



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

MAY 29 2001

Mr. Jay S. Tourigny  
Vice President, Operations  
Micro Care Corporation  
595 John Downey Drive  
New Britain, CT 06051

Ref. No. 01-0112

Dear Mr. Tourigny:

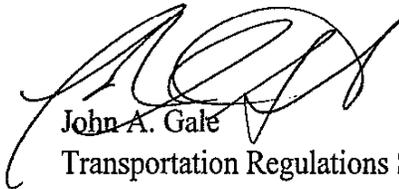
This responds to your May 2, 2001 letter requesting clarification on the classification of your aerosol cleaner under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether your "RX-11" aerosol cleaner may be classed as a "Consumer Commodity, ORM-D".

According to your letter, you have determined the proper shipping description of your cleaner, "RX-11", to be "Aerosol, Class 2.2, UN 1950." In addition, you state that your product meets the limited quantity packaging provisions under § 173.306(a)(3), as well as the consumer commodity provisions in § 173.306(h) of the HMR. This cleaner will be distributed and sold for use by individuals trained as professional refrigeration service technicians.

The definition of a consumer commodity includes hazardous materials that are suitable for retail sale to consumers for purposes of personal care or household use but that may, in fact, be used in some other fashion. Based on the information provided in your letter, it is the opinion of this Office that your aerosol cleaner may be classed as a Consumer Commodity, ORM-D, material under the HMR.

I hope this satisfies your inquiry.

Sincerely,



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



010112

173.306



MICRO CARE  
CORPORATION

Boothe  
§173.306(a)(3)  
Consumer Commodity:  
01-0112

May 2, 2001

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
U.S. DOT/RSPA (DHM-10)  
400 7<sup>th</sup> Street S.W.  
Washington, D.C. 20590-0001

Dear Mr. Mazzullo:

I am writing to request written DOT confirmation that we are correct in shipping the following item via domestic ground transport as a "Consumer Commodity, ORM-D". The item is an aerosol packed cleaner named "RX-11", and is intended for use by field service technicians in the repair and maintenance of refrigeration equipment.

"RX-11" is an Aerosol, Class 2.2, UN1950 under the Hazardous Materials Regulation (49 CFR Parts 171-180), with the following technical details:

1. Packaging: Metal, DOT 2Q specification aerosol can, filled in compliance with all conditions listed in 173.306(a)(3). Filled containers are packaged and sealed in outside packaging consisting of either a 200# test corrugated fiberboard carton, or a heavy duty combination corrugated fiberboard/thermal shrink plastic film.
2. Propellant: Non flammable liquid propellant.
3. Active Ingredient: The active ingredient is a non flammable cleaning solvent, that when not packaged in an aerosol can, is classified as a non hazardous, non regulated, liquid cleaning compound.

Although we are confident that the "RX-11" package meets the definition of Consumer Commodity ORM-D as defined in 171.8 and provided in 173.306(a)(3) and 173.306(h), it will be distributed and sold for consumption by individuals trained as professional refrigeration service technicians. This distinction has our shipping people requesting written D.O.T. confirmation that the "RX-11" qualifies for shipment as a "Consumer Commodity, ORM-D".

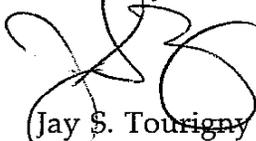
Please respond to my attention either by e-mail at: [jayt@microcare.com](mailto:jayt@microcare.com), or via postal service letter at:

Jay S. Tourigny  
Micro Care Corporation  
595 John Downey Drive  
New Britain, CT 06051

If you should have any questions regarding this, please e-mail me at the above address, or telephone me directly by dialing toll free 1(800) 638-0125.

Thank you for you assistance

Sincerely,



Jay S. Tourigny  
Vice President, Operations  
Micro Care Corporation