



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

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

AUG 12 2003

Mr. Iain Roberts
Design & Product Development
IDEO Chicago
630 Davis Street
Evanston, IL 60201

Reference No. 03-0131

Dear Mr. Roberts:

This is in response to your May 20, 2003 letter, and the subsequent material safety data sheet and test data asking if your company's prototype product (article) would be subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You stated the article releases fragrance when placed in a dispensing device with water.

You described the article as a 2.5-inch square, porous, non-woven fabric pouch filled with not more than 8 grams of a powdered fragrance-magnesium mixture identified by testing as a Division 4.3, PG I material. The mixture is composed of 4 grams of magnesium alloys powder, .4 grams of sodium chloride, and 1 gram of fragrance absorbed into 2 grams of inert material. You stated each pouch will be placed inside a heat-sealed mylar foil laminate bag or other similar foil material that is impervious to water, 4-6 pouches will be placed in one carton, and an undetermined number of cartons will be placed in one outer packaging.

Based on the information you provided, it is our determination that the heat-sealed bag containing 8 grams or less of the fragrance-magnesium mixture in the manner described is in a quantity and form that does not pose a hazard in transportation and is not subject to the HMR, regardless of the number of articles in a package. This determination does not apply to articles shipped in another type of packaging or those containing more than 8 grams of the fragrance-magnesium mixture, which must be shipped in conformance with the applicable requirements of the HMR.

I hope this satisfies your request.

Sincerely,

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



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May 20, 2003

Edward Mazzullo
Director - Office of Hazardous Materials Standards
US Department of Transportation
400 7th Street S.W.
Washington D.C. 20590
Fax (202) 366-3012

Dear Mr. Mazzullo,

A member of your staff has suggested that we send this letter to request clarification of the requirements for shipping a product that we are currently designing for our client.

The product is a device that disperses fragrance and steam in a controlled manner when the consumer activates the device. The device is activated by the addition of water.

The device contains four grams of a magnesium alloy that reacts with the added water to generate heat. The device also contains fragrance (approximately half a gram) and a minimum of two grams of inert absorbent materials that serve to contain the fragrance and to provide a reservoir for the added water. The alloy/fragrance/absorbent composition is contained in a 2.5" square permeable pouch similar to a tea bag.

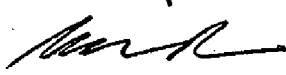
The magnesium alloy generates hydrogen gas in addition to heat. The four grams of magnesium alloy generates 4.5 liters of hydrogen. Based on this, the alloy meets the hazard class 4.3 definition as US2813.

? what's this?
number

Each pouch is individually heat-sealed in a mylar/foil laminate bag (or other similar foil material) that is impervious to water. We intend to ship 4-6 pouches (each in their individual sealed foil bags) in a cardboard box.

I would appreciate your determination as to whether the above product is considered regulated. Thank you in advance for your help in clarifying the shipping requirements.

Sincerely,


Iain Roberts
IDEO Product Development



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