.
Spent nitric acid.	F. S.	No exemption, 173.174.	F. S.	Not accepted.
Spent sulfuric acid.	Cor.	No exemption, 173.248.	Corrosive.	1 quart.
Spirits of nitro-glycerine.	F. L.	No exemption, 173.183.	F. L.	6 quarts.
Spirits of nitro-sulfuric acid containing 1 percent antimony trioxide by weight.	F. L.	173.118, 173.133.	F. L.	6 quarts.
Spurring powder. See Black powder. or Propellant explosives, class B.				
Spray starting fluid. See Engine starting fluid.				
Sprayer cartridges. See Special fire- works.				
Squibs, electric or safety. See Electric squibs or Safety squibs.				
*Stain. See "Paint, enamel, lacquer, stain, shellac, varnish, etc."				
Starter cartridges, jet engine, class B explosives.	Expl. B.	No exemption, 173.92.	Expl. B.	200 pounds.
Starter cut-off valves, jet engine, class C explosives.	Expl. C.	No exemption, 173.102.	Expl. C.	150 pounds.
Storage batteries, wet. See Batteries, electric storage, wet.				
*Store, ship or ocean.	See § 171.A.			
*Stove polish. See "Polishes, metal, stone, furniture and wood, liquid."				
Strike-anywhere matches. See Matches, strike-anywhere.				
Strike-on-box matches. See Matches, strike-on-box.				
Strontium arsenide, solid.	Pols. B.	173.364, 173.365.	Pols.	200 pounds.
Strontium chloride.	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Strontium chlorate, wet.	Oxy. M.	173.153, 173.154(a) (6).	Oxy.	200 pounds.
Strontium nitrate.	Oxy. M.	173.153, 173.154.	Oxy.	100 pounds.
Strontium peroxide.	Oxy. M.	173.153(a), 173.154.	Oxy.	100

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Very signal cartridges.....	Expl. C.....	No exemption, 173.108.....	Expl. C.....	200 pounds.
Vinyl acetate.....	F. L.....	173.118, 173.119.....	F. L.....	10 gallons.
Vinyl chloride.....	F. C. G.....	173.306, 173.304, 173.314, 173.315.....	F. G.....	300 pounds.
Vinylidene chloride, inhibited.....	F. L.....	173.118, 173.119.....	F. L.....	10 gallons.
Vinyl fluoride inhibited.....	F. C. G.....	173.306, 173.304, 173.314, 173.315.....	F. G.....	300 pounds.
Vinyl methyl ether, inhibited.....	F. C. G.....	173.306, 173.304, 173.314.....	F. G.....	20 pounds.
Vinyl trichlorosilane.....	F. L.....	No exemption, 173.135.....	F. L.....	10 gallons.
War heads. See Explosive projectiles.				
Waste paper, wet.....	F. S.....	No exemption, 173.211.....	F. S.....	Not accepted.
Waste textile, wet.....	F. S.....	No exemption, 173.213.....	F. S.....	Not accepted.
Water treatment compound, liquid.....	Cor.....	173.244, 173.249.....	Corrosive.....	10 gallons.
*Weed killing compounds, liquid. See *Compounds, tree or weed killing, liquid.				
Wet hair. See Hair wet.				
Wet nitrocellulose, colloided, granular or flake—20 percent alcohol or solvent; or block—25 percent alcohol.....	F. L.....	173.118, 173.127.....	F. L.....	25 pounds.
Wet nitrocellulose, colloided, granular or flake—20 percent water.....	F. S.....	173.153, 173.184.....	F. S.....	100 pounds.
Wet nitrocellulose—30 percent alcohol or solvent.....	F. L.....	173.118, 173.127.....	F. L.....	25 pounds.
Wet nitrocellulose—20 percent water.....	F. S.....	173.153, 173.184.....	F. S.....	100 pounds.
Wet nitrocellulose flakes—20 percent alcohol or solvent.....	F. L.....	173.118, 173.127.....	F. L.....	25 pounds.
Wet nitroguanidine—20 percent water.....	F. S.....	173.153, 173.184.....	F. S.....	100 pounds.
Wet nitrostarch—20 percent water.....	F. S.....	173.153, 173.184.....	F. S.....	100 pounds.
Wet nitrostarch—30 percent alcohol or solvent.....	F. L.....	173.118, 173.127.....	F. L.....	25 pounds.
Wet paper stock. See Paper stock, wet.				
Wet rags. See Rags, wet.				
Wet textile waste. See Waste textile, wet.				
Wet waste paper. See Waste paper, wet.				
Wet waste wool. See Waste wool, wet.				
Wood alcohol (methanol, methyl alcohol).....	F. L.....	173.118, 173.125.....	F. L.....	10 gallons.
*Wood filler. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.				
*Wood polish. See *Polishes, metal, stove, furniture and wood, liquid.				
*Wood stain, liquid. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.				
Wool waste, wet. See Waste wool, wet.				
X-ray film (nitrocellulose base).....	F. S.....	No exemption, 173.177.....	F. S.....	200 pounds.
X-ray film (slow-burning).....	See § 173.181 (a) (1).			
X-ray film scrap (nitrocellulose base), samples of.....	F. S.....	No exemption, 173.195.....	F. S.....	25 pounds.
X-ray film scrap (nitrocellulose base), other than samples.....	F. S.....	No exemption, 173.195.....	F. S.....	Not accepted.
X-ray film scrap (slow-burning).....	See § 173.181 (a) (2).			
X-ray film, unexposed (nitrocellulose base).....	F. S.....	173.180.....	F. S.....	250 pounds.
*Xylol (Xylene).....	F. L.....	173.118, 173.119.....	F. L.....	10 gallons.
Zinc bromide.....	Irr.....	No exemption, 173.382.....	Irritant.....	75 pounds.
Zinc ammonium nitrite.....	Oxy. M.....	No exemption, 173.228.....	Oxy.....	100 pounds.
Zinc arsenate.....	Pois. B.....	173.354, 173.355.....	Pois.....	200 pounds.
Zinc arsenite, solid.....	Pois. B.....	173.354, 173.355.....	Pois.....	200 pounds.
Zinc chloride.....	Oxy. M.....	173.153, 173.163.....	Oxy.....	100 pounds.
Zinc cyanide.....	See § 173.370.			
Zinc stgyl. See Pyroforic liquids, n.o.s.				
Zinc nitrate. See Nitrates, n.o.s.				
Zinc permanganate.....	Oxy. M.....	173.153, 173.154.....	Oxy.....	100 pounds.
Zinc peroxide.....	Oxy. M.....	173.153, 173.154.....	Oxy.....	100 pounds.
Zirconium, metal, dry, mechanically produced, finer than 270 mesh particle size.....	F. S.....	No exemption, 173.214.....	F. S.....	75 pounds.
Zirconium metal, dry, chemically produced, finer than 20 mesh particle size.....	F. S.....	No exemption, 173.214.....	F. S.....	150 pounds.
Zirconium metal, wet, mechanically produced, finer than 270 mesh particle size.....	F. S.....	No exemption, 173.214.....	F. S.....	150 pounds.
Zirconium metal, wet, chemically produced, finer than 20 mesh particle size.....	F. L.....	No exemption, 173.140.....	F. L.....	5 pounds.
Zirconium, metallic, solutions or mixtures thereof, liquid.....	Oxy. M.....	No exemption, 173.216.....	Oxy.....	25 pounds.
Zirconium picramate, wet with 20 percent of water.....	F. S.....	173.153, 173.230.....	F. S.....	100 pounds.
Zirconium scrap (borings, clippings, shavings, sheets, or turnings).....				

