



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Ave, SE
Washington, D.C. 20590

OCT 21 2010

Mr. Ken Swenke
Oxford & Wells
3102 Maple Avenue, Suite 450
Dallas, TX 75201

Ref. No.: 10-0197

Dear Mr. Swenke:

This responds to your September 7, 2010 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You indicate that your product is a 2oz., non-aerosolized (pump spray) ironing starch that does not meet the definition of a hazardous material under the HMR. You ask for a letter of interpretation enabling travelers and flight attendants to carry your product aboard aircraft.

Section 173.22 requires a shipper to properly class and describe a hazardous material for transportation in commerce. This Office does not perform that function. However, based on the information provided in your letter and subsequent email correspondence with a member of my staff, it is the opinion of this Office that the ironing starch you describe does not meet the definition of a hazardous material and is not subject to regulation under the HMR.

It should be noted that the Transportation Security Administration (TSA), the agency responsible for security in all modes of transportation, including civil aviation, has the authority to restrict passengers from carrying materials perceived as security threats. Therefore, TSA officials may confiscate materials that they believe to be security risks even if the materials are not classified as hazardous under the HMR.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko", written over a light blue horizontal line.

Ben Supko
Acting Chief, Standards Development
Office of Hazardous Materials Standards



OXFORD & WELLS
fine care products

Winter
\$175.10
Air
10-0197

September 7, 2010

Charles Detts
Director of Hazmat Standards
U.S. Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

Re: Formal Letter of Interpretation

Mr. Detts,

First, my compliments to your sharp and very helpful staff. I spoke with Adam and Debbie and both were excellent.

I write you to seek a Formal Letter of Interpretation, so that our 2oz, non-aerosolized (pump-spray) ironing starch be permitted / allowed for airline carry-on by passengers and crewmembers.

Currently, PHMSA & the FAA provide that "**aerosol** laundry starch" is not allowed to be carried by passengers and crewmembers aboard commercial aircraft (this page from FAA is enclosed and highlighted).

Our ironing starch product, however, is **non-aerosolized** (manual pump spray), does not contain any hazardous materials and would not meet any hazard classes. As a result, we humbly ask for a letter of interpretation enabling travelers and flight attendants to carry our safe, 2oz, non-aerosolized, product aboard.

I also included a sample of our product with the ingredient list below and hope it is helpful. I very much appreciate it and look forward to hearing from you soon. Below is a confidential listing of the ingredients:






78.3% Water
19.3% Corn Starch
02.0% Fragrance
00.3% Methylparaben (Food Preservative)

Best Regards,

Ken Swenke
Oxford & Wells, LLC
3102 Maple Avenue, Suite 450
Dallas, TX 75201
Office: 214-405-3839
Fax: 214-889-8600
Email: ken@oxfordwells.com
Web: www.oxfordwells.com

Hazardous Materials Carried by Passengers and Crewmembers

In general, US Department of Transportation (DOT) regulations prohibit passengers and crewmembers from carrying hazardous materials (dangerous goods) aboard commercial aircraft. The table below lists the exceptions that allow passengers and crewmembers to carry a limited amount of personal-use hazardous materials in carry-on and/or checked baggage. Though allowable by DOT regulations (see 49 CFR, section 175.10), some of the items listed here may, at times, be prohibited in the aircraft cabin by Transportation Security Administration (TSA) rules. Individual airlines and other nations may also have more restrictive rules on what passengers can carry aboard the aircraft.

Passenger Hazmat Exception	Allowed	Not Allowed	Regulatory Text That Allows It 49 CFR 175.10(a)...
<p>Medicinal and toilet articles (including flammable and nonflammable aerosols)</p> <p>Additional nonflammable aerosols that are not medicinal or toilet articles (Nonflammable aerosols are rare.)</p>	<p><input checked="" type="checkbox"/> Toilet or medicinal articles that are hazardous materials such as rubbing alcohol, flammable perfume and colognes, nail polish and remover, and aerosols (hairspray, shaving cream, etc.).</p> <div style="display: flex; justify-content: space-around;">   </div> <p><input checked="" type="checkbox"/> Non-toiletry aerosols that contain nonflammable & non-toxic gas <u>—in checked baggage only.</u></p> <div style="text-align: center;">  </div>	<p><input checked="" type="checkbox"/> Hazardous materials that are not medicinal/toilet articles or described in the other exceptions, such as: spray paints, <u>aerosol</u> laundry starch, insecticides, drain cleaners, camping fuel, etc.</p> <div style="display: flex; justify-content: space-around;">   </div> <p><input checked="" type="checkbox"/> Aerosols without caps or other protective features around the release device/button are also not allowed.</p>	<p>(1)(i) Non-radioactive toilet articles for personal use (including aerosols) carried in carry-on and checked baggage. Release devices on aerosols must be protected by a cap or other suitable means to prevent inadvertent release.</p> <p>(ii) Other aerosols in Div. 2.2 (nonflammable gas) with no subsidiary risk carried in checked baggage only. Release devices on aerosols must be protected by a cap or other suitable means to prevent inadvertent release; and</p> <p>(iii) The aggregate quantity of these hazardous materials carried by each person may not exceed 2 kg (70 ounces) by mass or 2 L (68 fluid ounces) by volume and the capacity of each container may not exceed 0.5 kg (18 ounces) by mass or 500 ml (17 fluid ounces) by volume.</p>