



DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

APR 20 1994

Mr. Gary C. Rosenfield  
President, AeroTech, Inc.  
1955 South Palm Street, Suite 15  
Las Vegas, Nevada 89104

Dear Mr. Rosenfield:

This is in response to your two letters of October 27, 1993, to Ms. Linda Deel requesting clarification regarding how your business is regulated under the Federal firearms and explosives laws.

During the early 1970's when the Bureau of Alcohol, Tobacco and Firearms (ATF) was assigned the responsibility of enforcing the Federal explosives laws, it was clear that we did not intend to regulate toy model rockets which did not constitute a public safety hazard. The exemption for model rocket motors, common fireworks, and propellant-actuated industrial tools was intended to cover explosive items that because of the small quantities involved, would not likely be a source of explosives for a bomb or be a hazard during storage situations. The explosives exempted were toy paper caps and other similar items. The largest model rockets that we were aware of were the Estes model "D" type engine.

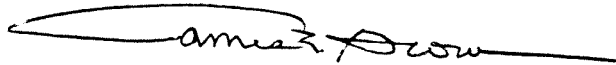
It is also clear that ammonium perchlorate composite propellants are explosives since they have been on the explosives list since the first list was published in 1971. Therefore, an ATF manufacturer's license would be required to manufacture ammonium perchlorate composite explosives. The exemption at 27 CFR Part 55, section 141(a)(8) includes propellant-actuated "devices." The term "device" is interpreted to mean a contrivance manufactured for a specific purpose. Under this definition, a fully assembled rocket motor would be exempt. However, the propellant, prior to assembly, would not be exempt.

Mr. Gary C. Rosenfield

The AeroTech products which have been classified by the Department of Transportation as a flammable solid 4.1 or as explosives 1.4c, which are within the 62.5 grams limit contained in NFPA 1122 and conform to the requirements of model rocket motors set forth in 16 CFR section 1500.85(a)(8)(ii), would meet ATF requirements for exemption under 27 CFR Part 55, section 141(a)(8).

If you need further technical assistance, please contact Explosives Enforcement Officer Roy Parker at (202) 927-8030.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James L. Brown", written over a horizontal line.

James L. Brown  
Chief, Explosives Division