PART 173—SHIPPERS

(A) In Part 173—Table of Contents, §§ 173.92, 173.94, 173.381, 173.382, 173.402, 173.405, 173.406, 173.407, 173.409, 173.410, 173.413, and 173.414 are amended; §§ 173.415, 173.416, 173.417, 173.420, 173.421, 173.422, and an Appendix A to Part 173 are added; §§ 173.408, 173.411, and 173.412 are canceled as follows:

Sec.	
173.92	Jet thrust units (jato), class B explosives; rocket motors, class B explosives; igniters, jet thrust (jato), class B explosives; igniters, rocket motors, class B explosives; and starter cartridges, jet engine, class B explosives.
173.94	Explosive power devices, class B.
173.381	Irritating materials, irritant label; definition.
173.382	Irritating materials, not specifically provided for.
173.402	Labeling hazardous materials.
173.405	Explosives labels.
173.406	Nonflammable gas label.
173.407	Flammable gas label.
173.409	Flammable liquid label.
173.410	Flammable solid label.
173.413	Oxidizing material labels.
173.414	Poisonous material labels.
173.415	Irritating material labels.
173.416	Radioactive materials labels.
173.417	Corrosive material label.
173.420	Empty label.
173.421	Spontaneously combustible material label.
173.422	Water-reactive material label.
Appendix A to Part 173—Specifications for Colors.	

(B) In § 173.29, paragraphs (e) and (f) are amended to read as follows:

§ 173.29 Empty containers.

(e) Any packaging or accessory which has been used for a shipment of radioactive materials and which contains residual internal radioactive contamination, when shipped as empty, must be securely closed. The external surface must be free of significant removable radioactive contamination as provided in § 173.397(a). The radiation at the external surface of the packaging must not exceed 0.5 millirem per hour. The "Empty" label, described in § 173.420, must be affixed to the packaging.

(f) Unless otherwise specifically provided, any empty packaging offered for transportation (see paragraph (a) of this section) bearing labels described in §§ 173.405 through 173.422 (except § 173.420 of this subchapter) must have these labels removed, obliterated, or completely covered. The label described in § 173.420 is authorized for the latter purpose. Each packaging which last contained explosives and on which the word "Explosives" or the shipping name is printed, stenciled, or otherwise marked or applied, when shipped as empty, must have this marking completely covered or obliterated if shipped in less-than-carload or less-than-truckload lots, or on open-top or flat cars or on open-top or flatbed motor vehicles or trailers. Covering or obliteration

tion of these labels and markings is not required for carload or truckload shipments made in closed cars or van-type motor vehicles when loaded by the shipper and unloaded by the consignee or their authorized agents.

(C) In § 173.54, paragraph (b) is amended to read as follows:

§ 173.54 Ammunition for cannon.

(b) Each outside package must be plainly marked, "Ammunition for Cannon with Explosive Projectiles," "Ammunition for Cannon with Gas Projectiles" (see § 173.414(a) for required label), "Ammunition for Cannon with Smoke Projectiles," "Ammunition for Cannon with Incendiary Projectiles," or "Ammunition for Cannon with Illuminating Projectiles," as appropriate.

(D) In § 173.56, paragraph (g) is amended to read as follows:

§ 173.56 Ammunition, projectiles, grenades, bombs, mines, gas mines, and torpedoes.

(g) Bombs, projectiles, grenades, ammunition for cannon with gas projectiles, or other containers loaded with a poisonous gas or liquid, class A, and an explosive charge, either boxed or unboxed (see paragraph (c) of this section), must bear the "Poison Gas" label.

(E) In § 173.57, paragraph (b) is amended to read as follows:

§ 173.57 Rocket ammunition.

(b) Each outside package must be plainly marked "Rocket Ammunition with Explosive Projectiles," "Rocket Ammunition with Gas Projectiles" (see § 173.414(a) for required label), "Rocket Ammunition with Smoke Projectiles," "Rocket Ammunition with Incendiary Projectiles," or "Rocket Ammunition with Illuminating Projectiles," as appropriate.

(F) In § 173.86, paragraph (c) and paragraph (d) (6) are amended to read as follows:

§ 173.86 New explosives and samples for laboratory examination.

(c) Shipments of samples of explosives, fireworks, and explosive devices must be packaged, marked, and labeled (see paragraph (d) (6) of this section), and described as required by this part for the explosive contained therein.

(1) If the explosive in the sample has not been examined and approved as required by paragraph (a) of this section, a tentative classification must be assigned by:

(i) The Bureau of Explosives for other than military explosives, and

(ii) The Department of Defense (Army Material Command—AMCSF; Naval Ordnance Systems Command—ORD-048; HQ USAF, IGD/SEO) for military explosives.

(d) * * *

(6) Each package containing a sample of an explosive for laboratory examination must be clearly marked on the outside of the package with the words "Sample for Laboratory Examination," and labeled in accordance with § 173.402 of this subchapter.

(G) In § 173.91, paragraph (j) is canceled as follows:

§ 173.91 Special fireworks.

(j) [Canceled]

(H) In § 173.92, the heading is amended and paragraph (e) is canceled as follows:

§ 173.92 Jet thrust units (jato), Class B explosives; rocket motors, Class B explosives; igniters, jet thrust (jato), Class B explosives; igniters, rocket motors, Class B explosives; and starter cartridges, jet engine, Class B explosives.

(e) [Canceled]

(I) In § 173.93, paragraph (g) (2) is canceled as follows:

§ 173.93 Propellant explosives (solid) for cannon, small arms, rockets, guided missiles, or other devices, and propellant explosives (liquid).

(g) * * *

(2) [Canceled]

(J) In § 173.94, the heading is amended, paragraph (b) is canceled as follows:

§ 173.94 Explosive power devices, Class B.

(b) [Canceled]

(K) In § 173.101, paragraphs (c) and (d) are amended to read as follows:

§ 173.101 Small-arms ammunition.

(c) Packages containing small-arms ammunition are exempt from the label prescribed in § 173.402, but the outside of each package must be plainly marked "Small Arms Ammunition."

(d) Each package containing cartridges with irritant material must in addition to marking prescribed herein be marked "Irritating Agents" and must be labeled with the irritant label. (See § 173.415 for a description of the label.)

(L) In § 173.119, paragraph (h) (1) (i) is amended to read as follows:

§ 173.119 Flammable liquids not specifically provided for.

