



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

DEC 17 1999

Ref. No. 99-0290

Mr. Louis Sachs  
9291 East Bay Harbor Drive 3E  
Bay Harbor Islands, FL 33154

Dear Mr. Sachs:

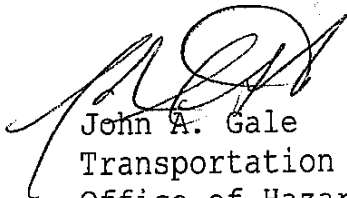
This is in response to your letter dated October 26, 1999, and subsequent telephone conversation with a member of my staff, regarding shipment of consumer commodities under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if your product would qualify for the consumer commodity exception.

Under § 173.22 it is the shipper's responsibility to properly class a hazardous material. To ship your product as a Consumer commodity, ORM-D, it must: 1) meet the definition for consumer commodity under § 171.8; 2) in the packaging section referenced in the Hazardous Materials Table in § 172.101, be allowed a special exception for shipment as an ORM-D, for example § 173.150; and 3) be packaged for shipment in accordance with the limited quantity provisions.

Provided your material meets the definition of a flammable liquid under § 173.120, is described using the proper shipping name "Flammable liquid, n.o.s., 3, UN1993, PG II," and is packaged as described in your letter it will qualify for the limited quantity exception. Therefore, if the material as packaged meets the definition of a consumer commodity as defined in § 171.8, you may rename it "Consumer commodity" and reclass it "ORM-D."

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



990290

171.8

BHH  
S171.8 Consumer  
Commodity  
99-0290

U.S. Dept. of Transportation /RSPA BHM-10  
400 7th St. S.W.  
Washington, D.C. 20590

Att: Director Edward Mazzullo

Dear Sir:

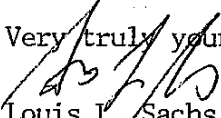
I recently spoke with Mr. Arthur Pollack of your office who was very helpful in giving me information necessary to have a D.O.T. classification for a product to be manufactured.

The product is a disinfectant containing isopropyl alcohol, acetone and benzalkonium chloride. It will be packaged in a 2 fl. oz. HDPE plastic bottle with a total weight of 2.2 ounces, a carton containing 36 bottles would weigh a total of 5½ lbs. I understood that if the total weight was under 20 lbs. a 200 lb. test carton was required and over 20lbs. it required a 275 lb. test carton.

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Mr. Pollack indicated that with the information I had given him that it would qualify for the classification: consumer commodity ORM-D.

If there is any printed information available concerning the above, I would appreciate receiving it together with any necessary paperwork required.

Very truly yours  
  
Louis L. Sachs

92911E. Bay Harbor Drive 3E  
Bay Harbor Islands, Florida 33154  
(305) 868-4180