

Hazmat in the Mailroom?

Amundsen Davis Aerospace Alert

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An east coast household products manufacturing concern received an emergency request from their sales team to have access to a sample of the latest formulation of mouthwash to present at a morning meeting with a large California based big box store customer. Given the importance of the customer, the COO personally goes to the floor to collect a sample, and has his secretary ship it express 8:00 a.m. delivery to his sales team's hotel. Unknown to the COO, the mouth wash has a flash point of 149 degrees, one degree under the *flammable* limit. The package was not properly insulated. It was not labeled. It contained no warning. The bill of lading contained no mention of hazmat. The MSDS was not enclosed. He made no mention when he personally dropped it off at the overnight shipping facility. Each of those failings will lead to a separate fine. And, if more than one container is in that package, those fines will be multiplied again. Thus, fines rarely start below \$30,000, and can add up to hundreds of thousands, all for sending a few ounces of mouthwash.

Perhaps a manufacturer should recognize what is in their products and which, if any, shipping and labeling requirements are triggered by their product. But, what about 3rd party resellers and shippers? Certainly, Amazon didn't expect to be fined \$52,000 for improper labeling and shipping of a 19 ounce aerosol can of HVAC cleaner or to be fined \$78,000 for shipping rust treatment.

The Federal Aviation Administration takes charge of prosecuting these violations. Hopefully, this friendly reminder will help you to avoid similar fines by making sure your mailroom is aware of the labeling and packaging requirements for seemingly innocuous products that trigger these requirements and the stiff fines for failure to obey.

PROFESSIONALS

Alan L. Farkas
Of Counsel

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