

**§ 171.11 [Amended]**

■ 5. In § 171.11, amend the introductory paragraph by removing the parenthetical phrase “(incorporated by reference, see § 171.7)” and adding the parenthetical phrase “(IBR, see § 171.7)” in its place.

■ 6. In § 171.12, paragraphs (b) introductory text, (d) introductory text, and paragraph (e)(5) are revised to read as follows:

**§ 171.12 Import and export shipments.**

(b) *IMDG Code*. The IMDG Code (IBR, see § 171.7) sets forth descriptions, classifications, packagings, labeling and vessel stowage requirements. Notwithstanding the provisions of this subchapter, a material that is packaged, marked, classed, labeled, placarded, described, stowed and segregated, and certified (including a container packing certification, if applicable) in accordance with the IMDG Code, and otherwise conforms to the requirements of this section, may be offered and accepted for transportation and transported within the United States. The following conditions and limitations apply:

(d) *Use of International Atomic Energy Agency (IAEA) regulations for Class 7 (radioactive) materials*. Class 7 (radioactive) materials being imported into or exported from the United States, or passing through the United States in the course of being shipped between places outside the United States, may be offered and accepted for transportation when packaged, marked, labeled, and otherwise prepared for shipment in accordance with IAEA “Regulations for the Safe Transport of Radioactive Material,” Safety Series No. 6 or TS-R-1 (IBR, see § 171.7), if—

(e) \* \* \*

(5) A label or placard that conforms to the UN Recommendations (IBR, see § 171.7) specifications for a “Division 2.3” or “Division 6.1” label or placard may be substituted for the POISON GAS or POISON INHALATION HAZARD label or placard required by §§ 172.400(a) and 172.504(e) of this subchapter on a package transported in a closed transport vehicle or freight container. The transport vehicle or freight container must be marked with identification numbers for the material, regardless of the total quantity contained in the transport vehicle or freight container, in the manner specified in § 172.313(c) of this subchapter and placarded as required by subpart F of this subchapter.

■ 7. In § 171.12a, paragraph (b) introductory text is revised to read as follows:

**§ 171.12a Canadian shipments and packagings.**

(b) *Conditions and limitations*. Notwithstanding the requirements of parts 172, 173, and 178 of this subchapter, and subject to the limitations of paragraph (a) of this section, a hazardous material that is classed, marked, labeled, placarded, described on a shipping paper, and packaged in accordance with the Transportation of Dangerous Goods (TDG) Regulations (IBR, see § 171.7) issued by the Government of Canada may be offered for transportation and transported to or through the United States by motor vehicle or rail car. The following conditions and limitations apply:

**PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS**

■ 8. The authority citation for part 172 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127; 49 CFR 1.53.

**PART 172—[AMENDED]**

■ 9. In Part 172, amend the following sections by removing the parenthetical phrase “(see § 171.7 of this subchapter)” and adding the parenthetical phrase “(IBR, see § 171.7 of this subchapter)” in each of the following places:

172.102(c)(1), Special provision 23  
172.102(c)(1), Special provision 43  
172.102(c)(1), Special provision 57  
172.102(c)(1), Special provision 125  
172.102(c)(1), Special provision 129  
172.102(c)(1), Special provision 142  
172.102(c)(7)(viii), Special provision TP6  
172.202(e)  
172.401(c)(1)  
172.401(c)(3)  
172.401(c)(4)  
172.502(b)(1)  
172.512(a)(3)  
172.602(a)(1)

■ 10. In § 172.102:

a. In paragraph (c)(1), Special provisions 39, 44, 119, 132, 137, and 144 are revised.  
b. In paragraph (c)(2), Special provision A52 is revised.  
c. In paragraph (c)(3), Special provisions B13, c., and the text preceding the table in B33 are revised.

The revisions read as follows:

**§ 172.102 Special provisions.**

(c) \* \* \*  
(1) \* \* \*

**Code/Special Provisions**

39 This substance may be carried under provisions other than those of Class 1 only if it is so packed that the percentage of water will not fall below that stated at any time during transport. When phlegmatized with water and inorganic inert material, the content of urea nitrate must not exceed 75 percent by mass and the mixture should not be capable of being detonated by test 1(a)(i) or test 1(a)(ii) in the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter).

44 The formulation must be prepared so that it remains homogenous and does not separate during transport. Formulations with low nitrocellulose contents and neither showing dangerous properties when tested for their ability to detonate, deflagrate or explode when heated under defined confinement by the appropriate test methods and criteria in the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter), nor classed as a Division 4.1 (flammable solid) when tested in accordance with the procedures specified in § 173.124 of this subchapter (chips, if necessary, crushed and sieved to a particle size of less than 1.25 mm), are not subject to the requirements of this subchapter.

119 This substance, when in quantities of not more than 11.5 kg (25.3 pounds), with not less than 10 percent water, by mass, also may be classed as Division 4.1, provided a negative test result is obtained when tested in accordance with test series 6(c) of the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter).

132 Ammonium nitrate fertilizers of this composition are not subject to the requirements of this subchapter if shown by a trough test (see UN Manual of Tests and Criteria, Part III, subsection 38.2) (IBR, see § 171.7 of this subchapter) not to be liable to self-sustaining decomposition and provided that they do not contain an excess of nitrate greater than 10% by mass (calculated as potassium nitrate).

137 Cotton, dry, is not subject to the requirements of this subchapter when it is baled in accordance with ISO 8115, “Cotton Bales—Dimensions and