601 Mailability

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1.0 General Standards

1.1 Determining Mail Processing Categories

There are five mail processing categories for mailpieces: letter, flat, machinable parcel, irregular parcel, and outside parcel. USPS assigns each mailpiece to one of these categories based on the physical dimensions and characteristics of the mailpiece, regardless of the placement or orientation of the delivery address on the piece. See the physical standards for processing categories in 101 for retail (single-piece rate) mail, 201 for discount letters, 301 for discount flats, and 401 for discount parcels.

1.2 Minimum Dimensions

[11-9-06] For mailability, the following standards apply:

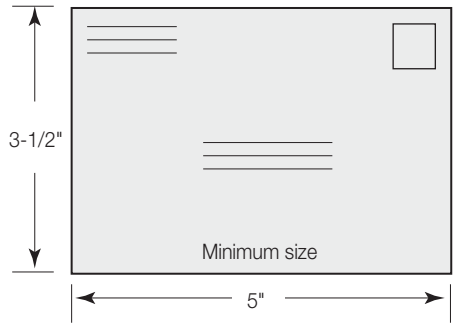
a. All mailpieces must be at least 0.007 inch thick.

b. All mailpieces (except keys and identification devices) that are 1/4 inch thick or less must be:

1. At least 3-1/2 inches high and at least 5 inches long.

2. Rectangular, with four square corners and parallel opposite sides (see Exhibit 1.2), unless prepared as Customized MarketMail under 705.1.0. Letter-size, card-type mailpieces made of cardstock may have finished corners that do not exceed a radius of 0.125 inch (1/8 inch).

Exhibit 1.2 Minimum Dimensions, Pieces 1/4" Thick or Less



Minimum thickness = 0.007"

1.3 Maximum Dimensions and Weight

No mailpiece may weigh more than 70 pounds. Except for Parcel Post, no mailpiece may measure more than 108 inches in length and girth combined. For parcels, length is the distance of the longest dimension and girth is the distance around the thickest part.

1.4 Length and Height

The location and orientation of the delivery address on a mailpiece generally establish which dimensions of the piece are the length and the height. The *length* is the dimension parallel to the address as read; the *height* is the dimension perpendicular to the length; the *top* and *bottom* of the piece are the upper and lower edges, respectively, when the address is positioned for normal reading. This general rule does not apply to:

a. Automation rate flats.

b. Standard Mail Enhanced Carrier Route flats.

c. Standard Mail Customized MarketMail.

d. Pieces thicker than 1/4 inch that are not prepared and mailed as a flat.

1.5 Nonmailable, Nonmachinable Placement

The location of the delivery address on a letter-size mailpiece determines which dimensions are the length and height of the piece. Consequently, the placement of the address may render a piece nonmailable or nonmachinable.

1.6 General Mailability and Right of Refusal

Articles presented for mailing must be prepared under the general and specific standards in this document. The USPS accepts properly packaged and marked parcels but reserves the right to refuse nonmailable or improperly packaged articles or substances. Additional or other standards can apply to overseas military post offices and international mail.

1.7 Mailer's Responsibility

It is the mailer's responsibility to refrain from depositing nonmailable matter in the mail. The mailer must comply with applicable postal laws and regulations governing mailability and preparation for mailing, as well as nonpostal laws and regulations on the possession, treatment, transmission, or transfer of particular matter. Information about USPS standards is available from postmasters, business mail entry managers, and the PCSC manager (see 608.8.0, *USPS Contact Information*).

2.0 Packaging

2.1 General

Mailers must package mailpieces to withstand normal transit and handling without content or package breakage, injury to USPS employees, or damage to other mail. Mailers also must package contents to prevent their deterioration. See 2.2 through 2.7 for specific types of items. Mailers must follow these additional general standards for packaging:

a. Cushion fragile items to withstand handling in processing, transportation, and delivery.

b. Package contents so they do not shift within the mailing container.

c. Brace and cushion heavy items to prevent damage to other mailpieces.

2.2 Stationery

Stationery-type items thicker than 1 inch or heavier than 1 pound are not accepted in letter-style envelopes. The contents of these packages must be secured by tying, banding, or using partitions on close-fitting interior containers to prevent shifting.

2.3 Liquids

[11-9-06] Mailers must mark the outer container of a mailpiece containing liquid to indicate the nature of the contents. Mailers must package and mail liquids under the following conditions:

a. Use screw-on caps, soldering, clips, or similar means to close mailpieces containing liquids. Do not use only friction-top closures (push-down types).

b. Liquids in steel pails and drums with positive closures, such as locking rings or recessed spouts under screw-cap closures, may be mailed without additional packaging.

c. Package glass and other breakable containers of liquid with a capacity of more than 4 fluid ounces according to the following requirements:

   1. Cushion the primary container with material sufficient to absorb all leakage in case of breakage.

   2. Place the primary container inside another sealed, leakproof container (secondary container), such as a can or plastic bag.

   3. Use an outer mailing container that is strong enough to protect the contents.

d. As an alternative to 2.3c above, mailers may use containers certified by the International Safe Transit Association (ISTA) that passed ISTA's Test Procedure 3A. Mailers must provide their ISTA 3A Package-Product Certification Notice at the time of mailing as verification that the mailpieces they are submitting passed the required performance test.

2.4 Aerosols

Aerosols (containers under pressure) are hazardous materials and must be constructed to prevent accidental discharge of the contents during postal handling. Mailable aerosol containers must be packaged under 10.12.

2.5 Perishable, Hazardous, and Restricted Items

Mailpieces containing perishable, hazardous (including infectious substances), biological, or restricted materials are subject to standards in 8.0 through 11.0.

2.6 High-Density Items

High-density items are solid objects (such as tools, hardware, and machine and auto parts) whose weights are comparatively high for their volumes. Package high-density items weighing more than 15 pounds so that the contents do not exert more than 60 pounds per square foot on the smallest side of the mailing container.

2.7 Load Type

The following three terms describe types of loads, based on content, degree of protection, and strength of the mailing container.

a. An *easy load* contains items of moderate density that either completely fill the mailing container or are packaged in interior containers that completely fill the mailing container. Easy load items are not easily damaged by shock, compression, or puncture.

b. An *average load* contains moderately concentrated items packaged directly into a mailing container. Mailers can prepackage average load contents by nesting items within partitions or in separate paperboard boxes to stabilize items to prevent shifting and damage.

c. A *difficult load* contains items that require a high degree of protection to prevent shock, puncture, or distortion to the items or the mailing container. The Postal Service does not accept in paperboard boxes, bags, or wraps difficult loads such as fragile items; delicate instruments; and high-density, small-bulky items.

3.0 Acceptable Mailing Containers

3.1 Envelopes

Mailers must prepare envelopes according to the following weight limits and conditions:

a. For mailpieces weighing no more than 1 pound and measuring no more than 1 inch thick, mailers may use letter-style (flat, nonreinforced) envelopes for stationery and similar nonrigid material.

b. For mailpieces weighing more than 1 pound up to 5 pounds or measuring more than 1 inch thick, mailers may use envelopes if they are sturdier than nonreinforced letter-style envelopes. Acceptable envelopes include those made either from paper equivalent to 28-pound basis weight (or greater) or from extra-strength materials with a Mullen strength of more than 90 pounds per square inch.

c. Mailers may use envelopes for odd-shaped items if the mailpiece meets the standards for the class of mail (see 11.18).

d. Envelopes for photographic film are acceptable if made from paper equivalent to 24-pound basis weight or greater.

3.2 Boxes

Boxes are acceptable, subject to these standards:

a. Paperboard boxes may be used for easy and average loads to 10 pounds.

b. Metal-stayed paperboard boxes may be used for easy and average loads to 20 pounds.

c. Solid and corrugated fiberboard boxes may be used according to the limits in the following chart, unless otherwise specified. *The first maximum reached governs the grade of the box used.*

MAXIMUM WEIGHT OF BOX AND CONTENT (pounds)			
Easy or Average Load	**Difficult Load**	**MAXIMUM LENGTH AND GIRTH** (inches)	**BOX GRADE**
20	—	67	12 5
40	20	100	175
65	45	108	200
70	65	108	275
—	70	108	350

d. Wood, metal, or plastic boxes may be used for all types of loads, assuming adequate construction.

e. The size of the box must be adequate to contain the items and provide enough space for cushioning material.

f. Good, rigid, used boxes with all flaps intact are acceptable.

g. Boxes with difficult loads to out-of-town destinations must be reinforced with banding about every 8 inches in each direction around the package.

3.3 Fiberboard Tubes and Similar Long Containers

Mailers may use fiberboard tubes and similar lengthy containers for mailing if the containers meet the following requirements:

a. The length must not exceed 10 times the girth.

b. When using friction slide closures as end caps, reinforce closures by encircling all seams with tape. Crimped or taped end closures are acceptable only for lightweight rolled items (such as posters or charts).

c. The strength of the tube ends must be at least equal to the tube sidewall strength, unless the contents are lightweight rolled items.

d. Sidewall strength of tubes must be equal to solid fiberboard that is:

1. At least 1/16 inch thick for tubes less than 18 inches long.
2. At least 3/32 inch thick for tubes 18 to 32 inches long.
3. At least 5/32 inch thick for tubes more than 32 inches long.

3.4 Paper Bags and Wraps

For easy loads of up to 5 pounds, paper bags and wraps are acceptable when at least of a 50-pound basis weight (the strength of an average large grocery bag) and the items are immune from impact or pressure damage. A combination of plies adding up to or exceeding 50-pound basis weight is not acceptable. For easy and average loads of up to 20 pounds, reinforced bags or bags with a minimum of 70-pound basis weight are acceptable. Nonreinforced loose-fill padded bags are not acceptable as exterior containers, unless the exterior ply is at least 60-pound basis weight.

3.5 Plastic Bags

Plastic bags must be at least 2 mil thick polyethylene or equivalent for easy loads up to 5 pounds; 4 mil thick for easy loads up to 10 pounds.

3.6 Plastic Film

Heat-shrinkable plastic film—either irradiated polyethylene, linear low-density polyolefin, or copolymer—must be at least 3/4 mil thick for an easy load up to 5 pounds, and 1-1/4 mil thick for an average load up to 5 pounds. When requested, mailers must provide documentation that these types of film are being used for mailing.

3.7 Cloth Bags

Cloth bags are acceptable for easy and average loads of up to 10 pounds, if the seams of the bags equal the strength of the basic material.

3.8 Difficult Load

The USPS does not accept bags, bales, or wraps with difficult loads. The contents in bags, bales, and wraps must be compressed when possible.

3.9 Bales

Bales are acceptable within postal weight limits, if adequately compressed and reinforced to contain the material.

3.10 Cans and Drums

Mailers may mail items in cans and drums with positive closures (such as clips). Friction closures alone are not acceptable. Mailers must shield protruding devices, such as locking rings, with padding material to prevent injury to USPS employees and damage to equipment or other mail.

4.0 Cushioning, Closure, and Reinforcement

4.1 Volume

Loose-fill cushioning must overfill the container before closure to hold the item and prevent its movement to an outside surface of the container or to other items in the package. Shock and pressure forces must be dissipated over as much of the surface of the item as possible.

4.2 Multiple Items Within Container

When multiple items are inside a single mailing container, mailers must cushion items to protect them from each other as well as from external forces. Do not package high-density heavy items with fragile items unless extreme care is taken to separate them from each other. Mailers must adequately stabilize heavy items within the package.

4.3 Tape

Cellophane and masking tape may not be used for closure or reinforcement of packages but may be used to augment adhesive closures on envelopes or to cover staples on bags.

4.4 Paper Tape

Paper tape must be at least 60-pound basis weight kraft. The adhesives on gummed tapes must be adequately activated before application and firmly applied with the tape extending at least 3 inches over the adjoining side of the box.

4.5 Tape Size

Except for pressure-sensitive filament tape, tapes used for closure and reinforcement may not be less than 2 inches (or 48 mm metric) wide. Nonreinforced plastic tapes must be at least as strong in the cross direction as in the machine (long) direction.

4.6 Adhesive

Adhesives used for closure on box flaps or on tapes must remain serviceable from -20 degrees to +160 degrees Fahrenheit. When using hot-melt adhesive, apply adhesive using one of these methods:

a. Apply hot-melt adhesive to 25% of the area where the outer flap lies over the inner flap.

b. Apply at least four strips of hot-melt adhesive on each part of the box flap where the outer flap overlays the inner flap as follows:

   1. Use strips at least 3/16 inch wide after compression.

   2. Place the strips not more than 1-1/2 inches apart, with the first strip no more than 1/2 inch from the center seam.

   3. Place all strips along the full width of the inner flap.

4.7 Banding

When banding is used for closure and reinforcement, it must encircle the length and girth of the package at least once. If twine or cord is used for closure and reinforcement, it must be at least 20-pound tensile strength and secured at an intersection at least once on each side. Loose strapping and metal strapping are not acceptable.

4.8 Staples and Steel Stitching

Mailers may use staples or steel stitching to close boxes as follows:

a. Place the staples or stitching within 1-1/4 inches from the ends of the box.

b. Space staples or steel stitches not more than 5 inches apart for easy and average loads and not more than 2-1/2 inches apart for difficult loads. If placing staples farther apart, apply strips of 3-inch-wide reinforced tape in the gaps between the staples.

c. Tightly clinch staples to prevent protrusions. Mailers must remove and replace inadequately clinched staples before mailing.

5.0 Handling, Content, and Extra Service Markings

5.1 Handling, Content, and Extra Service

Certain markings may be used to identify handling, content, and extra service. Unauthorized markings not designating rate, class, address, handling, content, or extra service are not permitted. Extraneous information, which can be confused with ZIP Codes, may not be placed next to or directly under the last line of the delivery address. Any obsolete marking on a container to be reused for mailing must be obliterated. The following markings must be placed in an area below the postage and above the addressee's name in the delivery address and to the right of the return address:

a. Handling markings such as "Fragile" must be applied only to packages containing delicate items such as glass and electrical appliances. Markings such as "Do Not Bend" must be used only when the content is protected with stiffeners.

b. Content markings such as "Perishable" must be applied to any package containing items or substances that can degrade or decompose rapidly such as meat, produce, plants, or certain chemical and hazardous materials samples. Restricted and hazardous articles must be marked and labeled under applicable standards. A container improperly identified by content is not acceptable for mailing (e.g., a box marked "Art Supplies" that contains flammable liquid or a box marked "Bleach" that contains clothing).

c. Extra service markings such as "Return Receipt Requested" must use the wording or label required by the applicable extra service standards.

5.2 Method

The mailer must mark the package using material that is not readily water soluble or easily smeared or rubbed off. The marking must be readable at a distance of 30 inches. Marking methods or surfaces must permit application and retention of

adhesive stamps, postage meter impressions, and postal endorsements made with hand stamp, ballpoint pen, or Number 2 pencil. Any address label or envelope must be firmly affixed to the mailing container, with no more than an 1/8-inch separation between the ends of the label or envelope and the container.

