

## 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](#)