(h) * * *

(1) * * *

(i) *Bung label.* A flammable liquid as described in paragraph (e) or (f) of this section, shipped in a metal drum or barrel, in addition to the flammable liquid label described in § 173.409, must be labeled near the bung with a white rec-

tangular label or tag measuring 5 by 3 inches, bearing the following wording:

(M) In § 173.132, paragraph (b) is amended to read as follows:

§ 173.132 Cement, liquid, n.o.s., container cement, linoleum cement, pyroxylin cement, rubber cement, tile cement, wallboard cement, and coating solution.

(b) Cements, except cements containing carbon bisulfide, in glass, earthenware, or in leakproof containers with fiberboard bodies and metal tops and bottoms of not over 1-quart capacity each, or in metal containers of not over 5-gallon capacity each, packaged in a strong outside package are exempt from specification packaging, marking, and labeling requirements when offered for transportation by rail freight, highway, or water. However, when offered for transportation by water, name of contents must be marked on each outside package. Shipments for transportation by highway carriers are exempt also from Part 177 of this subchapter, except § 177.817. When offered for transportation by rail express, these shipments are exempt from specification packaging, marking, and labeling requirements, except that packages having inside containers of over 1-quart capacity each must be marked with name of contents and bear the flammable liquid label described in § 173.409. When a fiberboard box is used for these shipments by rail freight, rail express, highway, or water, the gross weight must not exceed 65 pounds.

(N) In § 173.144, paragraph (b) is amended to read as follows:

§ 173.144 Inks.

(b) Ink in glass or earthenware containers of not over 1-quart capacity each, or in metal containers of not over 5-gallon capacity each, packaged in a strong outside package is exempt from specification packaging, marking, and labeling requirements when offered for transportation by rail freight, highway, or water except that when offered for transportation by carrier by water, the name of contents must be marked on the outside package. Shipments for transportation by highway carriers are exempt also from Part 177 of this subchapter, except § 177.817. When offered for transportation by rail express, such shipments are exempt from specification packaging, marking, and labeling requirements, except that packages having inside containers of over 1-quart capacity each must be marked with name of contents and bear the flammable liquid label as described in § 173.409. When a fiberboard box is used for these shipments by rail freight, rail express, highway, or water, the gross weight must not exceed 65 pounds.

(O) In § 173.180, the introductory text of paragraph (a) is amended to read as follows:

§ 173.180 Motion-picture film, and X-ray film, unexposed.

(a) Motion-picture film, and X-ray film, unexposed (nitrocellulose base), when offered for transportation by rail express or by carrier by water must bear the flammable solid label described in § 173.410 and must be packaged in specification packagings as follows:

(P) Section 173.197a is amended to read as follows:

§ 173.197a Smokeless powder for small arms.

Smokeless powder for small arms in quantities not exceeding 100 pounds net weight transported in one car or motor vehicle may be classed as a flammable solid when approved for this classification by the Bureau of Explosives. Maximum quantity in any inside packaging must not exceed 8 pounds and inside packagings must be arranged and protected to prevent simultaneous ignition of the contents. The complete package must be a type approved by the Bureau of Explosives. Each outside package must bear a flammable solid label.

(Q) In § 173.260, paragraph (f) is amended to read as follows:

§ 173.260 Electric storage batteries, wet.

(f) Electric storage batteries containing electrolyte or corrosive battery fluid, other than those of the nonspillable type, when shipped in less-than-carload and less-than-truckload lots, must be marked and labeled as described in §§ 173.401(a), (c), and 173.417.

(R) In § 173.304, paragraph (a) (1) is amended to read as follows:

§ 173.304 Charging of cylinders with liquefied compressed gas.

(1) Specifications 3,¹ 3A, 3AA, 3B, 3BN, 3D, 3E, 4, 4A, 4B, 4BA, 4B-ET, 4BW, 9,¹ 25,¹ 26,¹ 38,¹ 39, 40,¹ or 41¹ (§§ 178.36, 178.37, 178.38, 178.39, 178.41, 178.42, 178.48, 178.49, 178.50, 178.51, 178.55, 178.61, 178.65 of this subchapter), except that no specification 9, 39, 40, or 41 packaging may be charged and shipped with a mixture containing a pyrophoric liquid, carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, nickel carbonyl, spirits of nitroglycerin, or poisonous material (Class A, B, or irritating material), unless specifically authorized in this part.

(S) In § 173.305, paragraph (d) is amended to read as follows:

§ 173.305 Charging of cylinders with a mixture of compressed gas and other material.

(d) *Poisonous mixtures.* A mixture containing any poisonous material, Class A, or irritating material in such proportions that the mixture would be classed as poisonous under § 173.326(a) or

¹ Use of existing cylinders authorized, but new construction not authorized.

§ 173.381(a) must be shipped in packagings as authorized for these poisonous materials.

(T) In § 173.325, paragraph (a) (3) is amended to read as follows:

§ 173.325 Classes of poisonous materials.

(a) * * *

(3) Irritating materials.

(U) In § 173.330, paragraph (a) is amended to read as follows:

§ 173.330 Chemical ammunition.

(a) Projectiles, shells, bombs, and grenades containing poisonous gases or liquids, Class A (§ 173.326), but not equipped or packaged with ignition elements, bursting charges, detonating fuzes, or explosive components, may be shipped only by, for, or to the Department of Defense. Each shipment must be packaged, marked, and labeled as required by their regulations. Each package must be labeled with the "Poison gas" label and marked "Nonexplosive" and with the name of the contents. (See §§ 173.53(r) and 173.59 for explosive chemical ammunition.)

(V) In § 173.381, the heading and paragraphs (a) and (c) are amended to read as follows:

§ 173.381 Irritating materials, irritant label; definition.

(a) For the purpose of Parts 170-189 of this subchapter, an irritating material is a liquid or solid substance which upon contact with fire or when exposed to air gives off dangerous or intensely irritating fumes, such as brombenzylcyanide, chloracetophenone, diphenylaminechlorarsine, and diphenylchlorarsine, but not including any poisonous material, Class A.

(c) The transportation of an irritating material is not permitted if there is any type of interconnection between packagings.

(W) In § 173.382, the heading, the introductory text of paragraphs (a) and (b) are amended to read as follows:

§ 173.382 Irritating materials, not specifically provided for.

(a) Irritating materials as defined in § 173.381(a) for which special packaging is not otherwise prescribed, must be packaged in specification packagings as follows:

(b) No irritating material may be loaded into or transported in any cargo tank.

(X) In § 173.383, paragraph (a) is amended to read as follows:

§ 173.383 Chemical ammunition.

(a) Chemical ammunition consisting of projectiles, shells, bombs, or other containers, except grenades, filled with an irritating material without ignition elements, bursting charges, detonating fuzes, or other explosive components,

must be packaged for shipment in strong outside wooden or metal boxes. Boxes must be marked with name of contents and labeled as prescribed in this part for gases, liquids, or chemicals contained therein.

§ 173.396 [Amended]

(Y) In § 173.396, paragraph (g) (3) is amended by changing § 173.414 to read "§ 173.416." See docket HM-73; Amendment No. 173-69 (38 FR 4396).