6.0 Mailing Containers—Special Types of Envelopes and Packaging

6.1 Express Mail and Priority Mail Packaging

Express Mail and Priority Mail packaging provided by the USPS must be used only for Express Mail or Priority Mail, as applicable. Regardless of how the packaging is reconfigured or how markings may be obliterated, any matter mailed in USPS-provided Express Mail or Priority Mail packaging is charged the appropriate Express Mail or Priority Mail rate.

6.2 Green Diamond Border Envelope

An envelope or card bearing a green diamond border must be used only for First-Class Mail. Any envelope or card bearing a green diamond border is charged the appropriate First-Class Mail rate, regardless of mail content or of requested class or service. When printed on letter-size mail, the border must not enter the OCR read area or barcode clear zone unless a delivery point barcode appears in the address block as described in 202.5.7.

6.3 Window Envelope

For all letter-size and flat-size mail in window envelopes, every character in the delivery address, including any postal barcode, marking, or endorsement, must be completely visible through the window throughout the full range of movement of the insert bearing the delivery address. Any window envelope used for letter-size or flat-size mail claimed at automation rates or for letter-size mail claimed at Enhanced Carrier Route high density or saturation rates must also meet the barcoding standards for letters and flats in 708.4.0. Any window envelope used for letter-size or flat-size mail claimed at any other rate must meet the following additional standards:

a. The address and any barcode visible through the window must be printed on white paper or paper of a very light color.

b. A clear space of at least 1/8 inch is required between the address block, which includes any optional endorsement line and any barcode, and the top, bottom, and left and right edges of the address window, and must remain when the insert is moved to its full limits in each direction within the envelope to ensure efficient processing and delivery. For nonautomation rate mail, the bottom edge of the address window must not extend more than 1/8 inch into the barcode clear zone as defined in 202.5.1. Any letter-size envelope containing a window that intrudes into the barcode clear zone is not eligible for MLOCR or RVE *FASTforward* processing options for the Move Update standard in 233.3.5.

c. Window cover material, if used over the address window, must be made of a nontinted clear or transparent material (e.g., cellophane or polystyrene) and must permit the address, as viewed through the window material, to meet the

print-contrast ratio standards in 708.4.0 to ensure efficient processing and delivery. Glassine may be used for window cover material. All edges of the window cover material must be glued securely to the envelope. The bottom edge of an address window must be at least 1/2 inch from the bottom edge of the envelope.

d. For letter-size mail, the delivery address window must be parallel with the longest edge of the envelope. For flat-size mail, the address window may be parallel with any edge of the envelope.

e. For Registered Mail, the opening on a window envelope must be covered as described in 503.2.4.8.

6.4 Reusable Mailpiece

A reusable mailpiece is an envelope, self-mailer, or similar mailpiece designed for two-way mailing. The recipient removes part of the original mailpiece or refolds the piece to cover the delivery address of the recipient and reveal the delivery address of the originator (sender) for return. Except for reusable mailpieces that originate as permit imprint mailings, the piece must meet these standards:

a. Basic Design. The piece must be designed and constructed to allow the recipient to reconfigure or modify the piece to remove or obscure the address, POSTNET barcode, postage, and any marking or endorsement that applied to the piece when it was originally mailed so that these elements are not mistaken by USPS employees or mail processing equipment as applying to the returned piece. The instructions on the piece must ensure that the recipient can prepare the piece correctly for remailing. If a reusable mailpiece does not meet the applicable standards, the piece must be re-enveloped and new postage affixed before distribution by the originator.

b. Distribution. When the piece is mailed by the originator, the piece must show only one complete delivery address and, if used, the corresponding barcode; the appropriate postage; and any required marking or endorsement. The originator's address and barcode for returning the piece and any postage, marking, endorsement, and facing identification mark (FIM) provided for that purpose must be obscured so that they are not mistaken by USPS employees or postal mail processing equipment as applying to the originating piece.

c. Return. When the piece is reconfigured for return from the recipient to the originator, the piece must show only one complete delivery address and, if used, the corresponding barcode; the appropriate postage; and any required marking, endorsement, and FIM. If a reusable mailpiece does not meet the applicable standards, the piece must be re-enveloped and new postage affixed before return by the recipient.

6.5 Reusable Mailpieces That Originate as Permit Imprint Mailings

[2-1-07] As an alternative to the standards in 6.4, reusable mailpieces that originate as permit imprint mailings may meet these standards:

a. Basic Design. The piece must be designed and constructed so that the recipient may reconfigure or modify it to remove or obscure the address that applied to the piece when it was originally mailed. The instructions on the piece

must ensure that the recipient can prepare the piece correctly for remailing. If a reusable piece does not meet the applicable standards, the piece must be re-enveloped and new postage affixed before distribution by the originator.

b. Distribution. When reusable mailpieces are originally mailed, postage must be paid with permit imprint and a complete address and corresponding barcode must be located in the address block. Reusable pieces must be entered at a postal facility as part of a permit imprint mailing. On mailpieces other than window envelopes, the address block for return of the piece (including the delivery address and a corresponding barcode) will be located on the reverse side. If included, prepaid reply postage must be located or obscured so that it is not mistaken by postal mail processing equipment or employees as applying to the originating piece.

c. Return. When the piece is reconfigured for return from the recipient to the originator, only one complete address with a corresponding barcode located in the address block and a FIM must be visible on the piece. If a reusable mailpiece does not meet the applicable standards, the piece must be re-enveloped and new postage affixed before return by the recipient.

7.0 Packaging Standards for Mail Processed at Bulk Mail Centers

7.1 High-Density Items

High-density items (see 2.6) weighing from 20 to 45 pounds must be packaged in fiberboard boxes constructed of a minimum 200-pound test board or equivalent wood, metal, or plastic containers. Plastic, metal, and similar hard containers must be packaged, treated, or otherwise prepared so that their coefficient of friction or ability to slide on a smooth, hard surface is similar to that of a domestic-class fiberboard box of the same approximate size and weight. Closure must be done by staples, heat-shrinking, adhesives, or tape. Boxes without inner packing or containing loose material must be reinforced or banded with reinforced paper or plastic tape, pressure-sensitive filament tape, or firmly applied nonmetallic banding. Internal blocking and bracing, including the use of interior containers, cut forms, partitions, dunnage, and liners, must be used as required so that packages are capable of maintaining their integrity without damage to the contents if dropped once on one of their smallest sides on a solid surface from a height of 3 feet. These items from 45 to 70 pounds must be similarly packaged, closed, and reinforced, except that exterior containers must be a minimum of 275-pound test fiberboard or equivalent.

7.2 Books

Books with 24 pages or more, fastened together along one edge between hardback, paperback, or self-covers, and more than 1 inch thick or 1 pound must not be accepted in letter-style nongusseted, flat envelopes. Envelopes meeting the standards in 3.1b, or other appropriate packaging materials in 3.0, must be used. Void spaces within multiple book containers must be filled with dunnage or otherwise stabilized to prevent shifting or damage to the contents or container. Shipments of books are packaged according to these weight categories:

a. Up to 5 pounds, closure must be by multiple friction closures, completely clinched staples, heat-sealing, adhesives, tape, or nonmetallic banding. Although shrinkwrap is not acceptable as the only packaging for hardback books exceeding 1 pound or 1 inch thick, it may be used on the exterior of otherwise acceptable containers. Shrinkwrap may be used as the only method of packaging for paperback books up to 3 pounds.

b. From 5 to 10 pounds, closure must be by tape, nonmetallic banding, or adhesives. Reinforced tape or nonmetallic banding is adequate for both closure and reinforcement. Nonmetallic banding must be firmly applied to the point that the straps must be tightened until they depress the carton at the edges.

c. From 10 to 25 pounds, reinforced tape or nonmetallic banding is adequate for closure and reinforcement. Nonmetallic banding must be firmly applied to the point that the straps tighten until they depress the carton at the edges.

d. From 25 to 50 pounds, hardbound books must be packaged in 275-pound test fiberboard boxes and paperback books must be packaged in 200-pound test fiberboard boxes.

e. From 50 to 70 pounds, hardbound books must be packaged in 350-pound test fiberboard boxes and paperback books must be packaged in 275-pound test fiberboard boxes.

7.3 Soft Goods

Boxes containing soft goods (e.g., textiles, clothing, sheets, blankets, pillows and pillowcases, draperies, cloth, and any wearing apparel) weighing up to 5 pounds must be filled to capacity. Soft goods between the weight range of 5 to 20 pounds must be packaged in material with a minimum 70-pound outer ply basis weight. Closure of bags must be by completely clinched staples, heat-sealing, adhesives, sewing, or tape. Improperly clinched staples must be removed. Shrinkwrapping is not acceptable as the only packaging. Fiberboard containers must be made of at least 200-pound test board for soft goods weighing from 20 to 45 pounds and at least 275-pound test board for soft goods weighing from 45 to 70 pounds.

7.4 Sound Recordings

Shipments of recordings (e.g., records and cassette tapes in paper sleeves, paperboard, or chipboard shells) weighing up to 10 pounds must be packed in 70-pound basis weight envelopes for weights up to 3 pounds, or outer corrugated, fiberboard containers for weights up to 10 pounds. When shipments weigh from 20 to 40 pounds, multiple shell containers must be packaged in 175-pound test fiberboard containers or equivalent and closed and reinforced by adhesives, kraft paper tape, equivalent plastic tape, or staples. When shipments weigh from 40 to 65 pounds, multiple shell containers up to 65 pounds must be packaged in 200-pound test fiberboard containers or equivalent and closed and reinforced as described for 20- to 40-pound containers, except that containers must be reinforced about every 8 inches around the package. Shipments weighing more than 65 pounds must be packaged in 275-pound test fiberboard containers or equivalent.

7.5 Magnetic Tapes

Shipments of multiple magnetic tapes and cartridges up to 5 pounds must be packed in outer fiberboard containers or chipboard containers (minimum 0.022 mil). Closure must be by multiple friction closures, completely clinched staples, heat-shrinking or adhesives, or by tape. Paper tape must be a minimum of 60-pound basis weight kraft. Shrinkwrapping is acceptable on the exterior of otherwise acceptable boxes of multiple tape shipments. Standards for shipments weighing from 5 to 20 pounds are similar, except that closure must be only by the use of adhesives, tape, or staples. Standards are also similar for shipments weighing from 20 to 40 pounds, except that the contents must be placed in 175-pound test containers that are banded or reinforced at two points with reinforced paper or plastic tape, pressure-sensitive filament tape, or firmly applied nonmetallic banding. Shipments from 40 to 65 pounds must be similarly packaged, except that fiberboard containers of at least 200-pound test board or equivalent must be used. Shipments weighing more than 65 pounds must be packaged in 275-pound test fiberboard containers or equivalent.

8.0 Nonmailable and Restricted Articles and Substances Generally

8.1 Nonmailable Matter—General

Certain potentially undesirable, harmful, or dangerous matter is nonmailable by statute or regulation. The standards for nonmailable articles and substances and the special conditions under which certain of these articles and substances may be mailed are in 8.0 through 10.0 and 11.0. The standards in 12.0, *Written, Printed, and Graphic Matter Generally*, 508.8.0, *Pandering Advertisements*, and 508.9.0, *Sexually Oriented Advertisements*, apply to nonmailable matter in written, printed, or graphic form and contain the rules on advising mailers of matter covered in 8.0 through 12.0, 508.8.0, and 508.9.0. The standards in 8.0 through 10.0 and 11.0 apply to the military postal system, its employees, and undelivered mail that is or has been in the official custody of this system and its employees. References to Inspection Service apply to the Postal Inspection Service and authorized employees, not military investigative services.

8.2 Basic Premise

The basic premise of the postal mailability statutes is that anything “which may kill or injure another, or injure the mails or other property...” is nonmailable. Several statutory exceptions to this rule permit mailings of otherwise nonmailable matter under specified conditions. Statutory exceptions apply to live scorpions, poisonous drugs and medicines, poisons for scientific use, switchblade knives, firearms, motor vehicle master keys, locksmithing devices, and abortive and contraceptive devices. The statutes also provide that the USPS may, by regulation, permit the mailing, under required conditions of preparation and packing, of potentially harmful matter not “outwardly or of [its] own force dangerous or injurious to life, health, or property.” The standards in 8.0 summarize the statutory prohibitions and exceptions. The mailability standards that apply to perishable, hazardous, and restricted matter are detailed in 9.0, 10.0, and 11.0, respectively. Publication 52, *Hazardous, Restricted, and Perishable Mail,* contains additional clarification and further describes the

conditions of preparation and packaging under which the USPS accepts for mailing potentially harmful matter that is otherwise nonmailable. Publication 52 also contains detailed information on the mailability of specific hazardous materials.

8.3 Other Nonmailable Matter

Matter is nonmailable also when it cannot be delivered because of an illegible, incorrect, or insufficient address, or when it does not meet USPS standards for mail preparation, classification, postage rates, size, or weight.

8.4 Restricted Matter—General

Restricted matter is an article or substance prohibited or limited by Title 18, U.S. Code (liquors, abortive and contraceptive devices, odd-shaped items in envelopes, motor vehicle master keys, and locksmithing devices). It also includes matter not otherwise described in 8.0 through 10.0 and 11.0 that is restricted by 18 USC 1716(a) because it may, under conditions encountered in the mail, be injurious to life, health, or property (obnoxious odors, liquids, powders, and battery-powered devices).

8.5 Harmful Matter—General

Except as provided in this document, any article, composition, or material is nonmailable if it can kill or injure another or injure the mail or other property. Harmful matter includes, but is not limited to:

a. All types and classes of poisons, including controlled substances.

b. All poisonous animals except scorpions mailed for medical research purposes or for the manufacture of antivenom; all poisonous insects; all poisonous reptiles; and all types of snakes, turtles, and spiders.

c. All disease germs or scabs.

d. All explosives, flammable material, infernal machines, and mechanical, chemical, or other devices or compositions that may ignite or explode.

8.6 Hazardous Materials

Harmful matter also includes regulated hazardous materials as defined in 10.0 that are likely to harm USPS employees or to destroy, deface, or otherwise damage mail or postal equipment. This includes materials such as caustic poisons (acids and alkalies), oxidizers, or highly flammable liquids, gases, or solids; or materials that are likely, under conditions incident to transportation, to cause fires through friction, absorption of moisture, or spontaneous chemical changes or from retained heat from manufacturing or processing, including explosives or containers previously used for shipping high explosives with a liquid ingredient (such as dynamite), ammunition, fireworks, radioactive materials, matches, or articles emitting obnoxious odors.

