

package or each inner packaging of combination packagings has:

(i) A net quantity of 5 L (1.3 gallons) or less for liquids; or

(ii) A net mass of 5 kg (11 pounds) or less for solids

(2) On a combination packaging containing a marine pollutant, other than a severe marine pollutant, in inner packagings each of which contains:

(i) 5 L (1.3 gallons) or less net capacity for liquids; or

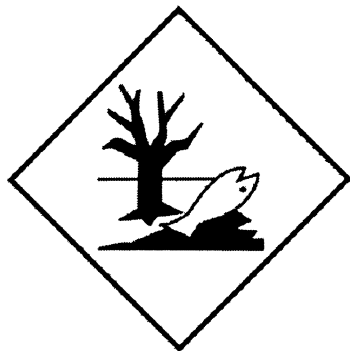
(ii) 5 kg (11 pounds) or less net capacity for solids.

(3) Except for transportation by vessel, on a bulk packaging, freight container or transport vehicle that bears a label or placard specified in subparts E or F of this part.

(4) On a package of limited quantity material marked in accordance with § 172.315 of this part.

(e) *MARINE POLLUTANT mark.* The MARINE POLLUTANT mark must conform to the following:

(1) Except for size, the MARINE POLLUTANT mark must appear as follows:



Symbol (fish and tree): Black on white or suitable contrasting background.

(2) The marking must be in the form of a square-on-point. The symbol and border must be black on a white or suitable contrasting background. The width of the border forming the square-on-point marking must be at least 2 mm. Each side of the mark must be—

(i) At least 100 mm (4 inches) as measured from the outside of the lines forming the border for marks applied to:

(A) Non-bulk packages, except in the case of packages which, because of their size, can only bear smaller

marks. If the size of the package so requires, the dimensions/line thickness may be reduced, provided the marking remains clearly visible. Where dimensions are not specified, all features shall be in approximate proportion to those shown.

(B) Bulk packages with a capacity of less than 3,785 L (1,000 gallons); or

(ii) At least 250 mm (10 inches) for marks applied to all other bulk packages.

(3) *Transitional exception.* A marking in conformance with the requirements of this paragraph in effect on December 31, 2014, may continue to be used until December 31, 2016.

(4) For domestic transportation, a packaging marked prior to January 1, 2017 and in conformance with the requirements of this paragraph in effect on December 31, 2014, may continue in service until the end of its useful life.

(f) *Exceptions.* See § 171.4(c).

[Amdt. 172-127, 57 FR 52938, Nov. 5, 1992, as amended by Amdt. 172-136, 59 FR 38064, July 26, 1994; Amdt. 172-145, 60 FR 49110, Sept. 21, 1995; 66 FR 45379, Aug. 28, 2001; 70 FR 56098, Sept. 23, 2005; 74 FR 2252, Jan. 14, 2009; 76 FR 3367, Jan. 19, 2011; 80 FR 1150, Jan. 8, 2015]

§ 172.323 Infectious substances.

(a) In addition to other requirements of this subpart, a bulk packaging containing a regulated medical waste, as defined in § 173.134(a)(5) of this subchapter, must be marked with a BIOHAZARD marking conforming to 29 CFR 1910.1030(g)(1)(i)—

(1) On two opposing sides or two ends other than the bottom if the packaging has a capacity of less than 3,785 L (1,000 gallons). The BIOHAZARD marking must measure at least 152.4 mm (6 inches) on each side and must be visible from the direction it faces.

(2) On each end and each side if the packaging has a capacity of 3,785 L (1,000 gallons) or more. The BIOHAZARD marking must measure at least 152.4 mm (6 inches) on each side and must be visible from the direction it faces.

(b) For a bulk packaging contained in or on a transport vehicle or freight container, if the BIOHAZARD marking on the bulk packaging is not visible, the transport vehicle or freight container must be marked as required by