(Z) In § 173.399, the introductory text of paragraphs (a) and (b) are amended to read as follows:

§ 173.399 Labeling of packages of radioactive materials.

(a) Each package of radioactive materials, unless exempted by § 173.391 or § 173.392, must be labeled as provided in this section (see § 173.416 for description of labels). The label to be used must be determined by the transport index or other considerations as follows:

(b) A radioactive material having any other hazardous characteristic as defined elsewhere in this part also must bear any other labels as required by this part according to the hazards of the material (see §§ 173.2 and 173.402). For example:

(1) Packages containing the solid nitrates of uranium or thorium must bear both a "Radioactive" label and an "Oxidizer" label.

(AA) The editorial note immediately preceding § 173.400 is deleted.

(BB) In § 173.400, paragraphs (a) and (d) are amended; paragraph (a) (1) is added; paragraphs (e), (f), (g) and Note 2 following paragraph (a) are canceled as follows:

§ 173.400 Explosives.

(a) Each package containing explosives must be labeled as prescribed in § 173.402 and marked with its proper shipping name as shown in § 172.5 of this subchapter and such other marking as prescribed for the explosive in the shipment. Abbreviations must not be used. (See Note 1.)

NOTE 1 remains the same.

NOTE 2: [Canceled].

(1) Except as specified in paragraph (d) of this section, a label is not required on military ammunition shipped by, for, or to the U.S. Department of Defense when in carload or truckload shipments if the shipment is loaded and unloaded by the shipper, or the Department of Defense.

(d) Each package of chemical ammunition, explosive, containing poisonous gases, solids or liquids, Class A, Class B, or irritating material must also have securely attached to it labels described in § 173.414 or § 173.415, as appropriate.

(1) A carload or truckload shipment of chemical ammunition, explosive, containing poisonous gases, solids or liquids, Class A, Class B, or irritating material

offered for transportation by, for, or to the U.S. Department of Defense is exempt from labeling requirements when the shipment is loaded or unloaded by the shipper or his duly authorized agent and this shipment is accompanied by qualified personnel supplied with equipment to repair leaks or other container failure which will permit escape of contents.

(e) [Canceled]

(f) [Canceled]

(g) [Canceled]

(CC) In § 173.402, the heading and paragraphs (a) and (b) are amended to read as follows:

§ 173.402 Labeling hazardous materials.

(a) Except as otherwise provided in this part, no person may offer for transportation a package containing a hazardous material unless that package is conspicuously labeled in accordance with the following:

(1) For an explosive, an "Explosive A," "Explosive B," or "Explosive C" label as appropriate. For the label description, see § 173.405.

(2) For a nonflammable compressed gas, a "Nonflammable gas" label as described in § 173.406.

(3) For a flammable compressed gas, a "Flammable gas" label as described in § 173.407.

(4) For a flammable liquid, a "Flammable solid" label as described in § 173.409.

(5) For a flammable solid, a "Flammable solid" label as described in § 173.410.

(6) For an oxidizing material that is not an organic peroxide, an "Oxidizer" label as described in § 173.413(a).

(7) For an organic peroxide that is classed as an oxidizing material, an "Organic peroxide" label as described in § 173.413(b).

(8) For any poisonous material except an irritating material, a "Poison gas" or "Poison" label as appropriate. For the label description see § 173.414.

(9) For a poisonous material that is an irritating material, an "Irritant" label as described in § 173.415.

(10) For a radioactive material, "Radioactive—White I," "Radioactive Yellow—II," or "Radioactive Yellow—III" labels, as appropriate. Each package must be labeled with two such labels, affixed to opposite sides of the package. For the label description see § 173.416.

(11) For a corrosive material, a "Corrosive" label as described in § 173.417.

(12) As prescribed for use under § 173.29 of this subchapter, an "Empty" label as described in § 173.420.

(13) For a metal barrel or drum containing a flammable liquid having a vapor pressure exceeding 16 p.s.i.a., a "Bung" label as described in § 173.119(h)(1)(i).

(b) If the material in a package has more than one classification, one of which is class A explosives, class A poison, or radioactive materials, the package must be labeled for each hazard.

(DD) In § 173.403, paragraph (a) is amended and paragraphs (b) and (c) are canceled as follows:

§ 173.403 Labels for mixed packing.

(a) When hazardous materials having different classifications are packed within the same packaging or the same outer enclosures as described in § 173.25, the outside of the package must be labeled as required for each material involved.

(b) [Canceled]

(c) [Canceled]

(EE) In § 173.404, paragraphs (b), (d), (e), and (g) are amended; paragraphs (f) and (h) and note following paragraph (g) are added to read as follows:

§ 173.404 Labels.

(b) Labels must not be applied to a package containing only material which is not subject to Parts 170-189 of this subchapter or which is exempted therefrom. However, this paragraph does not prohibit the use of labels required for purposes of import or export shipments or required by 14 CFR 103.13 of the Federal Aviation Regulations on packages destined for transportation by air.

(d) Except as otherwise provided in this part, each label must be diamond shape with each side at least 4 inches long and have a solid line border at least 3.5 inches long on each side. The specifications for colors in Appendix A to this part should be followed for the colors prescribed in §§ 173.405 through 173.422.

(e) Form identification information (including name of supplier) may be printed on a label, in type not larger than 10 point, if it is placed outside of the solid line border of the label.

(f) For import shipments only, labels affixed to packages in another country having the same size, symbols, and color as prescribed in these regulations are authorized in place of the labels prescribed herein. They may contain inscriptions required by the country of origin.

(g) A label may be overprinted or overprinted with the appropriate hazard class numeral as listed in § 172.4 of this subchapter. The number should be black, at least 0.25 inch in height, and must be located in the bottom corner of the label.

NOTE: The display of the class number on labels is required by some foreign governments.

(h) Labels required by the regulations immediately prior to January 1, 1974, may be used until January 1, 1975. This provision does not apply to the required use of labels for explosives.

(FF) Section 173.405 is amended to read as follows:

§ 173.405 Explosives labels.

(a) Each "Explosive A," "Explosive B," and "Explosive C" label except for size and color, must be as shown:



(1) In addition to the requirements specified in § 173.404, each label must be orange, with the inscription, border, and symbol black.

(GG) Section 173.406 is amended to read as follows:

§ 173.406 Nonflammable gas label.

(a) Each "Nonflammable gas" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be green, with the inscription, border, and symbol black.

(HH) Section 173.407 is amended to read as follows:

§ 173.407 Flammable gas label.

(a) Each "Flammable gas" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be red, with the inscription, border, and symbol black.

§ 173.408 [Canceled]

(II) Section 173.408 is canceled.

(JJ) Section 173.409 is amended to read as follows:

§ 173.409 Flammable liquid label.

(a) Each "Flammable liquid" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be red, with the inscription, border, and symbol black.

(KK) Section 173.410 is amended to read as follows:

§ 173.410 Flammable solid label.

(II) Section 173.408 is canceled.