8.7 Marking of Restricted Articles or Substances

8.7.1 Content

Except for firearms and switchblade knives, controlled substances, radioactive materials, and motor vehicle master keys and locksmithing devices, the identity of the content of anything mailed under 8.0 through 10.0 and 11.0 must be plainly and

durably marked on the address side of each mailpiece as a condition of mailing. When the content is a hazardous material as defined in 49 CFR, each mailpiece must be marked as required in 10.0.

8.7.2 Addressing

For any matter mailed under the provisions in 8.0 through 10.0 and 11.0, the recipient's name and address must be affixed or applied directly to the mailpiece using a material or method that is not water-soluble and not easily smeared or rubbed off. Except for diagnostic specimen mailpieces using a business reply mail format and nonregulated materials, a return address that includes the sender's name and address must appear on all matter mailed under 8.0 through 10.0 and 11.0. The return address, when required, must be applied using a material or method that is not water-soluble and not easily smeared or rubbed off.

8.7.3 Warning Label

Except for controlled substances mailed under 11.0, any label or other marking required by federal law or the regulation of any federal agency must be securely affixed or applied to the address side of each mailpiece. See 10.0 for the warning label requirements that apply to the mailing of hazardous materials.

8.8 Mailer Responsibility

The mailer must comply with applicable postal laws and regulations governing mailability and preparation for mailing, as well as nonpostal laws and regulations on the shipment of particular matter.

8.9 Statutory System

18 USC 2510, et seq., constitutes a statutory system of regulating interception of wire, oral, or electronic communications. Any person contemplating the mailing of a device primarily useful for surreptitiously effecting such interception should consider the provisions of 18 USC 2510, et seq., particularly section 2512. This statute makes it a crime, except as otherwise provided in 18 USC 2510, et seq., for a person intentionally to send through the mail any device whose design that person knows, or has reason to know, renders the device primarily useful for surreptitious interception of wire, oral, or electronic communications. The statute does not declare that such a device in itself constitutes nonmailable matter but, as indicated, provides criminal penalties for the act of intentionally mailing it.

8.10 Other Laws and Regulations

Particular matter may be mailable under postal statutes and regulations, but customers may have responsibilities under nonpostal statutes and regulations concerned with possession, treatment, transmission, or transfer of such matter (e.g., 49 CFR 100-185 (Department of Transportation Regulations); the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513), 21 USC 801, et seq.; and the Gun Control Act of 1968 (Public Law 90-618), 18 USC 921, et seq.).

8.11 Refusal of Nonmailable Matter

USPS employees may refuse an article for mailing if the content of the article is described by the mailer or otherwise revealed to be nonmailable.

8.12 Authorizing Mailability
A postmaster may decide whether articles and substances other than written, printed, or graphic matter are nonmailable and, where appropriate, is authorized to refuse to accept for mailing such matter determined to be nonmailable. The mailer may seek a review of the postmaster's decision by the PCSC. The mailer may file a written appeal of the PCSC ruling with the USPS Recorder, Judicial Officer, with a copy or description of the determination or ruling. The rules of procedure for the determination of such appeals are in 39 CFR 953.

8.13 Protecting Employees
A postmaster may take any step reasonable and necessary to protect USPS employees and equipment from potentially dangerous or injurious materials or substances found in the mail.

8.14 Applicability to Military Postal System
8.0 through 10.0 and 11.0 applies to the military postal system, its personnel, and undelivered mail that is or has been in the official custody of that system and its personnel. References to the Inspection Service refer to the Postal Inspection Service and its authorized employees, not to military investigative services.

9.0 Perishables

9.1 Time Factor
Mailable perishable matter may be sent through the mail only if it can reach its destination in good condition in the normal transit time between the mailing and address points. Mailable perishable foods that do not rapidly decay or generate obnoxious odors in the mail may be sent at the mailer's risk.

9.2 Preparation of Perishables

9.2.1 Container
Any container used to mail perishable matter must be constructed to protect and securely contain the contents.

9.2.2 Produce
Fruits and vegetables are not mailable unless presented in dry condition.

9.2.3 Water Ice
Water ice used as a refrigerant must be packed under 2.3 as though it were a liquid.

9.2.4 Dry Ice
A parcel containing dry ice (carbon dioxide solid) must be packed in a container that allows the release of carbon dioxide gas. If a fiberboard box is used, enough insulation is necessary to prevent condensation and wetting of the mailing carton.

9.3 Live Animals

9.3.1 Animal Fighting Prohibition
Under 7 USC 2156, the mailing of a live animal for the purpose of participating in an animal fighting venture is prohibited (regardless of whether such venture is permitted under the laws of the state in which it is conducted). The term *state* means any state

of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any U.S. territory or possession. Violators can be subject to the criminal penalties in 7 USC 2156.

9.3.2 Day-Old Poultry

Day-old poultry vaccinated with Newcastle disease (live virus) is nonmailable. Live day-old chickens, ducks, geese, partridges, pheasants (pheasants may be mailed only from April through August), guinea fowl, quail, and turkeys are acceptable in the mail only if:

a. They are not more than 24 hours old and are presented for mailing in the original unopened hatchery box from the hatchery of origin.

b. The date and hour of hatching is noted on the box by a representative of the hatchery who has personal knowledge thereof. (For COD shipments made by a hatchery for the account of others, the name or initials and address of the hatchery or the post office box number and address of the hatchery must be prominently shown for this standard.)

c. The box is properly ventilated, of proper construction and strength to bear safe transmission in the mail, and not stacked more than 10 units high.

d. They are mailed early enough in the week to avoid receipt at the office of address, in case of missed connections, on a Sunday, on a national holiday, or on the afternoon before a Sunday or holiday.

e. They can be delivered to the addressee within 72 hours of the time of hatching, whether the addressee resides in town or on a rural route or highway contract route.

f. The shipment bears special handling postage in addition to regular postage, unless sent at the First-Class Mail or Priority Mail rate.

g. When live, day-old poultry is to be transported by aircraft, all provisions of the airline tariffs are met and air carriers have equipment available to safely deliver shipments within the specified time limits, allowing for delays en route in air and ground transportation.

h. Day-old poultry, originally shipped by air express or air cargo and then presented for mailing, must be in First-Class condition and prepared as specified in 9.3.2a. through 9.3.2e.

i. Boxes of day-old poultry of about identical size, securely fastened together to prevent separation in transit, may be accepted for mailing as a single parcel, if such parcel is not more than 100 inches in length and girth combined.

9.3.3 Small Cold-Blooded Animals

Small, harmless, cold-blooded animals (except snakes and turtles) that do not require food or water or attention during handling in the mail and that do not create sanitary problems or obnoxious odors are mailable (e.g., baby alligators and caimans not more than 20 inches long, bloodworms, earthworms, mealworms, salamanders, leeches, lizards, snails, and tadpoles).

9.3.4 Adult Fowl

Adult turkeys, guinea fowl, doves, pigeons, pheasants, partridges, and quail, as well as ducks, geese, and swans sent by Express Mail in biologically secure containers approved by the manager of Mailing Standards (see 608.8.0 for address) are mailable if the number of birds per parcel follows the container manufacturer limits, and if each bird weighs more than 6 ounces. Under the applicable standards, indemnity may be paid only for loss, damage, or rifling, and not for death of the birds in transit if there is no visible damage to the mailing container.

9.3.5 Adult Chickens

Adult chickens must be sent by Express Mail. The Express Mail containers used must pass the standards in International Safe Transit Association (ISTA) Test Procedure 1A (detailed in Publication 2, *Packaging for Mailing*); be designed to remain intact during normal handling; be constructed to *totally* confine the chickens; contain shavings or other material to prevent damage to the bottom of the container; and be ventilated properly to ensure humane treatment in transit. The number of birds in each parcel must not exceed the container manufacturer's limit. Under the applicable standards, indemnity may be paid only for loss, damage, or rifling, and not for death of the chickens in transit if there is no visible damage to the container. The mailing of chickens for animal fighting purposes is prohibited under 9.3.1.

9.3.6 Warm-Blooded Animals

Warm-blooded animals, except the specified birds under specific conditions in this section, are not mailable (e.g., hamsters, mice, rats, guinea pigs, rabbits, cats, dogs, squirrels, parakeets, and canaries).

9.3.7 Mailed to Republic of Palau

Animals mailed to the Republic of Palau require a permit issued by the government of Palau.

9.3.8 Bees

Bees are acceptable in the continental surface mail when shipped under federal and state regulations to ensure that they are free of disease. Packages of honeybees must bear special handling postage, except those sent at a First-Class Mail rate. Only queen honeybees may be shipped via air transportation. Each queen honeybee shipped via air transportation may be accompanied by up to eight attendant honeybees.

9.3.9 Other Insects

Other live, nonpoisonous, and nondisease-conveying insects, including flies of the family Drosophilidae, may be sent through the mail when properly prepared for mailing and when shipped under regulations of the U.S. Department of Agriculture. Such insects mailed to the Republic of Palau are also subject to the regulations of Palau.

9.3.10 Live Scorpions

Live scorpions that are to be used for medical research or the manufacture of antivenin are accepted only in the continental surface mail when packaged in a double mailing container, both parts of which are closed or fastened to prevent escape of the scorpions. The inner container must be of material that cannot be

punctured by the scorpions and must be plainly marked “Live Scorpions.” Cushioning material must be used when necessary to prevent shifting of the inner container. The outer container must be strong enough to prevent crushing of the package or exposure of the contents during normal handling in the mail. The outer container must be plainly marked “Live Scorpions.”

9.3.11 Packaging

Any mailing container used for mailable animals must be made of at least 275-pound test, double wall, corrugated, weather-resistant fiberboard (W5c) or equivalent and must be adequately ventilated. The container must be constructed to prevent escape of the animals while in the mail and to preclude the container and its contents from being crushed in normal handling. The outside of the container must include a return address and a description of the contents. A container marked “If Undeliverable, Abandon” is not accepted.

9.3.12 Acceptance

The USPS does not accept any shipment of animals that the USPS reasonably believes cannot reach its destination in a viable condition. Such a determination is based on factors including the expected temperatures (weather conditions) while the shipment is in the mail; the types of vehicles on which the shipment is to be transported; the expected transit time; and the types of packaging used for protection against suffocation, crushing, and handling.

9.3.13 Disposal

Any parcel of live animals that cannot be delivered to the addressee or returned to the sender within 72 hours (for live day-old poultry) or within the delivery period marked on the parcel (for other animals) is immediately disposed of under the relevant standards. A parcel not marked with the delivery period is disposed of immediately if it reasonably appears that the animals cannot be returned to the sender in a viable condition.

9.4 Dead Wild Animals

The dead bodies, or parts thereof, of any wild animals, wild birds, or eggs are acceptable for mailing only when they are lawfully killed or taken, and their shipment is not prohibited by law of the United States or of the state, territory, district, or foreign country or subdivision thereof in which killed or taken or offered for shipment. Mailing of fresh game is also subject to these standards.

9.5 Furs, Hides, Skins, And Pelts

A parcel containing the fur, hide, skin, or pelt of a wild animal is mailable only if the matter is properly dried or cured and has no offensive odor, and only if the parcel is plainly marked, labeled, or tagged on the outside with the names and addresses of the shipper and addressee. The parcel must bear any endorsement required by state laws. Hides and pelts must be wrapped when necessary to prevent damage to other mail.

9.6 Mailing Plants

9.6.1 Mailability

In general, plants and plant products are mailable within the United States and its territories and possessions, subject to certain prohibitions imposed under U.S. agriculture and conservation statutes. To the extent specified below, when such prohibitions make shipment of plants or plant products unlawful, those articles constitute nonmailable matter. More detailed information is in Publication 14, *Prohibitions and Restrictions on Mailing Animals, Plants, and Related Matter.*

9.6.2 Nonmailable Quarantined Matter

Under 39 USC 3014(b), any plant, plant product, or other article capable of carrying a dangerous plant disease or insect infestation is nonmailable from a quarantined area, if shipping such item by common carrier is prohibited by a U.S. Department of Agriculture (USDA) quarantine issued under 7 USC 161, except, any such item is mailable from a quarantined area if:

a. Its movement by common carrier is allowed under conditions prescribed in the quarantine notice or in other USDA regulations, issued under 7 USC 161, governing its inspection, disinfection, certification, and other conditions for its movement.

b. Its movement by mail complies with all such conditions.

9.6.3 Additional Quarantined Matter

Any plant, article, or matter, the importation or interstate shipment of which is prohibited under the Act of August 20, 1912 (37 Stat. 315, chapter 308; 7 USC 151 et seq.), commonly known as the Plant Quarantine Act, is made nonmailable by 39 USC 3015(c).

9.6.4 Illegally Taken Plants

Any plant, the conveyance of which is prohibited under section 3 of the Lacey Act Amendments of 1981 (16 USC 3372), is made nonmailable by 39 USC 3015(d).

9.6.5 Criminal Penalties

18 USC 1716B provides criminal penalties for mailing anything nonmailable under 39 USC 3014(b), unless the item is excepted under USPS regulations. 18 USC 1716D provides criminal penalties for mailing anything nonmailable under 39 USC 3015(c) and (d).

9.6.6 USDA Notices and Regulations

USDA quarantine notices, issued under 7 USC 161, are published in the *Federal Register* and codified in 7 CFR (e.g., 7 CFR 301 and 318). Details on these and other USDA regulations may be obtained by writing to the USDA Animal and Plant Health Inspection Service (APHIS) Plant Protection and Quarantine (PPQ) Programs (see 608.8.0 for address).

9.7 Nonmailable Plant Pests, Injurious Animals, and Illegally Taken Fish or Wildlife

9.7.1 Nonmailable Matter

More detailed information is in Publication 14. Under the respective provisions of 39 USC 3015(a), (b), and (d), the following items are nonmailable:

a. Any injurious animal, the importation or interstate shipment of which is prohibited under 18 USC 42.

b. Any plant pest, the movement of which is prohibited under section 103 or 104 of the Federal Plant Pest Act (7 USC 150bb or 150cc).

c. Any fish or wildlife, the conveyance of which is prohibited under section 3 of the Lacey Act Amendments of 1981 (16 USC 3372).

