



U.S. Department  
of Transportation

Pipeline and Hazardous Materials  
Safety Administration

1200 New Jersey Ave., SE  
Washington, DC 20590

NOV 25 2008

Mr. Clifford E. Croft  
Kajuligan Corporation  
316 Crescent Place  
Geneva, IL 60134

Ref. No.: 08-0253

Dear Mr. Croft:

This responds to your October 3, 2008 letter requesting clarification of the § 175.10 exceptions in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if § 175.10(a)(1) applies to instant ice packs carried on board aircraft by sports teams for the treatment of injuries while enroute to their destination.

According to your letter, the instant ice packs contain approximately 4-6 ounces of Ammonium nitrate, 5.1, UN 1942 with 4-6 ounces of water in a pack. These are shipped throughout the United States as Consumer Commodity, ORM-D material.

The answer is yes. It is the opinion of this Office that the exceptions in §175.10(a)(1) apply to instant ice packs as described in your letter as non-radioactive medicinal and toilet articles for personal use.

I hope this answers your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Gorsky".

Susan Gorsky  
Acting Chief, Standards Development  
Office of Hazardous Materials Standards

Mr. Edward T. Mazzullo  
PHMSA  
Attn: PHC-10  
400 Seventh Street, SW  
Washington, DC 20590-0001

Boothe  
§175.10(a)(1)  
Air  
08-0253

Dear Mr. Mazzullo,

I am writing to verify whether 175.10(a)(1) would apply to instant ice pack carried on board aircraft by sports teams for the treatment of injuries while enroute to their destination. The instant ice packs contain approximately 4-6 ounces of ammonium nitrate 5.1 UN1942 with 4-6 ounces of water in a pack and are typically shipped throughout the US as consumer commodity ORM-D. Section 175.10 does not specify that this type of material may or may not be carried by passengers.

Thank you for your assistance.

Sincerely,



Clifford E. Croft  
Director of Regulatory Compliance  
Kajuligan Corp.