(a) Each "Flammable solid" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be white with vertical red stripes as depicted by the shaded area, with the inscription, border, and symbol black. The words "Flammable solid" must not contact any red stripe.

§§ 173.411-173.412 [Canceled]

(LL) Section 173.411 is canceled.

(MM) Section 173.412 is canceled.

(NN) Section 173.413 is amended to read as follows:

§ 173.413 Oxidizing material labels.

(a) Each "Oxidizer" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be yellow, with the inscription, border, and symbol black.

(b) Each "Organic peroxide" label except for size and color must be as shown:

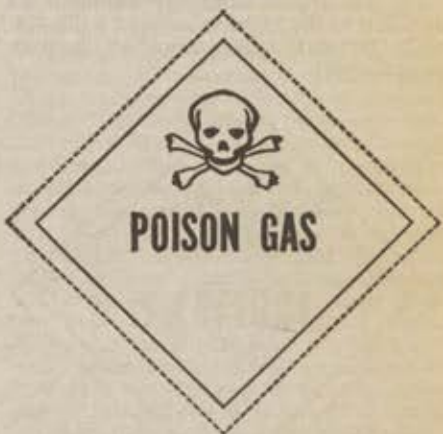


(1) In addition to the requirements of § 173.404, each label must be yellow, with the inscription, border, and symbol black.

(OO) Section 173.414 is amended to read as follows:

§ 173.414 Poisonous material labels.

(a) In addition to the requirements of § 173.404, each "Poison gas" label except for size must be as shown:



(b) In addition to the requirements of § 173.404, each "Poison" label except for size must be as shown:



(1) For export or import shipments and if required by the regulations of the country of origin, destination, or through which the shipment will be transported, this label may be used for etiologic agents

in addition to the label required by § 173.388.

(PP) Section 173.415 is added to read as follows:

§ 173.415 Irritant material labels.

(a) Each "Irritant" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, the inscription must be in red and the border black.

(2) For import or export shipment, in addition to the requirements of § 173.404, each "Irritant" label except for size may be as shown:



(QQ) Section 173.416 is added to read as follows:

§ 173.416 Radioactive materials labels.

(a) Each "Radioactive-White-I" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, each label must be white. The printing, border, and symbol must be black except that the vertical bar must be a red overprint.

(b) Each "Radioactive Yellow-II" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, the upper half must be yellow and the bottom half must be white. The printing, border, and symbol must be black except that the two vertical bars must be a red overprint.

(c) Each "Radioactive Yellow-III" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, the upper half must be yellow and the bottom half must be

white. The printing, border, and symbol must be black except that the three vertical bars must be a red overprint.

(RR) Section 173.417 is added to read as follows:

§ 173.417 Corrosive material label.

(a) In addition to the requirements of § 173.404, each "Corrosive" label except for size must be as shown:



(SS) Section 173.420 is added to read as follows:

§ 173.420 Empty label.

(a) Each "Empty" label except for size must be as shown:



(1) Each side must be at least 6 inches long, with each letter at least 1 inch high.

(TT) Section 173.421 is added to read as follows:

§ 173.421 Spontaneously combustible material label.

(a) The "Spontaneously combustible" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, the label must be white in the upper half and red in the lower half. The inscription, border, and symbol must be black.

(b) If use of this label is required by the regulations of another country, it may be used in addition to the label required by § 173.402.

(UU) Section 173.422 is added to read as follows:

APPENDIX A TO PART 173—SPECIFICATIONS FOR COLORS

Specifications for colors (in Munsell notations) on labels and placards are as follows:

Color	Paint, lacquer, enamel and plastic								Printing ink—Centroid	
	Centroid	Tolerances						Chroma ²		Chroma ³
		Hue		Value		Chroma ²	Chroma ³			
		+	-	+	-					
Red.....	7.5R 4.0/14	8.5R	6.5R	4.6/	3.5/	1/16	1/12	7.5R 4.3/13.		
Orange.....	5.0YR 6.0/15	6.25YR	3.75YR	6.5/	5.5/	1/16	1/13	5YR 6.5/14.		
Yellow.....	5.0Y 8.0/12	6.5Y	3.5Y	8.5/	7.5/	1/14	1/10	5Y 8.2/12.		
Green.....	7.5G 4.0/9	6.5BG	5.0G	4.5/	3.5/	1/11	1/7	7.5G 4.1/9.		
Blue.....	2.5PB 3.5/10	4.5PB	10.0B	4.0/	3.0/	1/12	1/8	2.5PB 4.2/10.		
Purple.....	10.0P 4.5/10	2.5RP	7.5P	5.0/	4.0/	1/12	1/8	10P 4.5/12.		

NOTE 1: Black and colors on labels and placards must be capable of withstanding a 72-hour fadeometer test, and withstanding open-weather exposure for no less than 30 days without a substantial reduction in effectiveness.

NOTE 2: The maximum chroma is not limited. Colors within the specified hue and value limits may have any saturation above that specified for the chroma minimum, however, chroma at least as strong as the centroid is desired.

NOTE 3: For the colors green and purple, the minimum saturation (chroma) limits for porcelain enamel on metal are lower than for most other surface coatings. Therefore, the minimum chroma limits for porcelain enamel on metal for these 2 colors may be as low as that shown in the chroma double minus column.

NOTE 4: Color chips are available from the National Technical Information Service (NTIS), Springfield, Va. 22151, as a set of the 6 colors and prescribed tolerances for \$15 per set.

PART 174—CARRIERS BY RAIL FREIGHT

(A) In § 174.507, the sentence preceding paragraph (a), and paragraph (c) are amended to read as follows:

§ 174.507 Labels.

(See §§ 173.405 to 173.422 of this subchapter for description of labels.)

(c) Labels prescribed in §§ 173.405 through 173.422 of this subchapter must have been applied to packages by the shipper, unless exempted from the labeling requirements, the exemption being noted on the shipping paper.

§ 174.511 [Amended]

(B) In § 174.511, the text following the certification is canceled.

§ 173.422 Water-reactive material label.

(a) The "Dangerous when wet" label except for size and color must be as shown:



(1) In addition to the requirements of § 173.404, the label must be blue. The inscription, border, and symbol must be black.

(b) If use of this label is required by the regulations of another country, it may be used in addition to the label required by § 173.402.

(VV) Appendix A is added to Part 173 to read as follows:

(C) In § 174.527, paragraph (a) is amended to read as follows:

§ 174.527 Forbidden mixed loading and storage.

(a) Class A explosives and initiating or priming explosives must not be transported together in the same rail car. Additionally, they must not be transported, loaded, or stored on carrier property with charged electric storage batteries or with any hazardous material for which a flammable liquid, flammable solid, flammable gas, oxidizer, organic peroxide, non-flammable gas, corrosive, or radioactive label is prescribed in these regulations.

(D) In § 174.532, paragraphs (b) and (c) and paragraphs (b)(1) and (b)(2) are amended to read as follows:

§ 174.532 Loading other hazardous materials.

(b) Flammable liquids or flammable gases must not be loaded, transported, or stored in cars equipped with any type of lighted heater or open-flame device, or in cars equipped with any apparatus or mechanism utilizing an internal combustion engine in its operation.

