



26-0095
Horne

Letter of Interpretation Request

Fri, Jul 17, 2026 at 12:42 PM

From: **Mike Swan** <mikeswan555@gmail.com>

Date: Thu, Jul 16, 2026 at 10:37 PM

Subject: Request for Formal Interpretation Under 49 CFR § 105.20 – Classification of Gas-Only Duster Products

To: <infocntr@dot.gov>

Dear Standards and Rulemaking Division:

Pursuant to 49 CFR § 105.20, I respectfully request a formal written interpretation of the Hazardous Materials Regulations regarding the proper transportation classification of certain gas-only duster products.

Specifically, I request guidance regarding a non-refillable metal receptacle equipped with a self-closing release device that contains only liquefied propane, isobutane, and n-butane. The product dispenses only those gases and does not contain or expel any separate liquid, paste, or powder.

My questions are as follows:

1. Under the current definition of "aerosol" in 49 CFR § 171.8, does such a product qualify for classification as UN1950, Aerosols, flammable?
2. If not, what is the proper UN shipping description, hazard class, and applicable packaging provisions for transporting such a product in commerce within the United States?
3. If the product does not qualify as an aerosol under the current regulations, are any special permits or other DOT approvals required to lawfully transport this type of product?

I have reviewed the current definition of "aerosol" in 49 CFR § 171.8 as well as PHMSA Interpretation No. 24-0069, which discusses products containing only liquefied compressed gas without a liquid, paste, or powder to expel. I would appreciate clarification regarding the appropriate transportation classification under the current Hazardous Materials Regulations.

Thank you for your time and consideration. I appreciate your assistance and look forward to your written response.

Best Regards,

Michael Fishman