9.7.2 Criminal Penalties

18 USC 1716D provides criminal penalties for mailing anything nonmailable under 39 USC 3015(a), (b), or (d).

10.0 Hazardous Materials

10.1 Definitions

The following definitions apply:

a. *Hazardous material* is any article or substance designated by the U.S. Department of Transportation (DOT) as being capable of posing an unreasonable risk to health, safety, and property during transportation. In international commerce, hazardous materials are known as “dangerous goods.”

b. *Limited quantity* is the maximum amount of a specific hazardous material that is exempted from the labeling or packaging requirements in 49 CFR. Not every hazardous material is eligible to be shipped as a limited quantity. Almost all limited quantity materials are nonmailable.

c. *ORM-D (Other Regulated Material) material* is a limited quantity of a hazardous material that presents a limited hazard during transportation due to its form, quantity, and packaging. In almost all instances, the proper shipping name for an ORM-D material is consumer commodity. Not all hazardous material permitted to be shipped as a limited quantity can qualify as an ORM-D material. ORM-D materials having the proper shipping name of “consumer commodity” are mailable subject to USPS quantity and packaging standards.

d. *Consumer commodity* is a hazardous material that is packaged and distributed in a quantity and form intended or suitable for retail sale and designed for consumption by individuals for their personal care or household use purposes. This term can also include certain drugs or medicines. Not all hazardous material permitted to be shipped as a limited quantity can qualify as a consumer commodity.

e. *Air transportation requirements,* for the purposes of 10.0 only, apply to all mailable hazardous materials sent at the First-Class Mail, Priority Mail, or Express Mail rates. All mailable hazardous materials sent at those rates must meet the requirements that apply to air transportation. Mailable hazardous materials sent at any of those rates may or may not be transported via air depending on the distance between the point of origination and the point of destination, and the ability of the USPS to obtain an air carrier between those points.

f. *Surface transportation requirements,* for the purposes of 10.0 only, apply to all mailable hazardous materials sent at the Standard Mail or Package Services rates. All mailable hazardous materials sent at the Standard Mail or Package Services rates must meet the requirements that apply to surface transportation.

g. *Primary receptacle* is the container (e.g., tube, vial, bottle) that holds the hazardous material.

h. *Secondary container* is the packaging component into which the primary receptacle(s) and any required absorbent and cushioning material is securely placed. The packaging of certain mailable hazardous materials does not require the use of a secondary container.

i. *Outer shipping container* is the exterior packaging component into which a primary receptacle, along with any required absorbent and cushioning material, and the secondary container (if required) are securely placed. The outer shipping container bears the addressing information along with all required markings.

10.2 U.S. Department of Transportation Regulations of Hazardous Material

The U.S. Department of Transportation (DOT) regulates the surface and air carriage of hazardous materials within the United States via any means of transportation. The DOT regulations for the transport of hazardous materials are codified in Title 49, Code of Federal Regulations (49 CFR) 100–185. USPS mailing standards for hazardous materials generally adhere to 49 CFR, but also include many additional limitations and prohibitions.

10.3 USPS Standards for Hazardous Material

The USPS standards generally restrict the mailing of hazardous materials to ORM-D materials with the proper shipping name of “consumer commodity” that meet USPS quantity limitations and packaging requirements. The few non-ORM-D materials permitted to be mailed are subject to the standards in 10.0. Detailed information on the mailability of specific hazardous materials is contained in Publication 52, *Hazardous, Restricted, and Perishable Mail*.

10.4 Hazard Class

Every hazardous material is assigned to one of nine hazard classes identified in 49 CFR 172.101 and 173. Some hazard classes are further separated into divisions based on their physical or chemical properties. For postal purposes, Exhibit 10.4 generally summarizes the mailability of hazardous materials by hazard class.

Exhibit 10.4 DOT Hazard Classes and Mailability Summary

		TRANSPORTATION METHOD		
CLASS	**HAZARD CLASS NAME AND DIVISION**	**Domestic Mail Air Transportation**	**Domestic Mail Surface Transportation**	**International Mail**
1	**Explosives** Division - 1.1 Mass Explosive Hazard 1.2 Projection Hazard 1.3 Fire Hazard and/or Minor Blast/Minor Projection Hazard 1.4 Minor Blast Hazard 1.5 Very Insensitive With Mass Explosion Hazard 1.6 Extremely Insensitive With No Mass Explosion Hazard	Prohibited	Prohibited except with written permission as allowed in 10.11.2	Prohibited
2	**Gases** Division - 2.1 Flammable Gases 2.2 Nonflammable, Nontoxic Gases 2.3 Toxic Gases	*Division 2.1 and 2.3:* Prohibited. *Division 2.2:* Only ORM-D material per 10.12.2	*Divisions 2.1 and 2.2:* Only ORM-D material per 10.12.2. *Division 2.3:* Prohibited	Prohibited
3	**Flammable and Combustible Liquids**	*Flammable liquids:* Prohibited. *Combustibles*: Only ORM-D material per 10.13.3	*Flammable liquids*: Only ORM-D material per 10.13.2. *Combustibles:* Only ORM-D material per 10.13.3	Prohibited
4	**Flammable Solids** Division - 4.1 Flammable Solids 4.2 Spontaneously Combustible 4.3 Dangerous When Wet	Prohibited	Only ORM-D material per 10.14.2	Prohibited
5	**Oxidizing Substances, Organic Peroxides** Division - 5.1 Oxidizing Substances 5.2 Organic Peroxides	Only ORM-D material per 10.15.2	Only ORM-D material per 10.15.2	Prohibited
6	**Toxic Substances and Infectious Substances** Division - 6.1 Toxic Substances 6.2 Infectious Substances	*Division 6.1:* Only ORM-D material per 10.16.2. *Division 6.2:* Only per 10.17	*Division 6.1:* Only ORM-D material per 10.16.2. *Division 6.2:* Only per 10.17	*Division 6.1:* Prohibited. *Division 6.2:* Only mailable per IMM 135
7	**Radioactive Materials**	Prohibited	Only in limits per 9.0 and Publication 52	Only mailable in limits per IMM 135
8	**Corrosives**	Only ORM-D material per 10.19.2	Only ORM-D material per 10.19.2	Prohibited
9	**Miscellaneous Hazardous Materials**	Only ORM-D material per 10.20	Only ORM-D material per 10.20	Prohibited, except magnetized materials per IMM 136

10.5 Mailer Responsibility for Mailing Hazardous Materials

Full responsibility rests with the mailer to comply with all postal and nonpostal laws and regulations regarding the mailing of hazardous materials. Anyone who mails, or causes to be mailed, a nonmailable or improperly packaged hazardous material can be subject to legal penalties, including but not limited to those specified in 18 USC.

10.6 Mailability Rulings for Hazardous Materials

Generally, the acceptability for mailing chemicals and other types of hazardous materials depends on container fluid/vapor capacities, the ability of the complete mailpiece to contain the material, and the method of absorbing and containing the product in case of accidental leakage of the primary receptacle. To determine mailability of a specific material, a mailer must submit a material safety data sheet (MSDS) and the following information to the Pricing and Classification Service Center (PCSC):

a. Name of material, hazard class, and assigned United Nations (UN) or North America (NA) identification number.

b. Chemical composition by percentage of ingredient.

c. Flashpoint.

d. Toxic properties.

e. Irritant action when inhaled, swallowed, or contacted by eyes or skin.

f. Special precautions necessary to permit handling without harm to USPS employees or damage to property or other mail.

g. Explanation of warning labels and shipping papers required by state or federal regulations.

h. Proposed packaging method, including the addressing and required markings.

i. Proposed number of pieces to be mailed, class of mail, and post office(s) of mailing.

10.7 Warning Labels for Hazardous Materials

With few exceptions as noted in these standards, most hazardous materials acceptable for mailing fall within the Other Regulated Materials (ORM-D) regulations of CFR 49 173.144, which do not require DOT hazard class warning labels. Except for Division 6.2 materials under 10.17.5 and dry ice under 10.20.4, any hazardous material bearing or required to bear a DOT hazard class warning label under the requirements in 49 CFR is prohibited from mailing. Mailable ORM-D material must be marked as required in 10.8. Mailable hazardous material must bear DOT handling labels (e.g., orientation arrows, magnetized materials) when applicable.

10.8 Package Markings for Hazardous Materials

Each mailpiece containing a mailable hazardous material must be plainly and durably marked on the address side with the required shipping name and UN identification number. The UN identification number is not required on a mailpiece that contains an ORM-D material. A mailable ORM-D material must be marked on the address side with “ORM-D” or “ORM-D AIR,” as applicable, immediately following or below the proper shipping name. The proper shipping name for a

mailable ORM-D material is “consumer commodity.” The designation “ORM-D” or “ORM-D AIR”, as required, must be placed within a rectangle that is approximately 6.3 mm (1/4 inch) larger on each side than the designation. Mailable ORM-D materials sent as Standard Mail or Package Services must also be marked on the address side as “Surface Only” or “Surface Mail Only.”

10.9 Shipping Papers for Hazardous Materials

A shipper’s declaration for dangerous goods (shipping paper) prepared under 49 CFR 172.200 through 172.205 is required for certain types of hazardous materials when mailed. The shipping paper must be completed and signed in triplicate by the mailer. It must be affixed to the outside of the mailpiece within an envelope or similar carrier that can be easily opened and resealed to allow viewing of the document. Shipping papers are required as follows:

a. *Air transportation requirements.* Except for nonregulated materials sent under 10.17.3 or 10.17.9 and diagnostic specimens sent under 10.17.6, mailpieces containing mailable hazardous materials sent at the First-Class Mail, Priority Mail, or Express Mail rates must include a shipping paper.

b. *Surface transportation requirements.* Except for nonregulated materials sent under 10.17.3 or 10.17.9 and mailable ORM-D materials, mailpieces containing mailable hazardous materials sent at the Standard Mail or Package Services rates must include a shipping paper.

10.10 Air Transportation Prohibitions for Hazardous Materials

All mailable hazardous materials sent at the First-Class Mail, Priority Mail, or Express Mail rates must meet the requirements for air transportation. The following types of hazardous materials that are prohibited from carriage on air transportation must not be sent at the First-Class Mail, Priority Mail, or Express Mail rates:

a. Anything susceptible to damage or that can become harmful because of changes in temperature or atmospheric pressures unless protected against the effects of such changes.

b. Magnetic materials that have a field strength sufficient to cause a compass deviation at a distance of 15 feet (4.6 meters) or more from any point on the outer packaging.

c. Flammable materials (gases, liquids, and solids).

d. Radioactive materials.

e. Materials excluded from air shipment by DOT regulations (49 CFR 100-185) or of the applicable state (country) or air carrier operator variations. Certain restricted articles, as described in 49 CFR 100-185 and the operator variations of the air carriers, may be accepted for air transportation if properly packaged. These articles must be labeled and bear a shipper's declaration in triplicate, as required by 49 CFR 172.204, or must be marked according to the air carrier's operator variations. Refer to the technical instruction of the International Civil Aviation Organization (ICAO) for air carrier operator variations.

10.11 Explosives (Hazard Class 1)

10.11.1 Definition

An *explosive* is any substance, article, or device that is designed to function by explosion (i.e., an extremely rapid release of gas and heat) or that, by chemical reaction within itself, is able to function in a similar manner even if not designed to function by explosion, unless the substance or article is otherwise classed under the provisions in 49 CFR. Hazard class 1 has six divisions as shown in Exhibit 10.4. No further explanation of the six divisions is provided in these standards because explosives are prohibited in the mail except as permitted in 10.11.2.

10.11.2 Mailability

Explosives are prohibited in international mail. Explosives are prohibited in the domestic mail via air transportation. For domestic surface transportation, explosives are prohibited except for certain Division 1.4S toy propellant devices and safety fuses specifically approved by the manager of Mailing Standards (see 608.8.0 for address) before mailing. A mailable explosive must meet the packaging and marking requirements provided with the manager's approval. A shipping paper is required.

10.12 Gases (Hazard Class 2)

10.12.1 Definition

Hazard class 2 consists of three divisions:

a. Division 2.1, Flammable Gases. A material that is a gas at 68°F (20°C) or less and 14.7 psi (101.3 kPa) of pressure. Flammable gases also include materials that have a boiling point of 68°F (20°C) or less at 14.7 psi (101.3 kPa) and that are ignitable at 14.7 psi (101.3 kPa) when in a mixture of 13% or less by volume with air or that have a flammable range at 14.7 psi (101.3 kPa) with air of at least 12% regardless of the lower limit. These conditions must be established in accordance with ASTM E681-85, Standard Test Method for Concentration Limits of Flammability of Chemicals, or other approved equivalent method. The flammability of aerosols must be determined using the tests specified in 49 CFR 173.306(i).

b. Division 2.2, Nonflammable, Nontoxic Gases. A material that does not meet the definition of Division 2.1 or 2.3 and exerts in its packaging an absolute pressure of 40.6 psi (280 kPa) or greater at 68°F (20°C).

c. Division 2.3, Toxic Gases. A material that is poisonous by inhalation and is a gas at 68°F (20°C) or less and a pressure of 14.7 psi (101.3 kPa) or a material that has a boiling point of 68°F (20°C) or less at 14.7 psi (101.3 kPa).

10.12.2 Mailability

Gases are prohibited in international mail. Toxic gases in Division 2.3 are prohibited in domestic mail. Flammable gases in Division 2.1 are prohibited in domestic mail via air transportation, but are permitted via surface transportation if the material can qualify as an ORM-D material and meet the standards in 10.12.3 and 10.12.4. Nonflammable gases in Division 2.2 are generally permitted in the domestic mail via air or surface transportation if the material can qualify as an ORM-D material and meet the standards in 10.12.3 and 10.12.4.

10.12.3 Container

An other-than-metal primary receptacle containing a mailable gas may be acceptable if the water capacity of the primary receptacle is 4 fluid ounces (7.22 cubic inches) or less per mailpiece and the primary receptacle meets 49 CFR requirements. Mailable nonflammable and flammable compressed gases are acceptable in metal primary receptacles that have a water capacity up to 33.8 fluid ounces (1 liter or 61.0 cubic inches), depending on their internal pressure. A DOT 2P container must be used as the primary receptacle if the internal pressure is from 140 to 160 psi at 130°F (55°C). A DOT 2Q container must be used as the primary receptacle if the pressure is from 161 to 180 psi at 130°F (55°C). A container with an internal pressure over 180 psi at 130°F (55°C) is prohibited from mailing. Mailable flammable compressed gases are restricted to 33.8 fluid ounces (1 liter) per mailpiece. Mailable nonflammable compressed gases are permitted in individual 33.8 fluid ounce (1 liter) containers that must be securely packed within an outer shipping container. Each mailpiece must not exceed a total weight of 25 pounds.

10.12.4 Marking

For surface transportation, packages of mailable gases must be clearly marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name (consumer commodity). For air transportation, packages must be plainly and durably marked on the address side with “ORM-D AIR” immediately following or below the proper shipping name and must also bear a shipper's declaration for dangerous goods.

10.13 Flammable and Combustible Liquids (Hazard Class 3)

10.13.1 Definitions

The terms used in the standards that apply to hazard class 3 are defined as follows:

a. *Flammable liquid* means a liquid that has a flashpoint of not more than 141°F (60.5°C), or any material in a liquid phase that has a flashpoint at or above 100°F (38°C).

b. *Combustible liquid* means any liquid that does not meet the definition of any other hazard class and has a flashpoint above 141°F (60.5°C) and below 200°F (93°C). Note: A flammable liquid with a flashpoint at or above 100°F (38°C) that does not meet the definition of any other hazard class may be reclassified as a combustible liquid per 49 CFR 173.120(b).