(1) Flammable liquids or flammable gases must not be loaded in truck bodies or trailers equipped with lighted heaters or any automatic heating or refrigerating apparatus when such truck bodies or trailers are loaded on flatcars.

(2) This prohibition does not apply and heating or refrigeration apparatus may be operated on motor vehicles loaded on flatcars when such motor vehicles are loaded with flammable liquids or flammable gases, when the lading space is equipped with no electrical apparatus other than nonsparking or explosion-proof types, no combustion apparatus in the lading space, and no connection for return of air from the lading space to any combustion apparatus. The heating system must be such that no part of the lading is heated over 130° F., and conforms to § 393.77 of this title.

(c) Packages bearing labels must be loaded so they cannot fall and other packages cannot fall onto or slide against them. This requirement does not preclude the use of loading methods that are designed to permit limited movement of the load and that are approved in writing by the Federal Railroad Administrator. Packages bearing markings "This Side Up" or "This End Up" must be so loaded. Hazardous materials for which a flammable liquid, flammable gas, flammable solid, oxidizer, nonflammable gas, or a corrosive label (liquids only) is prescribed herein must not be loaded in the same car with explosives named in §§ 173.53 to 173.87 of this subchapter. (See loading and storage chart § 174.538.) Packages bearing a flammable solid or an oxidizer label must not be loaded in the same end of a car with packages bearing a corrosive label (liquids only), except that shippers loading carload shipments who have obtained prior approval from the Department, may load materials together when it is known that the mixture of contents would not cause a dangerous evolution of heat or gas.

(E) In § 174.538, paragraph (a) chart, the headings of columns 10, 11, 12, and 13, both horizontally and vertically, and footnote b are amended to read as follows:

§ 174.538 Loading and storage chart of hazardous materials.

(a) * * *
Chart * * *

Column 10: Flammable liquids or flammable gases; Flammable liquid or flammable gas label.

Column 11: Flammable solids or oxidizing materials; Flammable solid, oxidizer, or organic peroxide label.

Column 12: Corrosive liquids; Corrosive label.

Column 13: Nonflammable gases; Nonflammable gas label.

* Unless loaded in opposite ends of car, corrosive liquids must not be loaded with flammable solids, oxidizing materials, ammunition for cannon with or without projectiles, or propellant explosives, except that shippers loading carload shipments of corrosive liquids and flammable solids or oxidizing materials and who have obtained prior approval from the Department may load such materials together when it is known that the mixture of contents will not cause a dangerous evolution of heat or gas.

(F) In § 174.541, paragraphs (a) (1) and (b) are amended to read as follows:

§ 174.541 "Dangerous" placards: "Dangerous—Radioactive material" placards; or "Caution—Residual phosphorus" placards.

(a) *

(1) Cars containing one or more packages bearing a flammable liquid, flammable solid, flammable gas, oxidizer, organic peroxide, corrosive (liquid only), or poison label, as described in §§ 173.405 to 173.417 of this subchapter.

(b) "Dangerous—Radioactive Material" placards, as prescribed in § 174.553, must be applied to cars containing packages bearing a "radioactive yellow-III" label (three vertical red stripes) as described in § 173.416(c) of this subchapter, and to carload lots under §§ 173.392 and 173.393 (j) and (k) of this subchapter.

(G) In § 174.544, subparagraphs (a) (2), (a) (3), and (a) (6) are amended to read as follows:

§ 174.544 Placards not required.

(a) *

(2) Cars, other than tank cars, containing nonflammable gas.

(3) Cars containing irritating materials.

(6) Cars containing packages of radioactive material which are exempted from labeling under § 173.391 of this subchapter, which bear only the labels described in § 173.416 (a) and (b) of this subchapter, or which are exempted from placarding under § 173.392(c) (7) of this subchapter.

(H) In § 174.576, paragraph (b) is amended to read as follows:

§ 174.576 Intermediate shippers and carriers.

(b) Every carrier offering or delivering for rail transportation any loaded motor vehicle or any loaded motor vehicle trailer, semitrailer, or container containing any hazardous material shall show on the shipping order, shipping paper, transfer sheet, or other billing issued in place thereof, in addition to the description of the vehicle or container, the proper name of the material

as shown in § 172.5 of this subchapter and the kind of placards applied.

§ 174.584 [Amended]

(I) In § 174.584 paragraph (a) table, the first column headed, "Label Notation to Follow Entry of the Article on the Billing," is deleted.

§ 174.586 [Amended]

(J) In § 174.586, paragraph (h) (3) is amended by changing § 173.414 to read "§ 173.416." See Docket HM-73; Amendment No. 174-16 (38 FR 4396).

(K) In § 174.598, paragraph (c) is amended to read as follows:

§ 174.598 Inspection of cars at interchange.

(c) Shipments of hazardous materials offered by connecting lines must comply with Parts 170-189 of this subchapter, and the revenue waybill, freight bill, manifest of lading, card waybill, switching order, transfer slip ticket, or other billing, must bear the placard endorsement prescribed by § 174.584.

PART 175—CARRIERS BY RAIL EXPRESS

(A) In § 175.653, paragraph (a) is amended to read as follows:

§ 175.653 Labels.

(a) Labels described in §§ 175.405 through 173.422 of this subchapter must have been applied to packages by the shipper, unless exempted from the labeling requirements, the exemption being noted on the shipping paper.

§ 175.654 [Amended]

(B) In § 175.654, the text following the certification is canceled.

(C) In § 175.655, paragraph (d) and the introductory text of paragraph (h) are amended; paragraph (j) (4) is amended by changing § 173.414 to read "§ 173.416." See Docket HM-73; Amendment No. 175-9 (38 FR 4396).

§ 175.655 Protection of packages.

(d) Shipments of hazardous materials, except poisons and nonflammable compressed gases, when transported in passenger carrying trains, should be loaded in the car occupied by an express employee or in connecting cars to which an express employee has access through end doors, and in a place that will permit their ready removal in case of fire. They must not be loaded in cars or stored in stations near steam pipes or other sources of heat. Explosives, flammable liquids, and flammable compressed gases must not be loaded, transported, or stored in cars or stations equipped with lighted heaters or where open-flame lights or stoves or electric devices having exposed heating coils are used. No placards are required on these cars when occupied by an express employee. Packages bearing a poison label, when practicable, should be loaded in sealed cars; when loaded in cars occupied by a mes-

senger, care should be taken to prevent any contents sifting or leaking from packaging.

(h) Carriers shall prevent contact of contents of packages bearing either a flammable solid, oxidizer, or corrosive label with combustible substances, such as sawdust, shavings, or sweepings, that may be present in express cars. The space should be swept or cleaned.

PART 176—RAIL CARRIERS IN BAGGAGE SERVICE

(A) In § 176.703, paragraph (b) table is amended by changing all "Red gas label" in the second column to read "Flammable gas label" and the "Green gas label" to read "Nonflammable gas label"; paragraph (f) is amended to read as follows:

§ 176.703 Acceptable articles.

