



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOTICE OF REINSTATEMENT AND EXTENSION OF ENFORCEMENT POLICY REGARDING HAND SANITIZERS

Due to the impacts of the Coronavirus Disease 2019 (COVID-19) public health emergency, on April 10, 2020, the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a Notice of Enforcement Discretion titled "Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency (COVID-19) (Notice of Enforcement Discretion)."¹

The Notice of Enforcement Discretion provided temporary relief from certain requirements of the Hazardous Materials Regulations (HMR, 49 CFR Parts 171-180) for any offeror or carrier offering or transporting hand sanitizers by highway transportation provided certain criteria were met. On June 24, 2020, PHMSA issued a notice titled "Notice of Extension of Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the COVID-19 Public Health Emergency" extending the relief until October 31, 2020, and expanded it to include transportation by rail.²

While manufacturers of hand sanitizers are now required to comply with all applicable hazardous materials regulations, some hand sanitizers manufactured and packaged under the previous Notice of Enforcement Discretion have not yet been delivered to end users. To facilitate a continued response to the COVID-19 public health emergency, PHMSA is reinstating and extending the Notice of Enforcement Discretion to offerors and carriers who offer or transport hand sanitizers manufactured and packaged prior to October 31, 2020, and in accordance with the previous Notices of Enforcement Discretion. This action is intended to maximize the effectiveness of the distribution of critical healthcare resources nationwide to respond to the public health emergency.

PHMSA gives notice that it will not take enforcement action against any offeror or carrier who offers or transports hand sanitizers manufactured and packaged prior to October 31, 2020, and in accordance with the April 10, 2020 Notice of Enforcement Discretion and June 24, 2020 Extension of that Notice. This document is a temporary notice of enforcement discretion. Regulated entities may rely on this notice as a safeguard from departmental enforcement as described herein. To the extent this notice includes guidance on how regulated entities may comply with existing regulations, it does not have the force and effect of law and is not meant to bind the regulated entities in any way. This notice is effective until March 31, 2021.

Issued December 7, 2020, in Washington D.C.

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¹ Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency (COVID-19) Notice of Enforcement Discretion, (Apr. 10, 2020): available at: <https://www.phmsa.dot.gov/news/temporary-relief-notice-transportation-hand-sanitizer-during-covid-19-emergency-revised>.

² Notice of Extension of Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the COVID-19 Public Health Emergency (Jun. 24, 2020): available at: <https://www.phmsa.dot.gov/news/notice-extension-temporary-policy-transportation-certain-alcohol-based-hand-sanitizers>.