10.13.2 Flammable Liquid Mailability

Flammable liquid is prohibited in international mail. Flammable liquid with a flashpoint of 20°F (-7°C) or below is prohibited in domestic mail. Other flammable liquid is prohibited in domestic mail via air transportation but is permitted via surface transportation if the material can qualify as an ORM-D material and meet the following conditions as applicable:

a. The flashpoint is above 20°F (-7°C) but no more than 73°F (23°C); the liquid is in a metal primary receptacle not exceeding 1 quart, or in another type of primary receptacle not exceeding 1 pint, per mailpiece; enough cushioning surrounds the primary receptacle to absorb all potential leakage; the cushioning and primary receptacle are packed within a securely sealed secondary container

that is placed within a strong outer shipping container; and each mailpiece is plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name.

b. The flashpoint is above 73°F (23°C) but less than 100°F (38°C); the liquid is in a metal primary receptacle not exceeding 1 gallon, or in another type of primary receptacle not exceeding 1 quart, per mailpiece; enough cushioning surrounds the primary receptacle to absorb all potential leakage; the cushioning and primary receptacle are placed within a securely sealed secondary container that is placed within a strong outer shipping container; and each mailpiece is plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name.

10.13.3 Combustible Liquid Mailability

Combustible liquid is prohibited in international mail. Combustible liquid is permitted in domestic mail if the material can qualify as an ORM-D material and meet the following conditions as applicable:

a. For surface transportation, if the flashpoint is 100°F (38°C) but no more than 141°F (60.5°C); the liquid is in a metal primary receptacle not exceeding 1 gallon, or in another type of primary receptacle not exceeding 1 quart, per mailpiece; enough cushioning surrounds the primary receptacle to absorb all potential leakage; the cushioning and primary receptacle are packed in a securely sealed secondary container that is placed within a strong outer shipping container; and each mailpiece is plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name.

b. For surface or air transportation, if the flashpoint is above 141°F (60.5°C) but no more than 200°F (93°C); the liquid is in a primary receptacle not exceeding 1 gallon per mailpiece; enough cushioning surrounds the primary receptacle to absorb all potential leakage; the cushioning and primary receptacle are packed in a securely sealed secondary container that is placed within a strong outer shipping container; and each mailpiece is plainly and durably marked on the address side with “ORM-D” or “ORM-D AIR,” as applicable, immediately following or below the proper shipping name. Mailable material sent via surface transportation must be marked on the address side as “Surface Only” or “Surface Mail Only.” For air transportation, each mailpiece must bear a shipper’s declaration for dangerous goods.

c. For air or surface transportation, if the flashpoint is above 200°F (93°C) the material is not regulated as a hazardous material. Such nonregulated materials must be properly and securely packaged to prevent leakage under the general packaging requirements in 2.0, *Packaging*.

10.13.4 Cigarette Lighters

A cigarette lighter equipped with an ignition element and containing fuel is a Class 3 flammable liquid. A cigarette lighter that contains a flammable gas is classed as a Division 2.1 flammable gas. A cigarette lighter containing either flammable liquid or flammable gas is permitted only in domestic mail via surface transportation when all of the following conditions are met:

a. The design of the lighter and its packaging are approved by the DOT Associate Administrator for Hazardous Material Safety, per 49 CFR 173.21(i) and 173.308; and a DOT Approval Number (T-Number) is issued.

b. The prospective mailer of the lighter submits to the PCSC manager a written request for authorization to mail the lighter, accompanied by a legible photocopy of the official DOT notice conveying the approval described in 10.13.4a and a specimen of the actual lighter, the packaging materials in which each lighter is to be mailed, the number of mailpieces and mailing location; and the mailer receives from the PCSC manager a letter approving the requested authorization for mailing.

c. When presented for mailing, the address side of the mailpiece containing the lighter prominently displays the T-Number, the proper shipping name “Lighter(s)” or “Lighter(s) for Cigarette,” and the marking “Surface Only” or “Surface Mail Only”; all preparation and packaging requirements in the PCSC manager's approval letter are met; and a legible photocopy of the PCSC manager's approval letter accompanies the mailing.

10.14 Flammable Solids (Hazard Class 4)

10.14.1 Definitions

Hazard class 4 consists of three divisions:

a. Division 4.1, Flammable Solids. Any solid material other than one classed as an explosive that, under conditions normally incident to transportation, is likely to cause fires through friction or retained heat from manufacturing or processing, or that can be ignited readily and, when ignited, burns so vigorously and persistently as to create a serious transportation hazard.

b. Division 4.2, Spontaneously Combustible. A liquid or solid pyrophoric material that even in small amounts and without an external ignition source can ignite within 5 minutes after coming in contact with air, or a self-heating material that, when in contact with air and without an energy supply, is liable to self-heat.

c. Division 4.3, Dangerous When Wet. A material that, by contact with water, is likely to become spontaneously flammable or to give off flammable or toxic gas at a rate greater than 1 liter per kilogram of the material per hour.

10.14.2 Mailability

Flammable solids are prohibited in international mail. Flammable solids are prohibited in domestic mail via air transportation. A flammable solid that can qualify as an ORM-D material is permitted in domestic mail via surface transportation if the material is contained in a secure primary receptacle having a weight of 1 pound or less; the primary receptacle(s) is packed in a strong outer shipping container with a total weight of 25 pounds or less per mailpiece; and each mailpiece is plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name.

10.14.3 Matches

Matches are classified as flammable solids. Strike-anywhere matches are prohibited in international and domestic mail. Safety matches (book, card, or strike-on-box) are prohibited in international mail, and in domestic mail via air transportation, but are permitted in domestic mail via surface transportation if:

a. They do not ignite spontaneously under conditions normally incident to transportation or when subjected for 8 consecutive hours to a temperature of 200°F (93°C).

b. They cannot be readily ignited by friction unless struck on their own or a similar box, card, or book.

c. They are tightly packed in a securely sealed primary receptacle to prevent any shifting or movement that could cause accidental ignition by rubbing against adjoining items. The primary receptacle(s) is placed securely within an outer shipping container made of fiberboard, wood, or other equivalent material. Multiple primary receptacles may be placed in a single outer shipping container. The address side of the mailpiece must be marked “Surface Only” or “Surface Mail Only” and “Book Matches,” “Strike-on-Card Matches,” or “Card Matches,” as appropriate. A shipping paper is not required.

d. The gross weight of each mailpiece is not more than 25 pounds.

10.15 Oxidizing Substances, Organic Peroxides (Hazard Class 5)

10.15.1 Definition

Hazard class 5 consists of two divisions:

a. Division 5.1, Oxidizing Substances. A material that may, generally by yielding oxygen, cause or enhance the combustion of other materials.

b. Division 5.2, Organic Peroxides. Any organic compound that contains oxygen in the bivalent structure and that may be considered a derivative of hydrogen peroxide, where one or more of the hydrogen atoms have been replaced by organic radicals.

10.15.2 Mailability

Oxidizing substances and organic peroxides are prohibited in international mail. For domestic mail, a material that can qualify as an ORM-D material is permitted via air or surface transportation. Liquid materials must be enclosed within a primary receptacle having a capacity of 1 pint or less; the primary receptacle(s) must be surrounded by absorbent cushioning material and held within a leak-resistant secondary container that is packed within a strong outer shipping container. Solid materials must be contained within a primary receptacle having a weight capacity of 1 pound or less; the primary receptacle(s) must be surrounded with cushioning material and packed within a strong outer shipping container. Each mailpiece may not exceed a total weight of 25 pounds. The address side of each mailpiece must be plainly and durably marked with “ORM-D AIR” or “ORM-D,” as applicable, immediately following or below the proper shipping name. A mailable Class 5 material sent via surface transportation must be marked “Surface Mail” or “Surface Mail Only” on the address side. A mailable material sent via air transportation must bear a shipper’s declaration for dangerous goods.

10.16 Toxic Substances (Hazard Class 6, Division 6.1)

10.16.1 Definitions

The terms used in the standards for Division 6.1 material are:

a. *Toxic substance* is a poisonous material, other than a gas, that is known to be so toxic to humans as to cause death, injury, or harm to human health if swallowed, inhaled, or contacted by the skin.

b. *Oral toxicity* applies to a liquid with a lethal dose (LD_{50}) for acute oral toxicity of not more than 500 mg/kg or a solid with an LD_{50} for acute oral toxicity of not more than 200 mg/kg that when administered by mouth is likely to cause death within 14 days in half of the test animals.

c. *Dermal toxicity* applies to a material with an LD_{50} for acute dermal toxicity of not more than 1,000 mg/kg that when administered by continuous contact with bare skin is likely to cause death within 14 days in half of the test animals.

d. *Inhalation toxicity* applies to a dust or mist with a lethal concentration (LC_{50}) for acute inhalation toxicity of not more than 10 mg/L; or a saturated vapor concentration in air at 68°F (20°C) of more than one-fifth of the LC_{50} for acute toxicity on inhalation of vapors and with an LC_{50} for acute inhalation toxicity of vapors of not more than 5,000 ml/m^3; that when administered by continuous inhalation for 1 hour is likely to cause death within 14 days in half of the test animals.

e. *Irritating material* is any liquid or solid substance (e.g., tear gas) that gives off intense fumes and causes extreme irritation and impairment to a person's ability to function.

10.16.2 Mailability

Toxic substances or poisons are prohibited in international mail. For domestic mail, a Division 6.1 toxic substance or poison that can qualify as an ORM-D material is permitted when packaged under the applicable requirements in 10.16.4. Certain other poisonous materials are permitted to be mailed only between the authorized parties and under the conditions in 10.16.3.

10.16.3 Authorized Parties

A Division 6.1 toxic substance having an LD50 for oral toxicity of greater than 5mg/kg but less than or equal to 50 mg/kg is mailable only if packaged under the applicable requirements in 10.16.4 and when sent between authorized parties and under specified conditions, as follows:

a. Toxic substances for scientific use (not outwardly or of their own force dangerous or injurious to life, health, or property) may be sent only between manufacturers, dealers, bona fide research or experimental scientific laboratories, and employees of federal, state, or local governments who have official use for such poisons and are designated by the agency head to receive or send such poisons. For air transportation, a shipper's declaration for dangerous goods is required.

b. Poisonous drugs and medicines may be sent only from the manufacturer or dealer of the drugs and medicines to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians (18 USC

1716). In limited circumstances, when the mailing is initiated by a drug manufacturer or the drug manufacturer's registered agent, customers may return prescription drugs to the manufacturer or its registered agent as indicated in 11.11.4 and 11.11.5.

10.16.4 Packaging and Marking

The following requirements must be met, as applicable:

a. A toxic substance that can qualify as an ORM-D material and does not exceed a total capacity of 8 ounces per mailpiece is permitted if: the material is held in a primary receptacle(s); enough cushioning material surrounds the primary receptacle to absorb all potential leakage; the cushioning and primary receptacle(s) are packed in another securely sealed secondary container that is placed within a strong outer shipping container. Each mailpiece must be plainly and durably marked on the address side with “ORM-D” or “ORM-D AIR,” as applicable, immediately following or below the proper shipping name. Mailable material sent via surface transportation must be marked on the address side as “Surface Only” or “Surface Mail Only.”

b. Other toxic substances and poisons are permitted to be sent between the authorized parties and under the conditions in 10.16.3 when they do not exceed 8 ounces per mailpiece and if: the material is held in a leak-resistant primary receptacle(s); sufficient absorbent and cushioning material completely surround each primary receptacle; the primary receptacle(s) and the absorbent and cushioning materials are firmly held within a leakproof (for liquids) or siftproof (for solids) secondary container; the secondary container is firmly and securely held within a strong outer shipping container of 200-pound grade corrugated fiberboard or equivalent strength. The address side of each mailpiece must be marked with the proper shipping name and UN (or NA) identification number of the material (unless exempted by 11.11.6). Mailable materials sent via surface transportation must be marked on the address side as “Surface Only” or “Surface Mail Only.” Each mailpiece must bear a shipping paper.

10.16.5 Irritants

Irritants are prohibited in international mail and domestic mail.

10.17 Infectious Substances (Hazard Class 6, Division 6.2)

10.17.1 General

[11-1-06] Division 6.2 materials include infectious substances, biological products, regulated medical waste, sharps medical waste, used health care products, and forensic materials. Division 6.2 materials are not permitted in international mail or domestic mail, except when they are intended for medical or veterinary use, research, or laboratory certification related to the public health; and only when such materials are properly prepared for mailing to withstand shocks, pressure changes, and other conditions related to ordinary handling in transit. Mailable Division 6.2 materials sent as international mail must meet the standards in the *International Mail Manual*. For domestic mail, mailable Division 6.2 materials must meet the applicable standards in 10.17. Unless otherwise noted, all mailable Division 6.2 materials must meet the mail preparation requirements for air transportation.

10.17.2 Definitions

[11-1-06] The terms used in the standards for Division 6.2 materials are defined as follows:

a. *Infectious substance* means a material known or reasonably expected to contain a pathogen. A pathogen is a microorganism that can cause disease in humans or animals. Examples of pathogens include bacteria, viruses, fungi, and other infectious agents. An infectious substance must be assigned to one of the following two categories:

   1. *Category A:* An infectious substance transported in a form capable of causing permanent disability or life-threatening or fatal disease in otherwise healthy humans or animals when exposure occurs. Category A infectious substances are not mailable. A Category A infectious substance is assigned the identification number UN 2814 or UN 2900, based on the known medical history or symptoms of the source patient or animal, endemic local conditions, or professional judgment concerning the individual circumstances of the source human or animal.

