



U.S. Department  
of Transportation

1200 New Jersey Avenue SE  
Washington, DC 20590

**Pipeline and Hazardous  
Materials Safety  
Administration**

JUN 29 2011

Mr. Hank Sheller  
9707 63<sup>rd</sup> Rd, #11D  
Rego Park, NY 11374

Reference No. 11-0125

Dear Mr. Sheller:

This responds to your May 13, 2011 letter requesting clarification of the requirements of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) for the shipment of a 9-volt alkaline battery packaged as part of a kit. The battery is shrink-wrapped and then placed in the kit adjacent to other items. You request confirmation that the kit described in your letter may be transported to and within the United States by all modes of transportation.

Dry batteries (i.e., "Batteries, dry, sealed, n.o.s" as listed in the §172.101 Hazardous Materials Table) such as the alkaline battery illustrated in your letter are subject only to the requirements outlined in § 172.102, Special provision 130 of the HMR. The requirements include: (1) incident reporting; and (2) preparation and packaging of the battery to prevent a dangerous evolution of heat, short circuit, and damage to terminal(s). Shrink-wrapping the battery is an acceptable method of preparing the battery for shipment. We also suggest placing the battery in the kit so that it is separated from conductive material contained in the package (e.g., the allen wrenches). If the battery is also packaged in a manner to prevent damage to the terminal, then we consider the kit acceptable for hazardous material transportation without further requirements. We recommend you review § 172.102, Special Provision 130 to familiarize yourself with the complete requirements and we have enclosed a copy of a guide for shipping batteries safely, *Shipping Batteries Safely by Air; What You Need to Know* to aid your understanding of shipping all battery types including alkaline.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Ben Supko  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Enclosure: *Shipping Batteries Safely by Air; What You Need to Know*

May 13, 2011

97-07 63<sup>rd</sup> Rd #11D  
Rego Park, NY 11374

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Lithium Batteries  
11-0125

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Avenue, SE, PHH-50  
Washington, DC 20590-0001

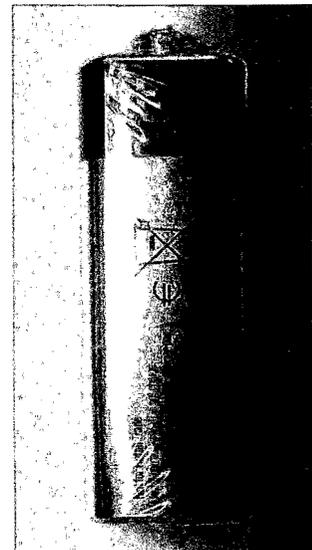
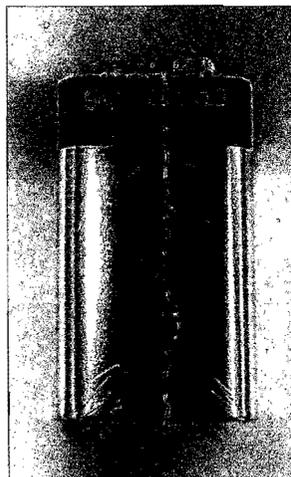
Dear Friends:

I am Director of product development and sourcing for a small manufacturing and distribution company in New York. We are developing a product called "Electric Guitar Essentials Kit". This kit will consist of a small (11" L x 5" W x 1" H) plastic box with a lid and an assortment of items inside. For your reference, here is a complete list of the items inside the kit:

- **One 9V Energizer battery**
- Set of 15 Allen wrenches
- One pair of foam earplugs
- 10 plastic guitar picks
- One polishing cloth
- 18 nylon cable ties
- One plastic string winder
- One 6" instrument cable
- One wire cutter
- One set of electric guitar strings

All of the items will be purchased in bulk from different suppliers in China, shipped to a central packaging location within China, and placed into the kit box on an assembly line. Next, the kit box will be sealed in plastic shrink-wrap, labeled, and packed into shipping cartons. The product will ship from China to the U.S. both by air and by ocean. Destination ports will be Port of NY/NJ and Kennedy Airport.

The 9V battery will be shrink-wrapped as shown in these pictures:



Within the kit box it is possible that the 9V battery will be adjacent to one or more of the other items in the kit.

**Based on the information I have provided I am hoping you are able to confirm that we can legally and safely ship these kits with the 9V batteries inside them, both into the U.S. from overseas and also within the U.S., and by all modes of transportation including plane, boat, train and truck.**

Please confirm whether or not this will not be a problem, and let me know if any special marks, tests, or certifications will be required. Please also cite any relevant laws or regulations that limit or restrict us from packaging and shipping the batteries as I have described in this letter.

Please let me know if you need any additional information or materials to make a determination and reply to this inquiry.

In the interest convenience and to save time, please feel free to respond via email or telephone. Thank you in advance for your prompt attention in this matter.

Sincerely,



Hank Sheller  
Rego Park, NY  
347-400-6607  
[Hanksheller@yahoo.com](mailto:Hanksheller@yahoo.com)