

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

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

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

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

§ 172.404 Labels for mixed and consolidated packaging.

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

(b) *Consolidated packaging.* When two or more packages containing compatible hazardous materials are placed within the same outside container or overpack, the outside container or overpack must be labeled as required for each class of hazardous material contained therein, unless labels representative of each hazardous material in the outside container or overpack are visible.

(c) *Consolidation bins used by a single motor carrier.* Notwithstanding the provisions of paragraph (b) of this section, labeling of a consolidation bin is not required under the following conditions:

(1) The consolidation bin must be reusable, made of materials such as plastic, wood, or metal and must have a capacity of 64 cubic feet or less;

(2) Hazardous material packages placed in the consolidation bin must be properly labeled in accordance with this subpart;

(3) Packages must be compatible as specified in § 177.848 of this subchapter;

(4) Packages may only be placed within the consolidation bin and the bin be loaded on a motor vehicle by an employee of a single motor carrier;

(5) Packages must be secured within the consolidation bin by other packages or by other suitable means in such a manner as to prevent shifting of, or significant relative motion between, the packages that would likely compromise the integrity of any package;

(6) The consolidation bin must be clearly and legibly marked on a tag or fixed display device with an indication of each hazard class or division contained within the bin;

(7) The consolidation bin must be properly blocked and braced within the transport vehicle; and

(8) Consolidation bins may only be transported by a single motor carrier, or on railcars transporting such vehicles.

[76 FR 43527, July 20, 2011]

§ 172.405 Authorized label modifications.

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

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

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

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