   2. *Category B:* An infectious substance that does not meet the criteria for inclusion in Category A. A mailpiece known or suspected to contain a Category B infectious substance must bear the proper shipping name "Biological substance, Category B" on the address side of the mailpiece and must be assigned to and marked with identification number UN 3373 or, for regulated medical waste and sharps medical waste, identification number UN 3291.

b. *Biological product* means a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, or analogous product or arsphenamine or derivative of arsphenamine (or any other trivalent arsenic compound) intended to prevent, treat, or cure a disease or condition of humans or animals. A biological product includes a material subject to regulation under 42 U.S.C. 262 or 21 U.S.C. 151-159. Unless otherwise excepted, mark these mailpieces with identification number UN 3373 when they contain a biological product known or reasonably expected to contain a pathogen that meets the definition of a Category B infectious substance.

c. *Cultures* are infectious substances that result from a process by which pathogens are intentionally propagated. This definition does not include a human or animal patient specimen as defined in 10.17.2e.

d. *Exempt human or animal specimen* means a human or animal sample (including, but not limited to, secreta, excreta, blood and its components, tissue and tissue fluids, and body parts) transported for routine testing not related to the diagnosis of an infectious disease. Typically, exempt human specimens are specimens for which there is a low probability that the sample is infectious, such as specimens for drug or alcohol testing; cholesterol testing; blood glucose level testing; prostate-specific antigens (PSA) testing; testing to monitor heart, kidney, or liver function; pregnancy testing; and testing for diagnosis of noninfectious diseases such as cancer biopsies. Exempt human or animal specimens are not subject to regulation as hazardous materials but must be packaged according to 10.17.10.

e. *Patient specimen* means material that is collected directly from humans or animals and transported for purposes such as diagnosis and research. Patient specimens include excreta, secreta, blood and its components, tissue and tissue swabs, body parts, and specimens in transport media (such as transwabs, culture media, and blood culture bottles).

f. *Regulated medical waste,* for USPS purposes, means a soft waste material (other than a sharp) derived from the medical treatment, diagnosis, immunization, or biomedical research of a human or animal. Soft medical waste includes items such as used rubber gloves, swabs, gauze, tongue depressors, and other similar material. Mark these mailpieces with identification number UN 3291.

g. *Sharps medical waste,* for USPS purposes, means a medical waste object that is capable of cutting or penetrating skin or packaging material and that is contaminated with a pathogen or may become contaminated with a pathogen derived from the medical treatment, diagnosis, immunization, or biomedical research of a human or animal. Sharps include used medical waste such as needles, syringes, scalpels, broken glass, culture slides, culture dishes, broken capillary tubes, broken rigid plastic, and exposed ends of dental wires. Mark these mailpieces with identification number UN 3291.

h. *Toxin* means a Division 6.1 material from a plant, animal, or bacterial source. A toxin containing an infectious substance or a toxin contained in an infectious substance must be classed as Division 6.2, described as an infectious substance, and assigned to UN 2814, UN 2900, or UN 3373, as appropriate. A toxin known or suspected to contain a Category A infectious substance is not mailable. A toxin known or suspected to contain a Category B infectious substance must be marked UN 3373 and packaged under 10.17.5. Toxins from plant, animal, or bacterial sources that do not contain an infectious substance, and are not contained in an infectious substance, may be considered for classification as Division 6.1 toxic substances under 10.16.

i. *Used health care product* means a medical, diagnostic, or research device or piece of equipment, or a personal care product used by consumers, medical professionals, or pharmaceutical providers that does not meet the definition of a diagnostic specimen, biological product, regulated medical waste, or sharps waste, is contaminated with potentially infectious body fluids or materials, and is not decontaminated or disinfected to remove or mitigate the infectious hazard prior to transport.

10.17.3 Nonregulated Materials

[11-1-06] The following materials are not subject to regulation as Division 6.2 hazardous materials and are mailable when the packaging requirements in 10.17.9 are met:

a. A biological product, including an experimental or investigational product or component of a product, subject to Federal approval, permit, review, or licensing requirements, such as those required by the Food and Drug Administration of the U.S. Department of Health and Human Services or the U.S. Department of Agriculture. A biological product known or suspected to

contain a Category B infectious substance must be marked UN 3373 and packaged under 10.17.5. A biological product known or suspected to contain a Category A infectious substance is not mailable.

b. Blood collected for the purpose of blood transfusion or the preparation of blood products; blood products; plasma; plasma derivatives; blood components; tissues or organs intended for use in transplant operations; and human cell, tissues, and cellular and tissue-based products regulated under the Public Health Service Act (42 U.S.C. 264-272) or the Food, Drug, and Cosmetic Act (21 U.S.C. 332 et seq.).

c. Blood, blood plasma, and blood components collected for the purpose of blood transfusion or the preparation of blood products and sent for testing as part of the collection process, except where the person collecting the blood has reason to believe it contains a Category B infectious substance, in which case the test sample must be shipped as a Category B infectious substance. Materials known or suspected to contain a Category A infectious substance are not mailable.

d. Dried blood spots, collected by applying a drop of blood to absorbent material, or dried specimens for fecal occult blood detection. (These materials are not classified as exempt human or animal specimens.)

e. Forensic material containing a biological material, such as tissue, body fluid, excreta, or secreta, not expected to contain a Category A or Category B infectious substance and transported on behalf of a U.S. Government agency or a state, local, or Indian tribal government agency. A forensic material known or suspected to contain a Category B infectious substance must be shipped as a Category B infectious substance. A forensic material known or suspected to contain a Category A infectious substance is not mailable.

10.17.4 Packaging—General

[11-1-06] All materials mailable under the provisions in 10.17 must be properly packaged. Exhibit 10.17.4 lists the specific reference in 10.17 under which each type of mailable material must be packaged.

Exhibit 10.17.4 Packaging Standards for Division 6.2 Infectious Substances

MATERIAL BEING MAILED	PACKAGING STANDARDS		
	Nonregulated	Category A	Category B
Blood for Transfusion	10.17.9	nm	10.17.5
Biological Product	10.17.9	nm	10.17.5
Culture or Stock	10.17.9	nm	10.17.5
Patient Specimen	n/a	nm	10.17.5
Exempt Human or Animal Specimen	10.17.10	n/a	n/a
Forensic Material	10.17.9	nm	10.17.5
Regulated Medical Waste	10.17.6	nm	10.17.6
Sharps Waste	10.17.6	nm	10.17.6
Toxin*	10.16.4	nm	10.17.5
Treated Medical Waste	10.17.9	n/a	n/a
Used Health Care Product	10.17.7	nm	10.17.7

nm = Not mailable.
n/a = Not applicable.
* *Toxin* means a Division 6.1 material from a plant, animal, or bacterial source. A toxin containing an infectious substance or a toxin contained in an infectious substance must be classified as Division 6.2; described as an infectious substance; and assigned to UN 2814, UN 2900, or UN 3373, as appropriate. A Division 6.1 toxin that can qualify as an ORM-D material is permitted when packaged under 10.16.3 or 10.16.4.

10.17.5 Packaging Category B Infectious Substances

[11-1-06] A material that is classified as a Category B infectious substance and that meets the definition in 10.17.2a2 must be triple-packaged, meeting the packaging requirements in 49 CFR 173.199, and sent as First-Class Mail, Priority Mail, or Express Mail. Each primary receptacle containing a liquid must be leakproof and surrounded by absorbent material sufficient to protect the primary receptacle and absorb the total amount of liquid should the primary receptacle leak or break. Each primary receptacle containing a solid must be siftproof. Secondary containers for liquids must be leakproof. Secondary containers for solids must be siftproof. The primary and secondary packaging must be enclosed in a rigid outer shipping container. A single primary receptacle must not contain more than 1 liter (34 ounces) of a liquid specimen or 4 kg (8.8 pounds) of a solid specimen. Two or more primary receptacles whose combined volume does not exceed 4 liters (1 gallon) for liquids or 4 kg (8.8 pounds) for solids may be enclosed in a single secondary container. In addition:

a. The secondary container must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2.

b. The primary receptacle or secondary packaging must be capable of withstanding, without leakage, an internal pressure producing a pressure differential of not less than 95 kPa (0.95 bar, 14 psi) in the range of -40° C to 55° C (-40° F to 130° F).

c. All mailpieces sent under 10.17.5 must be marked on the address side with the shipping name “Biological substance, Category B” and “UN 3373" as outlined in 49 CFR 173.199 (a)(5). Regulated medical waste and sharps medical waste as defined in 10.17.2f and 10.17.2g must be marked UN 3291. See 10.17.6.

d. Orientation arrows are not required on these mailpieces but may be used.

e. The outer packaging must show the name and telephone number of a person who is knowledgeable about the material shipped and has comprehensive emergency response and incident mitigation information, or of someone who has immediate access to the person with such knowledge and information.

10.17.6 Sharps Waste and Other Mailable Regulated Medical Waste
[11-1-06] [11-9-06] Regulated medical waste and sharps medical waste known or suspected to contain a Category A infectious substance is not mailable. Regulated medical waste and sharps medical waste as defined in 10.17.2f and 10.17.2g, and containing materials classified as Category B infectious substances, must be marked UN 3291 and are permitted for mailing only using merchandise return service (see 507.10.0) with First-Class Mail or Priority Mail service, subject to the following requirements:

a. *Authorization*. Each vendor of a complete regulated medical waste or sharps waste mailing container system (including all component parts required to safely mail such waste to a storage or disposal facility) must obtain authorization from the USPS prior to mailing. Before applying for authorization, each type of mailing container system must be tested and certified under the standards in 10.17.6d by an independent testing facility. The vendor in whose name the authorization is being sought must submit a written request to the manager, Mailing Standards, USPS Headquarters (see 608.8.0, *USPS Contact Information*, for address). The request for authorization must contain the following:

1. An irrevocable $50,000 surety bond or letter of credit as proof of sufficient financial responsibility to cover disposal costs if the vendor ceases doing business before all its waste container systems are disposed of or to cover cleanup costs if spills occur while the containers are in USPS possession. The surety bond or letter of credit must be issued in the name of the vendor seeking the authorization and must name the USPS as the beneficiary or obligee. Vendors that market their containers to distributors are responsible for disposal and cleanup costs attributed to those containers. In addition, vendors must provide a list of distributors, including firm names, addresses, and telephone numbers, to the Postal Service on request.

2. Address of the headquarters or general business office of the vendor seeking the authorization.

3. Name, address, and phone number of each storage and disposal site.

4. List of all types of mailing container systems to be covered by the request, a complete sample of each mailing container system, and proof of package testing certifications performed by the independent testing facility that subjected the packaging materials to the testing requirements in 10.17.6d.
5. Copy of the proposed waste shipping paper to be used with each mailing container system.
6. 24-hour toll free telephone number for emergencies.
7. List of the types of waste to be mailed for disposal in each mailing container system.
8. Copy of the merchandise return service label to be used with each mailing container system and verification that the merchandise return service permit fee and accounting fee have been paid.
9. Address of the post office or postage due unit where the containers are delivered.

b. *Packaging.* Regulated medical waste and sharps medical waste that also meets the definition of a Category A infectious substance is not mailable. A medical waste material treated by steam sterilization, chemical disinfections, or other appropriate method so that it no longer contains a Category A or Category B infectious substance must be packaged under 10.17.9. The packaging for regulated medical waste and sharps medical waste containing or suspected of containing a Category B infectious substance is subject to these standards:

1. Sharps medical waste and regulated medical waste meeting the definitions in 10.17.2e and 10.17.2g must be collected in a rigid, securely sealed, and leakproof primary receptacle. For sharps waste, the primary receptacle must also be puncture-resistant and may not have a maximum capacity that exceeds 3 gallons in volume. For regulated medical waste, the primary receptacle may not have a maximum capacity that exceeds 5 gallons in volume. Each primary receptacle may not contain more than 50 ml (1.66 ounces) of residual waste liquid. Each primary receptacle must display the international biohazard symbol shown in Exhibit 10.17.6c2. Package testing results must show that the contents did not penetrate through the primary container during package testing and that the primary container can maintain its integrity at temperatures as low as 0°F and as high as 120°F.
2. The primary receptacle must be packaged within a watertight secondary container or containment system. The secondary container may consist of more than one component. If one of the components is a plastic bag, the bag must be at least 4 mil in thickness and must be used in conjunction with a fiberboard box. A plastic bag by itself does not meet the requirement for a secondary container. Several primary receptacles may be enclosed in a secondary container. The primary receptacle(s) must fit securely and snugly within the secondary container to prevent breakage during ordinary processing.

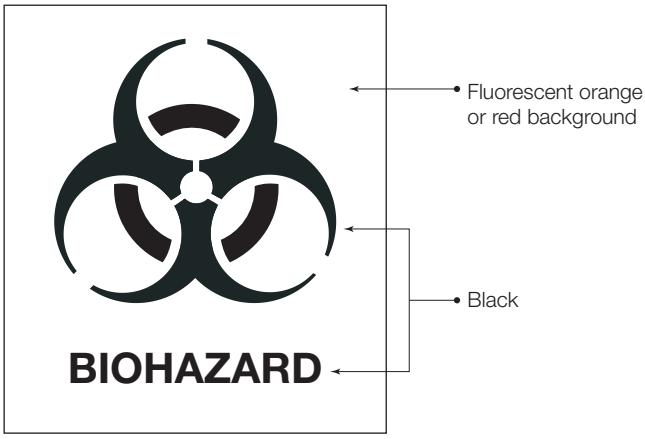
3. The secondary container must be enclosed in a strong outer shipping container constructed of 200-pound grade corrugated fiberboard. The joints and flaps of the outer shipping container must be securely taped, glued, or stitched to maintain the integrity of the container. When tape or glue is used to secure an outer shipping container, the material must be water-resistant. Fiberboard boxes with interlock bottom flaps (i.e., easy-fold) are not permitted as outer shipping containers unless reinforced with water-resistant tape. The secondary container must fit securely and snugly within the outer shipping container to prevent breakage during ordinary processing.
4. There must be enough material within the primary receptacle to absorb and retain three times the total liquid allowed within the primary receptacle (150 ml per primary receptacle) in case of leakage.
5. Each mailpiece must not weigh more than 25 pounds. The container's maximum allowable weight must be printed on the outside of the box and on the assembly and closure instructions included with each mailpiece. The mailpiece must be tested at the maximum allowable weight identified by the vendor.
6. In each mailing container system, the authorized vendor must include a step-by-step instruction sheet that clearly details the proper sequence and method of container system assembly prior to mailing to prevent package failure during transport due to improper assembly. The instruction sheet must also include a customer service telephone number, or provide specific information on where such a telephone number is located elsewhere on the container system, for third-party end users to contact if they have assembly questions or find a component part is missing.

c. *Mailpiece Labeling, Marking, and Documentation*. Regulated medical waste and sharps waste must meet the following requirements:

1. Each primary receptacle and outer shipping container must bear a label, which cannot be detached intact, showing: (a) the company name of the vendor to which the mailing authorization is issued; (b) the USPS Authorization Number, and; (c) the container ID number (or unique model number) signifying that the packaging material is certified and that the vendor obtained the authorization required by 10.17.6a. Place the label on the top or on a side of the container.

2. The primary receptacle(s) and the outer shipping container must bear the international biohazard symbol in black with either a fluorescent orange or fluorescent red background as shown in Exhibit 10.17.6c2. The symbol on the outer shipping container must be at least 3 inches high and 4 inches wide.

Exhibit 10.17.6c2 International Biohazard Symbol



3. Each mailpiece must have a four-part waste shipping paper. The shipping paper must be affixed to the outside of the mailpiece in an envelope or similar carrier that can be easily opened and resealed to allow review of the document. The shipping paper must comply with all applicable requirements imposed by the laws of the state from which the container system is mailed. At a minimum, the information in Exhibit 10.17.6c3 must be on the shipping paper.

