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23.304 Contract clauses.

(a)

(1) The *contracting officer shall* insert the clause at 52.223-3, Hazardous Material Identification and Material Safety Data, in *solicitations* and contracts if the contract will require the delivery of *hazardous materials* as defined in 23.301.

(2) If the contract is awarded by an agency other than the Department of Defense, the *contracting officer shall* use the clause at 52.223-3 with its *Alternate I*.

(b) The *contracting officer shall* insert the clause at 52.223-7, Notice of Radioactive Materials, in *solicitations* and contracts for *supplies* that are or that contain—

(1) Radioactive material requiring specific licensing under regulations issued pursuant to the Atomic Energy Act of 1954; or

(2) Radioactive material not requiring specific licensing in which the specific activity is greater than 0.002 microcuries per gram or the activity per item equals or exceeds 0.01 microcuries. Such *supplies* include, but are not limited to, aircraft, ammunition, missiles, vehicles, electronic tubes, instrument panel gauges, compasses, and identification markers.

Parent topic: Subpart 23.3 - Hazardous Material Identification, Material Safety Data, and Notice of Radioactive Materials