

(3) *Transport index*. (See §173.403 of this subchapter.)

[Amdt. 172-29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172-29A, 41 FR 40679, Sept. 20, 1976; Amdt. 172-78, 48 FR 10226, Mar. 10, 1983; 48 FR 13431, Mar. 31, 1983; 48 FR 31217, July 7, 1983; Amdt. 172-85, 48 FR 50459, Nov. 1, 1983; Amdt. 172-114, 53 FR 38274, Sept. 29, 1988; Amdt. 172-123, 55 FR 52594, Dec. 21, 1990; Amdt. 172-143, 60 FR 50305, Sept. 28, 1995; Amdt. 172-143, 61 FR 20750, May 8, 1996; 65 FR 58626, Sept. 29, 2000; 65 FR 60383, Oct. 11, 2000]

#### § 172.404 Labels for mixed and consolidated packaging.

(a) *Mixed packaging*. When 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 and authorized by §173.21 of this subchapter, 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 material (see §173.21 of this subchapter) 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.

#### § 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]

#### § 172.406 Placement of labels.

(a) *General*. (1) Except as provided in paragraphs (b) and (e) of this section, each label required by this subpart must—

(i) Be printed on or affixed to a surface (other than the bottom) of the package or containment device containing the hazardous material; and

(ii) Be located on the same surface of the package and near the proper shipping name marking, if the package dimensions are adequate.

(2) Except as provided in paragraph (e) of this section, duplicate labeling is not required on a package or containment device (such as to satisfy redundant labeling requirements).

(b) *Exceptions*. A label may be printed on or placed on a securely affixed tag, or may be affixed by other suitable means to:

(1) A package that contains no radioactive material and which has dimensions less than those of the required label;

(2) A cylinder; and

(3) A package which has such an irregular surface that a label cannot be satisfactorily affixed.

(c) *Placement of multiple labels*. When primary and subsidiary hazard labels are required, they must be displayed next to each other. Placement conforms to this requirement if labels are within 150 mm (6 inches) of one another.

(d) *Contrast with background*. Each label must be printed on or affixed to a background of contrasting color, or must have a dotted or solid line outer border.

(e) *Duplicate labeling*. Generally, only one of each different required label must be displayed on a package. However, duplicate labels must be displayed on at least two sides or two ends (other than the bottom) of—

(1) Each package or overpack having a volume of 1.8 m<sup>3</sup> (64 cubic feet) or more;