Exhibit 10.17.6c3 Shipping Paper for Regulated Medical Waste and Sharps Waste Containers

SECTION	INFORMATION REQUIRED
1. Generator (Mailer)	a. Name. b. Complete address (not a Post Office box). c. Telephone number. d. Description of contents of mailing container. “Regulated Medical Waste” or “Regulated Medical Waste–Sharps” is required as appropriate. e. Date container was mailed. f. State permit number of approved facility in which contents are to be disposed of.
2. Destination Facility (Disposal Site)	Complete address (not a Post Office box)
3. Generator’s (Mailer’s) Certification	The following certification statement must be printed on the shipping paper: “I certify that this container has been approved for the mailing of [insert either “regulated medical waste” or “sharps waste,” as appropriate], has been prepared for mailing in accordance with the directions for that purpose, and does not contain excess liquid or nonmailable material in violation of the applicable Postal Service regulations. I AM AWARE THAT FULL RESPONSIBILITY RESTS WITH THE GENERATOR (MAILER) FOR ANY VIOLATION OF 18 USC 1716 WHICH MAY RESULT FROM PLACING IMPROPERLY PACKAGED ITEMS IN THE MAIL. I also certify that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and in proper condition for carriage by air according to the national governmental regulations.” This statement must be followed by printed or typewritten name of generator (mailer), signature of generator, and date signed.
4. Destination Facility (Storage or Disposal Site)	The following certification statement of receipt, treatment, and disposal must be printed on the shipping paper: “I certify that the contents of this container have been received, treated, and disposed of in accordance with all local, state, and federal regulations.” This statement must be followed by printed or typewritten name of an authorized recipient at destination facility, signature of authorized recipient, and date signed.
5. Transporter Intermediate Handler Other Than the Postal Service (If Different From Destination Facility)	a. Name. b. Complete address (not a Post Office box). c. Printed or typewritten name of transporter or intermediate handler. d. Signature of transporter or intermediate handler and date signed.
6. Serialized Waste Shipping Papers	Each waste shipping paper or mail disposal service shipping record must be serialized using a unique numbering system for identification purposes.
7. Comment Area	Each shipping paper must contain an area designated for entering comments or noting discrepancies.
8. Completion and Distribution of Waste Shipping Paper	Each shipping paper must contain instructions for properly completing the four-part form. Copies of the form must be distributed as follows: a. One copy must be kept by generator (mailer). b. One copy must be kept by transporter or intermediate handler for 90 days. c. One copy must be kept by destination facility for 90 days. d. One copy must be mailed to generator by destination facility.
9. Emergency Telephone Number	Each shipping paper must bear the following statement with appropriate information: “IN CASE OF EMERGENCY, OR THE DISCOVERY OF DAMAGE OR LEAKAGE, CALL 1-800-###-####.”

4. The outer shipping container must bear a properly prepared merchandise return service label (see 507.10.0). The merchandise return service permit must be held in the same name as that of the authorized medical waste vendor.
5. The outer shipping container must be marked on two opposite side walls with the package orientation marking in 49 CFR 173.312 to identify the proper upright position of the mailpiece during handling.
6. Mailpieces containing regulated medical waste or sharps waste must be marked on the address side with the correct UN number and proper shipping name (e.g., "Regulated Medical Waste, UN 3291" or "Regulated Medical Waste–Sharps, UN 3291").
7. Vendors must retrieve mailpieces held at processing facilities due to improper labeling such as no return address or due to improperly completed shipping papers.

d. *Package Testing.* Vendors must submit to the manager, Mailing Standards (see 608.8.0 for address), package testing results from an independent testing facility for each package for which the vendor is requesting authorization. In addition, vendors must submit package testing results from an independent testing facility when the design of a container system changes or every 24 months, whichever occurs first. The test results must show that if every mailpiece prepared for mailing were subject to the environmental and test conditions in 49 CFR and the additional test requirements in 10.17.6e, no contents would be released into the environment and the effectiveness of the packaging would not be significantly reduced. The Postal Service may require proof of accreditation or other documentation to support the credentials of an independent testing facility.

e. *Testing Criteria.* Each mailpiece must pass each of the tests described below:

1. *Leak-proof test.* The test must be conducted on one primary receptacle with the lid in place, without the secondary and outer packaging. The test duration must be at least 5 minutes and must be conducted at 20 kPa (3 psi). The pass/fail criterion is: no air leakage from anywhere other than the closure of the primary receptacle. Air leakage at the closure is not considered a failure if the primary receptacle passes the test for watertightness as determined by placing 50 ml of deionized water into the primary receptacle, securing the closure, and then turning the container on its side and observing for any evidence of leakage. Any evidence of water leaking from the primary receptacle is a failure.
2. *Stacking test.* One mailpiece must withstand the test in 49 CFR 178.606. The dynamic compression test must be conducted on the empty, unsealed mailpiece assembled for mailing, without the primary receptacle(s). The test mass is the vendor-identified maximum weight, not to exceed 25 pounds, as indicated on the outer shipping container and on the assembly and closing instructions. A compensation factor of 1.5 must be used to compute the test load, based on the vendor-identified weight.

The pass/fail criteria are: no buckling of the sidewalls sufficient to cause damage to the contents in the primary receptacle, and in no case does the deflection exceed 1 inch.

3. *Vibration test.* One mailpiece filled with sharps or other regulated medical waste must withstand the test in 49 CFR 178.608. The test mailpiece is filled with sharps or other regulated medical waste to the vendor-identified maximum weight, not to exceed 25 pounds, as indicated on the outer shipping container and on the assembly and closing instructions. The test sample is prepared as it would be for mailing. The pass/fail criterion is: no rupture, cracking, or splitting of any primary receptacle.
4. *Wet drop test.* Five mailpieces filled with sharps or other regulated medical waste must withstand the test in 49 CFR 178.609e. Each test mailpiece is filled with sharps or other regulated medical waste to the vendor-identified maximum weight, not to exceed 25 pounds, as indicated on the outer shipping container and on the assembly and closing instructions included with each mailpiece. Each mailpiece is prepared as it would be for mailing and subjected to a water spray as described in the test. A separate, untested mailpiece is used for each drop orientation: top, longest side, shortest side, and corner. The pass/fail criteria are: no rupture, cracking, or splitting of any primary receptacle, and no contents may penetrate into or through the body or lid of any primary receptacle.
5. *Cold drop test.* Five mailpieces filled with sharps or other regulated medical waste must withstand the test in 49 CFR 178.609f. Each test mailpiece is filled with sharps or other regulated medical waste to the vendor-identified maximum weight, not to exceed 25 pounds, as indicated on the outer shipping container and on the assembly and closing instructions included with each mailpiece. Each mailpiece is prepared as it would be for mailing and chilled as described in the test. A separate, untested mailpiece is used for each drop orientation: top, longest side, shortest side, and corner. The pass/fail criteria are: no rupture, cracking, or splitting of any primary receptacle, and no contents may penetrate into or through the body or lid of any primary receptacle.
6. *Impact test.* One mailpiece filled with sharps or other regulated medical waste must withstand the test in 49 CFR 178.609h. The test mailpiece is filled with sharps or other regulated medical waste to the vendor-identified maximum weight, not to exceed 25 pounds, as indicated on the outer shipping container and on the assembly and closing instructions included with each mailpiece. The mailpiece is prepared as it would be for mailing. The pass/fail criteria are: no rupture, cracking, or splitting of any primary receptacle, and no contents may penetrate into or through the body or lid of any primary receptacle.
7. *Puncture-resistant test.* Package testing results must show that during all of the previous tests, the contents did not penetrate through the primary receptacle.

8. *Temperature test.* Package testing results must show that each primary receptacle maintained its integrity when exposed to temperatures as low as 0°F and as high as 120°F.
9. *Absorbency test.* Package testing results must show that the primary receptacle(s) contain enough absorbent material to absorb three times the total liquid allowed within the primary receptacle in case of leakage. Absorbency is determined by pouring 150 ml of deionized water into the primary receptacle(s), then turning the receptacle(s) upside down and observing for any evidence of free liquid not absorbed on contact. Any evidence of free liquid is a failure.
10. *Watertight test.* Package testing results must show that no leakage occurred when 50 ml of deionized water was placed into the secondary containment system and the entire system turned upside down for 5 minutes.

f. *Suspension of Authorization.* The Postal Service may suspend a vendor's authorization based on information that a mailpiece no longer meets the standards for mailing sharps medical waste and regulated medical waste containers, or that the mailpiece poses an unreasonable safety risk to Postal Service employees or the public. The suspension can be made immediately, making the mailpiece nonmailable immediately. The vendor may contest a decision to suspend authorization by writing to the manager, Mailing Standards (see 608.8.0 for address), within 7 days from the date of the letter of suspension. The appeal should provide evidence demonstrating why the decision should be reconsidered. Any order suspending authorization remains in effect during an appeal or other challenge. When a vendor is notified that its authorization to mail sharps or other regulated medical waste containers has been suspended, the vendor must immediately:

1. Recall all identified containers.
2. Notify all customers that they cannot mail the identified containers.
3. Suspend sales and distribution of all identified containers.
4. Collect the identified containers from distributors, consumers, and the Postal Service without using the mail and in accordance with all federal and state regulations.

10.17.7 Packaging Used Health Care Products

[11-1-06] A used health care product known or reasonably suspected to contain a Category A material is not mailable. A used health care product not suspected to contain an infectious material, or that is known or suspected to contain a Category B infectious substance, and is being returned to the manufacturer or manufacturer's designee is mailable as First-Class Mail, Priority Mail, or Express Mail subject to the following packaging requirements:

a. Each used health care product must be drained of liquid to the extent possible and placed in a watertight primary receptacle designed and constructed to ensure that it remains intact under normal conditions of transport. For a used health care product capable of cutting or penetrating skin or packaging material, the primary receptacle must be capable of retaining the product

without puncture of the packaging under normal conditions of transport. The primary receptacle must be marked with the international biohazard symbol as shown in Exhibit 10.17.6c2.

b. Each primary receptacle must be placed inside a watertight secondary container designed and constructed to ensure that it remains intact under normal conditions of transport. The secondary container must also be marked with the international biohazard symbol as shown in Exhibit 10.17.6c2.

c. The secondary container must be placed inside an outer shipping container with sufficient cushioning material to prevent movement between the secondary container and the outer shipping container. An itemized list of the contents of the primary receptacle and information concerning possible contamination with a Division 6.2 material, including its possible location on the product, must be placed between the secondary container and the outer shipping container. A shipping paper and a content marking on the outer shipping container are not required.

10.17.8 Packaging Forensic Material

[11-1-06] Forensic material containing a biological material, such as tissue, body fluid, excreta, or secreta, and sent on behalf of a U.S. Government agency or a state, local, or Indian tribal government agency must be packaged under 10.17.9 when it is not known or suspected to contain a Category A or Category B infectious substance. Forensic material known or suspected to contain a Category A infectious substance is not mailable. Forensic material known or suspected to contain a Category B infectious substance as identified in 10.17.5 is mailable as First-Class Mail, Priority Mail, or Express Mail when triple-packaged in a primary receptacle, secondary container, and a rigid outer shipping container as follows:

a. The forensic material must be held within a securely sealed primary receptacle. The primary receptacle must be surrounded by sufficient absorbent material (for liquids) and cushioning material to protect the primary container from breakage. The absorbent material must be capable of taking up the entire liquid contents of the primary receptacle in case of leakage. The primary receptacle must be marked with the international biohazard symbol as shown in Exhibit 10.17.6c2.

b. The primary receptacle and the absorbent and cushioning material must be enclosed in a watertight and securely sealed secondary container. The secondary container must also display the international biohazard symbol as shown in Exhibit 10.17.6c2.

c. The secondary container must be firmly and snugly packed within a strong outer shipping container that is securely sealed. A shipping paper and a content marking on the outer shipping container are not required.

10.17.9 Packaging Nonregulated Materials

[11-1-06] Nonregulated materials as defined in 10.17.3 are not subject to regulation as hazardous materials but must be properly packaged when presented for mailing. Regulated medical waste, sharps medical waste, and used health care products must be packaged and mailed under 10.17.6 and 10.17.7. Exempt human and animal specimens must be packaged under 10.17.10. Nonregulated materials are mailable as First-Class Mail, Priority Mail, Express Mail, or Package Services mail.

Such materials must be held within a securely sealed primary receptacle. The primary receptacle must be surrounded by sufficient absorbent material (for liquids) and cushioning material to protect the primary receptacle from breakage. The absorbent material must be capable of taking up the entire liquid contents of the primary receptacle in case of leakage. Either the primary receptacle or the inner packaging must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2. The primary receptacle and the absorbent and cushioning material must be snugly enclosed in a rigid outer shipping container that is securely sealed. A shipping paper and a content marking on the outer shipping container are not required. Nonregulated material specimens and biological products are subject to the following packaging standards:

a. *Liquid Patient Specimens and Biological Products.* Mailers must package a liquid nonregulated patient specimen, a forensic specimen, or a biological product (such as polio vaccine) as follows:

   1. *Not exceeding 50 ml.* A patient specimen or biological product consisting of 50 ml or less per mailpiece must be packaged in a securely sealed primary receptacle. Two or more primary receptacles whose combined volume does not exceed 50 ml may be enclosed within a single mailpiece. Sufficient absorbent material and cushioning material to withstand shock and pressure changes must surround the primary receptacle(s), or be otherwise configured to take up the entire liquid contents in case of leakage. The primary receptacle(s) and the absorbent cushioning must be enclosed in a secondary container with a leakproof barrier that can prevent failure of the secondary container if the primary receptacle(s) should leak during transport. The secondary container must be securely sealed, and it may serve as the outer shipping container if it has sufficient strength to withstand ordinary postal processing. The secondary container must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2, except when the secondary container also serves as the outer shipping container. In that case, the biohazard symbol must appear on the inner packaging or on the primary container. A shipping paper and a content marking on the outer shipping container are not required.

   2. *Exceeding 50 ml.* A liquid patient specimen, forensic material, or biological product that exceeds 50 ml must be packaged in a securely sealed primary receptacle. A single primary receptacle must not contain more than 500 ml of specimen. Two or more primary receptacles whose combined volume does not exceed 500 ml may be enclosed in a single secondary container. Sufficient absorbent material and cushioning material to withstand shock and pressure changes must surround the primary receptacle(s), or be otherwise configured to take up the entire liquid contents in case of leakage. The primary receptacle(s) and the absorbent cushioning must be enclosed in a secondary container with a leakproof barrier that can prevent failure of the secondary container if the primary receptacle(s) should leak during transport. The secondary container cannot serve as the outer shipping container. The secondary container must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2. The secondary container must be securely and snugly

enclosed in a fiberboard box or container of equivalent strength that serves as the outer shipping container. A shipping paper and a content marking on the outer shipping container are not required.

b. *Solid (or Dry) Specimen.* A solid or dry specimen, such as a saliva swab, blood spot, fecal smear, culture or stock, or forensic material, must be completely dried before packaging in a mailing container or envelope. Cushioning material to withstand shock and pressure changes is required only if the dry specimen is placed in a breakable primary receptacle. When required, the cushioning material must surround the primary receptacle. The primary receptacle (and cushioning material, if required) must be enclosed in a secondary container with a siftproof barrier that can prevent failure of the secondary container if the primary receptacle breaks during shipment. The secondary container must be securely sealed, and it may serve as the outer shipping container if it has sufficient strength to withstand ordinary postal processing. The secondary container must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2, except when the secondary container also serves as the outer shipping container. In that case, the biohazard symbol must appear either on the inner packaging or on the primary receptacle. A shipping paper and a content marking on the outer shipping container are not required.