(f) When slow-burning (nonflammable) motion-picture films are packaged in the same outside containers with flammable motion-picture films, the outside packages must bear the flammable solid label, and the total contents of the outside container must not exceed the quantity or gross weight permitted for flammable films. (See paragraph (e) of this section.)

§ 176.704a [Amended]

(B) In § 176.704a, the text following the certificate is canceled.

(C) In § 176.704b, paragraph (a) is amended to read as follows:

§ 176.704b Labels.

(a) Labels described in §§ 173.405 through 173.422 of this subchapter must have been applied to packages by the shipper, unless exempted from the labeling requirements, the exemption being noted on the shipping papers.

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

(A) In § 177.802, paragraphs (b), (c), and (d) are canceled as follows:

§ 177.802 Application of regulations in Parts 170-189 of this chapter.

(b) [Canceled]

(c) [Canceled]

(d) [Canceled]

(B) In § 177.815, paragraph (a) is amended to read as follows:

§ 177.815 Labels.

(a) Labels described in §§ 173.405 through 173.422 of this subchapter must have been applied to packages by the shipper, unless exempted from the labeling requirements, the exemption being noted on the shipping paper.

(C) In § 177.819 paragraph (a), the text following the certificate is canceled.

(D) In § 177.821, paragraph (f) is amended to read as follows:

§ 177.821 Hazardous materials forbidden or limited for transportation.

(f) Smokeless powder for small arms in quantities not exceeding 100 pounds net weight transported in one car or motor vehicle may be classed as a flammable solid when approved for this classification by the Bureau of Explosives. Maximum quantity in any inside packaging must not exceed 8 pounds and inside packagings must be arranged and protected to prevent simultaneous ignition of the contents. The complete package must be a type approved by the Bureau of Explosives. Each outside package must bear a flammable solid label.

(E) In § 177.823, paragraph (a) (4) is amended and note 1 following paragraph (b) (1) is canceled as follows:

§ 177.823 Required exterior marking on motor vehicles and combinations.

(a)
(4) Any motor vehicle, trailer, or other cargo-carrying body containing more than one kind of hazardous material requiring different placards under the provisions of subparagraph (a) (1) of this paragraph, the aggregate gross weight of which totals 1,000 pounds or more, must be marked or placarded "Dangerous" instead of being marked or placarded as required by that subparagraph. Any such vehicle which contains any quantity of explosives class A, explosives class B, poison class A, or radioactive materials requiring labeling as described in § 173.416(c) of this subchapter, must display the marking or placard "Explosives A," "Explosives B," "Poison," or "Radioactive," as appropriate, in addition to the marking or placard "Dangerous." If explosives class A and explosives class B are loaded on the same vehicle, the "Explosives B" marking need not be displayed.

(b)

(1)

NOTE 1: [Canceled].

(F) In § 177.834, paragraph (1) is amended to read as follows:

§ 177.834 General requirements.

(1) Truck bodies or trailers equipped with heaters or automatic refrigeration apparatus. Except as provided in subparagraph (1) of this paragraph flammable liquids and flammable gases must not be loaded in truck bodies or trailers equipped with heaters or automatic refrigerating apparatus unless the auto-

matic apparatus is rendered inoperative. The fuel tanks for such apparatus must be empty or removed from the vehicle, except that liquefied petroleum gas fuel tanks exterior to the vehicle body may have their valves closed and disconnected from the fuel feed lines in place of being emptied or removed.

(G) In § 177.838, paragraphs (e) (2) and (g) are amended to read as follows:

§ 177.838 Flammable solids and oxidizing materials.

(e)
(2) *Flammable liquids.* Matches must not be loaded next to a package bearing a flammable liquid label.

(g) Smokeless powder for small arms in quantities not exceeding 100 pounds net weight transported in one car or motor vehicle may be classed as a flammable solid when approved for this classification by the Bureau of Explosives. Maximum quantity in any inside packaging must not exceed 8 pounds and inside packagings must be arranged and protected so as to prevent simultaneous ignition of the contents. The complete package must be a type approved by the Bureau of Explosives. Each outside packaging must bear a flammable solid label.

(H) In § 177.841, paragraphs (b) and (c) are amended to read as follows:

§ 177.841 Poisons.

(b) No Class A or irritating materials in cargo tanks. No poison, Class A, or irritating material may be loaded into or transported in any cargo tank.

(c) *Class A poisons or irritating materials.* The transportation of a Class A poison or an irritating material is not permitted if there is any interconnection between packagings.

§ 177.842 [Amended]

(I) In § 177.842, paragraph (f) is amended by changing § 173.414 to read § 173.416. See Docket HM-73; Amendment No. 177-23 (38 FR 4396).

(J) In § 177.848 paragraph (a) chart, the headings of columns 10, 11, 12, and 13 both horizontally and vertically, and footnote b following the table are amended to read as follows:

§ 177.848 Loading and storage chart of hazardous materials.

(a)
Chart
Column 10: Flammable liquids or flammable gases; Flammable liquid or flammable gas label.

Column 11: Flammable solids or oxidizing materials; Flammable solid, oxidizer, or organic peroxide label.

Column 12: Corrosive liquids; Corrosive label.

Column 13: Nonflammable gases; Nonflammable gas label.

* Corrosive liquids must not be loaded above or adjacent to flammable solids, oxidizing materials, ammunition for cannon with or without projectiles, or propellant explosives, except that shippers loading truckload shipments of corrosive liquids and flammable solids or oxidizing materials packages and who have obtained prior approval from the Department may load such materials together when it is known that the mixture of contents would not cause a dangerous evolution of heat or gas.

(K) In § 177.870, paragraph (g) is amended to read as follows:

§ 177.870 Regulations for passenger carrying vehicles.

(g) *Radioactive materials.* In addition to the limitations prescribed in paragraphs (b) and (e) of this section, no person may transport any radioactive material requiring labels under § 173.416 of this subchapter in or on any motor vehicle carrying passengers for hire except where no other practicable means of transportation is available. Packages of radioactive materials must be stored only in the trunk or baggage compartment of the vehicle, and must not be stored in any compartment occupied by persons. Packages of radioactive materials must be handled and placed in the vehicle as prescribed in § 177.842.

This amendment is effective January 1, 1974. However, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831-835 of Title 18, United States Code, sec. 9 of the Department of Transportation Act, 49 U.S.C. 1657; title VI sec. 902(h), Federal Aviation Act of 1958, U.S.C. 1421-1430, 1472, 1655(c).)

Issued in Washington, D.C. on February 12, 1973.

JAMES F. RUDOLPH,
Board Member for the
Federal Aviation Administration.

KENNETH L. PIERSON,
Alternate Board Member for the
Federal Highway Administration.

MAC E. ROGERS,
Board Member for the
Federal Railroad Administration.

