



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

APR 28 2017

Mr. Eric Fishman  
220 Laboratories  
2375 3rd Street  
Riverside, CA 92507

Reference No. 16-0184

Dear Mr. Fishman:

This letter is in response to your November 3, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking of Department of Transportation (DOT) specification packagings. Specifically, you ask if it is permissible for the specification marking and "M number" to be covered by an opaque label that can be removed easily during a DOT investigation.

The answer is no. In accordance with § 178.3(a)(1), the markings on a packaging must be in an unobstructed area, with letters and numerals identifying the standards or specification of the packaging. In addition, § 178.3(a)(3) states "the markings must be stamped, embossed, burned, printed or otherwise marked on the packaging to provide adequate accessibility, permanency, contrast, and legibility so as to be readily apparent and understood." It is the opinion of this Office that covering the specification marking and "M number" with an opaque label would not meet the aforementioned requirements.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

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