

You Take Sally, I'll Take Sue...

I received several emails recently concerning an international limited quantity shipment by water into the United States. They were questioning using the Limited Quantity Mark internationally, but then removing the Limited Quantity Mark on the containers to apply the Consumer Commodity ORM-D mark for shipping the containers domestically. My question was: why? What I mean is, except when shipping cylinders, aerosols or small arms ammunition, the limited quantity exceptions and consumer commodity exceptions are pretty much the same. Or as Jackson Browne put it, "You take Sally, I'll take Sue; there ain't no difference between the two." A more appropriate example may be a butterfly caterpillar. I say this because you have to be a butterfly caterpillar, before you can be a caterpillar butterfly. They are the same thing, just not at the same time

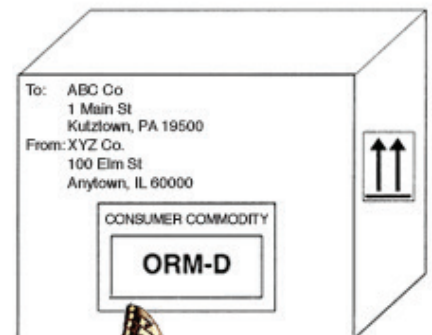
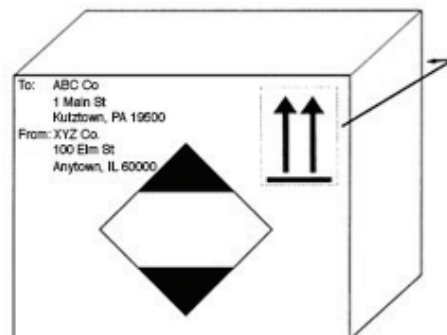


Some of our customers thought that limited quantity shipments with the diamond shaped black-and-white Limited Quantity mark are only authorized internationally. This is wrong. The Limited Quantity exception is authorized both internationally and domestically. However, the Consumer Commodity ORM-D mark is only authorized domestically.

Limited Quantity exceptions are found in the Department of Transportation Hazardous Materials Regulations 49 CFR Sections 173.150 to 173.159. For a shipper to qualify for an exception they must reference the hazardous material's proper shipping name in the 172.101 Hazardous Materials Table. After selecting the proper shipping name using its hazard classification in Column 3, UN number in Column 4, and packing group in Column 5, the shipper could take advantage of the exceptions for that material listed in Column 8(A) of the table.

For example, Gasoline, Acetone, and Flammable liquid, N.O.S. all authorize limited quantity exceptions in Section 173.150 - Exceptions for flammable liquids. If a shipper decided to take this exception in 173.150(b), he would find that small combination containers of flammable liquids can be shipped domestically using the black and white diamond shaped Limited Quantity container mark. However, if the shipper referenced 173.150(c)

Consumer Commodities, the next paragraph, he would see DOT states "Until December 31, 2020, a limited quantity package... containing a consumer commodity as defined in §171.8 of this subchapter, may be renamed "Consumer commodity" and reclassified as ORM-D."



Do you remember when Esso became Exxon? (Sorry; I am old.) It is kind of like that. DOT wants to eliminate the last of the ORMs, which were left over from the old domestic regulations and will completely disappear on January 1, 2021. In the ground mode, Limited Quantity will take its place. On December 31, 2012, the domestic Consumer Commodity, ORM-D-AIR became "ID8000, Consumer Commodity, Class 9," for shipments by both air and ground.

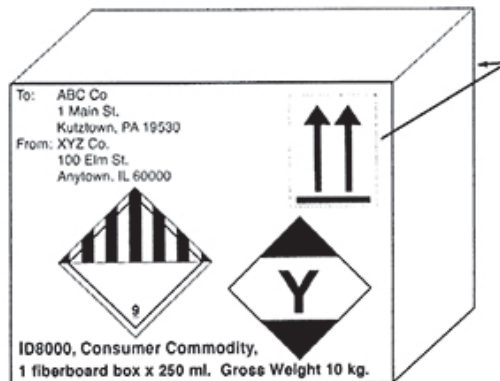
Applying the black and white diamond shaped Limited Quantity container mark for the international portion of a shipment and then replacing it with the old ORM-D Consumer Commodity mark domestically, would be redundant. If I were shipping flammable liquids under the exceptions in 173.150, I would opt for the Limited Quantity exception which is authorized to be used domestically and internationally, over the old Consumer Commodity ORM-D exception which is only allowed domestically.

Be aware when shipping by vessel or air, that Limited Quantity shipments require the hazardous material shipping paper documentation; however, domestically by highway, limited quantity shipments do not require hazardous material shipping papers.

When shipping these, think of your Limited Quantity exception in 173.150(b) as the butterfly caterpillar because you have to be a butterfly caterpillar first; then think of the Consumer Commodity ORM-D in 173.150(c), as the caterpillar butterfly because not all butterfly caterpillars become caterpillar butterflies; it may or may not happen. But I can tell you this, very few, if any, caterpillar butterflies have not been a butterfly caterpillar first! Most Limited Quantities are never renamed Consumer Commodity ORM-D. I mean think about it, wouldn't you rather prepare your shipment for both international and domestic shipment as a Limited Quantity as opposed to classifying the same material as a Consumer Commodity ORM-D which can only be shipped domestically? And remember, cylinders, aerosols and small arms ammunition are some of the exceptions to this rule, at least until 2021 when all of the consumer commodities ORM-D exceptions will cease to exist.

If you have a question about shipping limited quantities or consumer commodities, including cylinders aerosols and small arms, feel free to call or write. Thanks for your readership and support.

ID8000, Consumer Commodity, Class 9 Air*



Restricted to Division 2.1 and 2.2 (Aerosols), Class 3 PG II & III, Division 6.1 PG III, UN3077, UN3082 and UN3175.

***No UN Specification Containers Required**

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