W. F. REA, III,
Rear Admiral, Board Member for the
U.S. Coast Guard.

[FR Doc. 73-3317 Filed 2-26-73; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 73-20 N]

HAZARDOUS MATERIALS

Marking and Labeling

The purpose of this document is to inform the carriers of hazardous materials by water that on page 5292 of this issue of the *FEDERAL REGISTER* an amendment to 49 CFR Parts 172, 173, 174, 175, 176 is published. This amendment changes the labels required on packages of hazardous materials. The new labels being adopted are those contained in the United Nations System.

Regulations in 46 CFR Part 146 concerning labels are not being revised at the present time because the use of UN labels is already permitted (§§ 146.02-10 and 146.02-11) and the Department of Transportation's labeling system is incorporated by reference (§ 146.05-15). Labels presently authorized in 46 CFR Part 146 may be used until 1 January 1975.

Dated: February 6, 1973.

W. F. REA, III,
*Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant
Marine Safety.*

[FR Doc. 73-3318 Filed 2-26-73; 8:45 am]

TUESDAY, FEBRUARY 27, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 38

PART III



COST ACCOUNTING STANDARDS BOARD

■

**CAPITALIZATION OF TANGIBLE
ASSETS AND DEFINITIONS**

Title 4—Accounts
CHAPTER III—COST ACCOUNTING
STANDARDS BOARD
PART 400—DEFINITIONS
Miscellaneous Amendments

Section 400.1(a) is amended by inserting the following definitions alphabetically:

§ 400.1 Definitions.

(a) * * *

Asset accountability unit. A tangible capital asset which is a component of plant and equipment that is capitalized when acquired or whose replacement is capitalized when the unit is removed, transferred, sold, abandoned, demolished, or otherwise disposed of.

Original complement of low cost equipment. A group of items acquired for the initial outfitting of a tangible capital asset or an operational unit, or a new addition to either. The items in the group individually cost less than the minimum amount established by the contractor for capitalization for the classes of assets acquired but in the aggregate they represent a material investment. The group, as a complement, is expected to be held for continued service beyond the current period. Initial outfitting of the unit is completed when the unit is ready and available for normal operations.

Repairs and maintenance. Maintenance is the regularly recurring activity of keeping assets in normal or expected operating condition. Repair is the activity of putting them back into normal or expected operating condition. The total endeavor to obtain the expected service during the life of tangible capital assets is generally called repairs and maintenance.

* * *
ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc. 73-3674 Filed 2-26-73; 8:45 am]

**PART 404—CAPITALIZATION OF
TANGIBLE ASSETS**

The Standard on Capitalization of Tangible Assets published today is one of a series being promulgated by the Cost Accounting Standards Board pursuant to section 719 of the Defense Production Act of 1950, as amended (Public Law 91-379, 50 U.S.C. app. 2168), which provides for the development of Cost Accounting Standards to be used in connection with negotiated national defense contracts.

Work preliminary to the development of this Standard was initiated as the result of recognition that the general subject of fixed asset accounting has been the source of continuing problems between contractors and the Government concerning equitable determinations of the costs attributable to performance of specific contracts. The problems include (1) determination of the acquisition costs

to be capitalized as opposed to those which are charged against revenues of the current period, (2) determination of appropriate depreciation charges for a given fiscal period, (3) determination of the appropriate allocation of depreciation charges among contractor activities, and (4) determination of appropriate techniques for treating dispositions of fixed assets. This Standard establishes the beginning point for fixed asset accounting as described in (1) above. It does not cover the other related topics.

Early research on this Standard included an extensive review of available literature on the subject and a review of decisions of contract appeals boards and courts. A preliminary analysis of the entire topic of fixed asset accounting was made and a number of issues were identified; comments on this analysis were obtained in response to an extensive mailing. After careful evaluation of the comments, the Board developed and circulated a questionnaire on tangible fixed asset accounting practices. The replies to the questionnaire were considered in the preparation of a preliminary draft of the Standard on Capitalization of Tangible Assets, which was, in turn, widely distributed for informal comment by interested parties.

The Standard now being promulgated is derived from the proposal which was published in the *FEDERAL REGISTER* for October 5, 1972, with an invitation for interested parties to submit data, views, and arguments to the Board. The Board supplemented that *FEDERAL REGISTER* publication by sending copies of the *FEDERAL REGISTER* material directly to organizations and individuals who were expected to be interested. Responses were received from 107 sources, including individual companies, Government agencies, professional associations, industry associations, public accounting firms, universities, and others. All of the comments have been carefully considered by the Board.

Most of those who commented expressed general concurrence with the provisions of the proposal. Many of the contractors who commented indicated that their practices in most respects already complied with the Standard; most suggested that the proposal should be modified only in a few respects. The Board takes this opportunity to express its appreciation for the helpful suggestions and criticisms which have been furnished. Many companies and individuals have devoted significant talent and effort to the improvement of this Standard.

The comments below summarize the major issues discussed in connection with the October 5 proposal and explain the major changes which have been made.

(1) *Adequacy of existing situation.* Some commentators contended that the Board should not promulgate any rules in this area because the applicable principles have been well established and accepted. The Board, however, finds that the existing regulations have failed to establish reasonable uniformity of capi-

talization practices among comparable organizations.

(2) *Specificity.* Some interested parties criticized the proposed Standard on the basis that it was "too procedural." Those who comment in this vein tend to assert that this Cost Accounting Standard should deal only with criteria and policies. Others criticized the October 5 proposal as being too general and failing to provide sufficient guidance about treatment of specific types of costs (such as sales tax) or certain types of transactions (such as deferred maintenance).

The Standard provides practical implementation for the basic concept of direct identification of costs with final cost objectives to the maximum practical extent. The acquisition costs of tangible assets should be identified and capitalized wherever the service lives and amounts involved are so significant that contract costs would be distorted if the acquisition costs were not capitalized. The main feature of this Standard is the requirement that contractors consistently apply reasonable capitalization policies in accordance with criteria stated in the Standard.

A policy for capitalization is a policy for distinguishing between assets and expenses. Immediate charge-off is justifiable as a practical expedient in those situations where the improved allocation of cost among cost objectives and accounting periods which would be attainable by capitalization is not worth the administrative costs which would be required. Assets with either short service lives or minor acquisition costs are conveniently accounted for as charges against current revenues.

When a transaction is identified as the acquisition of a tangible capital asset, the full cost of acquiring the asset should be capitalized. The Board might have applied this concept by requiring the inclusion of specific elements of cost in the determination of acquisition cost. As one example, it would be appropriate in concept to capitalize sales and use taxes as a part of the acquisition cost because such taxes are clearly caused by the acquisition. However, as many commentators have stated, a requirement to capitalize such taxes and similar costs would require significant changes in contractor's accounting systems, and the benefit from such increased uniformity may not exceed the expected cost to contractors if required to change from their present practices. The Standard, therefore, does not specifically require the capitalization of sales or use taxes or other collateral costs of acquiring tangible capital assets. The subject remains under active consideration by the Board and if further study should indicate that the benefits from increased uniformity in this area would outweigh probable administrative costs, the Board will take affirmative action on this subject.

This Standard does not provide procedural detail for determining the accounting treatment for some specific kinds of transactions related to existing assets. The major problems encountered