



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUN 1 2006

Mr. Jim DePorche
President
Swingless Golf Club
3539 Bradshaw Road, Suite B303
Sacramento, CA 95827

Reference No. 05-0149

Dear Mr. DePorche:

This is in response to your letter, e-mails, and telephone conversations with a member of my staff asking if "Cartridges, power devices, 1.4S, UN 0323, PG II" may be transported on passenger-carrying aircraft under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). We apologize for the delay in responding and any inconvenience this may have caused.

According to your letter, the cartridge is used in "The Swingless Golf Club: 9 Clubs in 1." Your letter describes this cartridge as a 27-caliber "center-fire power-tool loaded round." The manufacturer mounts 10 cartridges to a plastic strip, with 10 plastic strips (100 shots total), placed in an outer packaging such as a fiberboard box. You state one package weighs approximately 4.2 ounces (0.12 kg), four packages weigh approximately 18 ounces (0.51 kg), and your customers typically transport two to four packages with them per trip.

Under § 175.10(a)(5) of the HMR, small-arms ammunition transported by aircraft for personal use is excepted from all other requirements when carried by a crew member or passenger in his checked baggage and securely packed in fiber, wood, or metal boxes, or other packagings specifically designed to carry small amounts of ammunition. "Cartridges, power devices, 1.4S, UN 0323, PG II" are not considered to be small arms ammunition for purposes of this exception. Therefore, your cartridges may not be transported by passenger aircraft in checked or carry-on baggage.

For information about items that may be prohibited by the Transportation Security Administration (TSA), you should contact the TSA's Contact Center directly by telephone at 1-866-289-9673 or by e-mail at "TSA-ContactCenter@dhs.gov". The TSA is the agency responsible for security in all modes of transportation, including civil aviation, and has the authority to restrict passengers from carrying materials perceived as security threats.



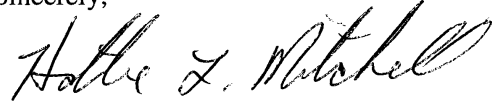
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175.10(a)(5)

Therefore, TSA officials may confiscate materials they believe to be security risks even if the materials are properly prepared for transportation in conformance with the HMR.

I hope this information is helpful.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in black ink and is positioned above the printed name.

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



Edmonson
\$175.10 (5)

Air
05-0149

June 7, 2005

U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Safety
400 7th St., S.W.
Washington, DC 20590

RE: Request for Letter of Interpretation
Air Travel with Cartridges, Power Devices – UN0323 / 1.4 S 1

Dear Sir or Madam:

My firm manufactures a device presently known as the Swingless Golf Club, which uses 27 caliber blanks that DOT describes as Cartridges, Power Devices - code UN0323 / 1.4 S 1. A video clip of the club can be found on the home page of our website www.swinglessgolf.com.

Like DOT's website, the manufacturer's Material Safety Data Sheet says travel by air with up to 25 kg per package per passenger aircraft is allowed. However an airline recently told me that as relates to personal use amounts, "air-travel with blanks under 1.4S UN0014 can be accepted along with other ammunition in UN0012 and UN0014, but travel with blanks under UN0323 is forbidden". The airline said this is "per government mandates, not their policy" and cited DOT regulations 49CFR175.10(5) and IATA Dangerous Goods Regulations 2.3.2.2.

To me, blanks are blanks, and have no projectile so why would some blanks be acceptable while others are not? The manufacturer mounts the blanks in plastic strips of 10. Including the brass, plastic strips, and the packaging, 100 shots weigh 4.2 ounces. A typical customer may travel with 2 to 4 packages of 100 shots, equaling perhaps 18 ounces.

I understand that, ultimately, airlines may have stricter polices than DOT and that IATA is a separate entity. To avoid future ambiguity, I am requesting a Letter of Interpretation on DOT's position on air travel with UN0323 power cartridges. Is there a TSA department which issues restrictions where I should also write for an interpretation, or will TSA follow DOT's position?

Very truly,

A handwritten signature in black ink that reads "Jim DePorche". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Jim DePorche
President

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