



Materials of Trade

Welders, air conditioning technicians, lawn care companies, pest control operators, and vehicle maintenance companies all use and transport hazardous materials as part of their business. These materials are *fully regulated* as hazardous materials by State and Federal governments. Beginning April 8, 1997, if you meet certain criteria, you may begin to use a new classification for these materials: “Materials of Trade.”

QUESTION: What is a “Material of Trade”?

ANSWER: A material of trade is something you use to (1) protect the driver (items such as insect spray or breathing apparatus), (2) maintain a motor vehicle (such as spare batteries or engine starting fluid), or (3) a product you consume as part of a business that is not transportation (such as pesticides, welding gases, refrigerants, gasoline for small engines).

QUESTION: What limits apply to materials of trade?

ANSWER: Only certain hazard classes, and there are limits for both individual packages and for the entire vehicle. In addition to the limits below, you *cannot* call self-reactive materials or inhalation hazard materials “materials of trade”.

MATERIALS OF TRADE LIMITS

Class or Division	Packing Group**	Package Limit (each pkg.)	Vehicle Limit (for all materials of trade)
3, 4.1, 5.1, 5.2, 6.1(non-PIH), 8, 9, ORM-D*	I	Solids: 1 lb.; Liquids: 1 pint	440 lbs.
3, 4.1, 5.1, 5.2, 6.1(non-PIH), 8, 9, ORM-D*	II or III	Solids: 66 lb.; Liquids: 8 gallons	440 lbs.
9, diluted solutions, 2 percent or less***	II or III	400 gallons capacity	Not included in 440 lb. limit
2.1, 2.2*	N/A	220 lbs; 70 gallons	440 lbs.
4.3 (test kits)	II or III	1 ounce	440 lbs.

- Notes: * Classes are as follows: 2.1 = flammable gas; 2.2 = non-flammable gas; 3 = flammable liquids; 4.1 = flammable solids; 5.1 = oxidizers; 6.1 = poison solids and liquids (non-inhalation hazards); 8 = corrosives; 9 = miscellaneous; ORM-D = consumer commodity.
 ** APacking Group is a measure of the relative danger of a hazardous material; APacking Group I materials are the most dangerous, and therefore face the strictest limits.
 *** This allows lawn care and pest control companies to utilize their mix and application tanks as a material of trade.

QUESTION: What kind of package can I use for a material of trade? What about gasoline?

ANSWER: Packages must be (1) the manufacturer’s original package, (2) an equivalent package, or (3) a DOT-specification package. For gasoline, you may use plastic or metal containers (no glass), either a DOT-specification container, or a container that meets OSHA regulations. OSHA regulations (29 CFR 1910.106) limit gasoline in plastic to 1 pint, 1 gallon in metal cans, and 2 gallons in non-DOT safety cans.

QUESTION: Do I have to keep (on my vehicle) the outer box for materials that come in case lots?

ANSWER: No, however, packages of hazardous materials not in their original case must be in boxes, bins, cages, or compartments. All materials of trade must be secured within the vehicle.

QUESTION: How must I mark materials of trade containers?

ANSWER: (1) The container must have the common name, brand name, trade name, or DOT shipping name. (2) If the material meets an EPA “reportable quantity” in one container, the package must also be marked “RQ.” (3) Liquid tanks over 119 gallons must have the four digit ID number marked on both sides on orange panels or white diamond signs.

QUESTION: Do I need shipping papers or emergency response information?

ANSWER: No, although you must tell the driver of the presence of materials of trade and instruct drivers in complying with the regulations governing them. In addition, other regulations (such as “Right to Know”) may apply to you as well. A sample “materials of trade” notice appears on the back of this flyer.



A Safety Message from Project P.I.E.
 (Public Information and Education)
 Fact Sheet #20
 Georgia Department of Public Safety
 Motor Carrier Compliance Division
 P.O. Box 1456
 Atlanta, Georgia 30371-1456
 (404) 624-7211 www.dps.georgia.gov

NOTICE

This vehicle is transporting hazardous materials Classified as “materials of trade.” These materials may include compressed gases, flammable liquids, flammable solids, oxidizers, poisons, corrosives, and other materials.

Note: You may want to list the materials you typically carry here.

In order to qualify as a material of trade, the materials must be packaged in accordance with 49 CFR 173.8, marked with a common name or shipping name, and properly secured and protected from damage. Except for mix and application tanks under 400 gallons meeting 49 CFR 173.8, materials of trade are limited to 440 lbs. total weight on one vehicle. Failing to comply with the requirements of 49 CFR 173.8 subjects the materials to the hazardous materials regulations.