



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

www.atf.gov

September 30, 2015

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15-801480
555.32
5403

Dr. John Perriam
3rd Light, Ltd.
Unit 3 Lodge Farm
Lower Padworth Reading
England, RG7 4HY

Dear Dr. Perriam:

This is in response to your e-mail dated September 18, 2015, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). 3rd Light, Ltd., (3rd Light) requested an update to special explosive device exemptions, pursuant to the regulations at 27 CFR § 555.32, for smoke grenades. In letters dated April 30, 2014, and September 3, 2014, ATF exempted smoke grenades that 3rd Light planned to import and distribute under the brand name Enola Gaye for a variety of uses including skydiving, paintball, airsoft, advertisements/marketing, and sporting events.

The previous approvals did not list all U.S. Department of Transportation (DOT) EX approval numbers associated with the smoke grenades. You have different EX approval numbers for the same devices because you ship from facilities in different countries (i.e. China and United Kingdom). You provided all DOT competent authority approvals for the smoke grenades. The products and EX approval numbers are identified below:

Part Number	Description	UN Code	EX Number	DOT Class
BWP01W	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWP02Y	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWP03B	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWP04G	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S

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BWP05R	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWP06P	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWP07O	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
BWPX	Burst Wire Pull Smoke Grenades	UN0507	EX2013121240 EX2014011040	1.4S
EG18A-01	Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AW	White Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AY	Yellow Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AB	Blue Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AG	Green Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AP	Purpose Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AR	Red Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
EG18AO	Orange Assault Smoke Grenades	UN0197	EX2012111813 EX2013100178	1.4G
WPSS01	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP01W	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP02Y	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP03B	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP04G	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP05R	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP06P	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S
WP07O	Wire Pull Signal Smoke Grenades	UN0507	EX2013090765 EX2013090766	1.4S

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The regulation at 27 CFR § 555.32 states, in part, that “The Director may exempt certain explosive actuated devices, explosive actuated tools, or similar devices from the requirements of this part. A person who desires to obtain an exemption under this section for any special explosive device, which as designed does not constitute a public safety or security hazard, shall submit a written request to the Director.”

After careful review, ATF has determined that the aforementioned Smoke Grenades do not pose a threat to public safety when possessed and used for their intended purpose. Therefore, we are exempting them as special explosive devices pursuant to 27 CFR § 555.32.

Although we have determined that the device described in your request is exempt from ATF explosives regulations, the explosive materials used in its manufacture are subject to all of the provisions of 27 CFR, Part 555. Any explosive materials removed from this device are also subject to regulation. Any alterations to the device will render this exemption void and necessitate a separate request for exemption. Further, the manufacture of a different device will necessitate a separate request for exemption.

We trust the foregoing has been responsive to your request. If you have additional questions, please feel free to contact the Explosives Industry Programs Branch at (202) 648-7120.

Sincerely yours,

William E. Frye, Jr.
Chief, Explosives Industry
Programs Branch

cc: john@enolagaye.com