

## 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](#)