10.17.10 Packaging Exempt Human or Animal Specimens

[11-1-06] Exempt human or animal specimens as defined in 10.17.2d are not subject to regulation as hazardous materials but when presented for mailing must be triple-packaged in leakproof (for liquids) or siftproof (for solids) primary receptacles. Sufficient cushioning and absorbent materials must surround each primary receptacle containing liquid. Secondary containers for liquids must be leakproof. Secondary containers for solids must be siftproof. The primary and secondary packaging must be enclosed in a rigid outer shipping container. A single primary receptacle must not contain more than 500 ml of a liquid specimen or 500 grams of a solid specimen. Two or more primary receptacles whose combined volume does not exceed 500 ml (for liquids) or 500 grams (for solids) may be enclosed in a single secondary container. The secondary container cannot serve as the outer shipping container. The secondary container must be marked with the international biohazard symbol shown in Exhibit 10.17.6c2. The secondary container must be securely and snugly enclosed in a fiberboard box or container of equivalent strength that serves as the outer shipping container. A shipping paper is not required. The outer shipping container must be marked on the address side with the words “Exempt human specimen” or “Exempt animal specimen,” as appropriate. In addition, at least one surface of the outer packaging must have a minimum dimension of 3.9 inches x 3.9 inches (100 mm x 100 mm). Exempt human and animal specimens are mailable as First-Class Mail, Priority Mail, Express Mail, or Package Services mail.

10.18 Radioactive Materials (Hazard Class 7)

Radioactive materials are prohibited in international mail and domestic mail if required to bear the DOT Radioactive White-I, Radioactive Yellow-II, or Radioactive Yellow-III label (49 CFR 172.436, 172.438, or 172.440, respectively) or if it contains quantities of radioactive material in excess of those authorized in Publication 52,

Hazardous, Restricted, or Perishable Mail. Radioactive materials are prohibited in domestic mail via air transportation. For international mail, the standards in IMM 135 apply.

10.19 Corrosives (Hazard Class 8)

10.19.1 Definition

A *corrosive* is any liquid or solid that causes visible destruction or irreversible alteration in human skin tissue at the site of contact or a liquid that has a severe corrosion rate on steel.

10.19.2 Mailability

Corrosives are prohibited in international mail. A corrosive that can qualify as an ORM-D material is permitted in domestic mail via air or surface transportation subject to these limitations:

a. Liquid Corrosive. A liquid mixture must be 1 pint or less and must contain 15% or less corrosive material with the remainder of the mixture not being a hazardous material, unless otherwise specified for a specific corrosive material. Primary receptacles must be securely sealed compatible glass bottles that are enclosed within securely sealed metal or plastic secondary containers. The secondary container must be packed within a strong outer shipping container that does not exceed 25 pounds per mailpiece.

b. Solid Corrosive. A solid mixture must be 10 pounds or less per primary receptacle and must contain 10% or less corrosive material with the remainder of the mixture not being a hazardous material, unless otherwise specified for a specific corrosive solid. The primary receptacle(s) and secondary container must be securely sealed compatible siftproof containers packed in strong outer shipping container. The total weight of a mailable solid corrosive cannot exceed 25 pounds per mailpiece.

10.19.3 Marking

For surface transportation, the mailpiece must be plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name. For air transportation, the mailpiece must be plainly and durably marked on the address side with “ORM-D AIR” immediately following or below the proper shipping name and must bear a shipper's declaration for dangerous goods.

10.19.4 Nonspillable Wet Electric Storage Batteries

A battery containing liquid electrolyte is prohibited from mailing unless the battery casing is completely sealed to prevent the liquid corrosive from spilling during handling. Nonspillable batteries with UN2800 are prohibited in international mail, but may be sent as domestic mail via air or surface transportation under the following conditions:

a. The nonspillable battery must be protected from short circuits, surrounded with sufficient cushioning material, and securely packaged in a strong fiberboard box that serves as the outer shipping container.

b. The outer shipping container must be marked “NONSPILLABLE BATTERY, UN2800” on the address side.

c. The nonspillable battery must be capable of withstanding the vibration and pressure differential tests cited in 49 CFR 173.159(d)(i) and (ii).

d. Only one nonspillable battery is allowed per mailpiece and the weight of the mailpiece cannot exceed 25 pounds.

10.20 Miscellaneous Hazardous Materials (Hazard Class 9)

10.20.1 Definition

A *miscellaneous hazardous material* is a substance or article that presents a hazard during transportation but does not meet the definition of any other hazard class. Examples of miscellaneous hazardous materials (not all of which are mailable) include solid dry ice, elevated temperature substances, environmentally hazardous substances, life-saving appliances, and asbestos.

10.20.2 Mailability

A miscellaneous hazardous material is prohibited in international mail. A miscellaneous hazardous material that can qualify as an ORM-D material is permitted for domestic mail via air or surface transportation, subject to the applicable 49 CFR requirements.

10.20.3 Marking

For surface transportation, the mailpiece must be plainly and durably marked on the address side with “Surface Only” or “Surface Mail Only” and “ORM-D” immediately following or below the proper shipping name. For air transportation, a mailable material must be plainly and durably marked on the address side with “ORM-D AIR” immediately following or below the proper shipping name and bear a shipper's declaration for dangerous goods.

10.20.4 Dry Ice

Dry ice (carbon dioxide solid) is prohibited in international mail. Dry ice is permitted in the domestic mail via air or surface transportation when used as a refrigerant to cool the contents of a mailpiece. A mailpiece containing dry ice must be packed in a container that is designed to permit the release of carbon dioxide gas and prevent a build-up of pressure that could rupture the parcel. Containers must conform to 49 CFR 173.217 and 175.10(a)(13). Additionally, the following applies:

a. Air Transportation Requirements. Each mailpiece may not contain more than 5 pounds of dry ice. The address side of each mailpiece must be clearly marked “Carbon Dioxide Solid, UN1845” or “Dry Ice, UN1845” along with the net weight of the dry ice and the identity of the contents being cooled. A shipper’s declaration prepared in triplicate and a DOT Class 9 warning label for miscellaneous hazardous materials must be affixed to the outside of the mailpiece.

b. Surface Transportation Requirements. The amount of dry ice per mailpiece may exceed 5 pounds. The address side of each mailpiece must be clearly marked “Carbon Dioxide Solid” or “Dry Ice” and “Surface Only” or “Surface Mail Only” along with the net weight of the dry ice and the identity of the contents being cooled. A shipper’s declaration and a DOT Class 9 warning label are not required for the dry ice.

10.21 Other Regulated Materials—Magnetized Materials

A magnetized material is not classified within any of the nine hazard classes. Such material is regulated as a hazardous material only if offered for carriage on air transportation and when it has a magnetic field strength capable of causing the deviation of aircraft instruments. Regulated magnetized materials are mailable subject to the following limitations:

a. Definition. A magnetized material is any article that has a magnetic field strength capable of causing the deviation of aircraft instruments. A magnetized material is regulated as a hazardous material when it is presented for air transportation and has a measurable magnetic field strength greater than 0.00525 gauss at 15 feet. Magnetized materials include magnets and magnetized devices such as magnetrons and light meters of sufficient strength to possibly cause erroneous aircraft compass readings. If the maximum field strength observed at a distance of 7 feet is less than 0.002 gauss or there is no significant compass deflection (less than 0.5 degree), the article is not restricted as a magnetized material.

b. Mailability. Regulated magnetized material is prohibited in international mail. A material with a measurable magnetic field strength greater than 0.00525 gauss at 15 feet is prohibited from domestic mail via air transportation. Mailable materials must be packaged and marked as specified in Publication 52, *Hazardous, Restricted, and Perishable Mail*. Mailable material permitted via air transportation must bear a shipper's declaration for dangerous goods. Magnetized material is not regulated as a hazardous material when transported via surface transportation.

11.0 Other Restricted and Nonmailable Matter

11.1 Pistols, Revolvers, and Other Concealable Firearms

11.1.1 Definitions

The terms used in this standard are defined as follows:

a. *Handgun* means any pistol, revolver, or other firearm or device the mailing of which is regulated by this standard.

b. *Pistol* or *revolver* means a handgun styled to be fired by the use of a single hand and to fire or otherwise expel a projectile by the action of an explosion, spring, or other mechanical action, or air or gas pressure with enough force to be used as a weapon.

c. *Firearm* means any device, including a starter gun, designed to, or that may readily be converted to, expel a projectile by the action of an explosion, spring, or other mechanical action, or air or gas pressure with enough force to be used as a weapon.

d. *Other firearms capable of being concealed on the person* include, but are not limited to, short-barreled shotguns and short-barreled rifles.

e. *Short-barreled shotgun* means a shotgun that has one or more barrels less than 18 inches long. The term *short-barreled rifle* means a rifle that has one or more barrels less than 16 inches long. These definitions include any weapon made from a shotgun or rifle, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than 26 inches. A short-barreled shotgun or rifle of greater dimension may be regarded as nonmailable when it has characteristics to allow concealment on the person.

f. *Licensed manufacturer* and *licensed dealer* mean, respectively, a manufacturer of firearms or a bona fide dealer of firearms, duly licensed by the Bureau of Alcohol, Tobacco and Firearms of the Department of the Treasury, under the Gun Control Act of 1968 (Public Law 90-618), 18 USC 921, et seq.

g. *Antique firearm* means any firearm (including those with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898, or any replica thereof, if such replica:

   1. Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition.

   2. Uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade.

11.1.2 Handguns

Pistols, revolvers, and other firearms capable of being concealed on the person (referred to as *handguns)* are nonmailable unless mailed between the parties listed in 11.1.3 and 11.1.5 after the filing of an affidavit or statement required by 11.1.4 and 11.1.6.

11.1.3 Authorized Persons

Subject to 11.1.4, handguns may be mailed by a licensed manufacturer of firearms, a licensed dealer of firearms, or an authorized agent of the federal government or the government of a state, territory, or district, only when addressed to a person in one of the following categories for use in the person's official duties:

a. Officers of the Army, Coast Guard, Air Force, Navy, Marine Corps, or Organized Reserve Corps.

b. Officers of the National Guard or militia of a state, territory, or district.

c. Officers of the United States or of a state, territory, or district, whose official duty is to serve warrants of arrest or commitment.

d. USPS employees authorized by the Chief Postal Inspector.

e. Officers and employees of enforcement agencies of the United States.

f. Watchmen engaged in guarding the property of the United States, a state, territory, or district.

g. Purchasing agent or other designated member of agencies employing officers and employees included in 11.1.3c. through 11.1.3e.

11.1.4 Affidavit of Addressee

Any person proposing to mail a handgun under 11.1.3 must file with the postmaster, at the time of mailing, an affidavit signed by the addressee setting forth that the addressee is qualified to receive the firearm under a particular category of 11.1.3a. through 11.1.3g, and that the firearm is intended for the addressee's official use. The affidavit must also bear a certificate stating that the firearm is for the official duty use of the addressee, signed by one of the following, as appropriate:

a. For officers of Armed Forces, by the commanding officer.

b. For officers and employees of enforcement agencies, by the head of the agency employing the addressee to perform the official duty with which the firearm is to be used.

c. For watchmen, by the chief clerk of the department, bureau, or independent branch of the government of the United States, the state, the territory, or the district by which the watchman is employed.

d. For the purchasing agent or other designated member of enforcement agencies, by the head of such agency, that the firearm is to be used by an officer or employee included in 11.1.3c. through 11.1.3e, *Authorized Persons*.

11.1.5 Manufacturers and Dealers

Handguns may also be mailed between licensed manufacturers of firearms and licensed dealers of firearms in customary trade shipments, or for repairing or replacing parts.

11.1.6 Certificate of Manufacturers and Dealers

A licensed manufacturer or dealer need not file the affidavit under 11.1.4, but must file with the postmaster a statement on Form 1508 signed by the mailer that he or she is a licensed manufacturer or dealer of firearms, that the parcels containing handguns (or major component parts thereof) are customary trade shipments or contain such articles for repairing or replacing parts, and that to the best of his or her knowledge or belief the addressees are licensed manufacturers or dealers of firearms.

11.1.7 FBI Crime Detection Bureaus

Handguns may be mailed without regard to 11.1.3 through 11.1.6 if:

a. Addressed to the Federal Bureau of Investigation (FBI), or its director, or to the scientific laboratory or crime detection bureau of any agency whose members are federal law enforcement officers or officers of a state, territory, or district authorized to serve warrants of arrest or commitment; or

b. Offered by an authorized agent of the federal government as an official shipment to any qualified addressee in categories 11.1.3a. through 11.1.3g, or to a licensed manufacturer or dealer of firearms or to a federal agency.

11.2 Antique Firearms

Antique firearms sent as curios or museum pieces may be accepted for mailing without regard to 11.1.3 through 11.1.6.

11.3 Rifles and Shotguns

Although unloaded rifles and shotguns not precluded by 11.1.1e and 11.1.2 are mailable, mailers must comply with the Gun Control Act of 1968, Public Law 90-618, 18 USC 921, et seq., and the rules and regulations promulgated thereunder, 27 CFR 178, as well as state and local laws. The mailer may be required by the USPS to establish, by opening the parcel or by written certification, that the gun is unloaded and not precluded by 11.1.1e.

11.4 Legal Opinions on Mailing Firearms

Postmasters are not authorized to give opinions on the legality of any shipment of rifles or shotguns. Contact the nearest office of the Bureau of Alcohol, Tobacco and Firearms for further advice.

11.5 Knives and Sharp Instruments

11.5.1 Mailability

Knives (including sharp-pointed instruments such as stilettos that lack cutting edges) with a blade that opens automatically by hand pressure applied to a button or other device in the handle, or by operations of inertia, gravity, or both, or with a detachable blade propelled by a spring-operated mechanism, are mailable only when sent to:

a. The respective government's or organization's designated supply or procurement officers and employees ordering, procuring, or buying such knives for use with the activities of the federal government; the National Guard, the Air National Guard, or the militia of a state, territory, or the District of Columbia; or the municipal government of the District of Columbia or of the government of any state or territory, or of any county, city, or other political subdivision of a state or territory.

b. Manufacturers of such knives, or bona fide dealers of such knives, in connection with a shipment made under an order from any person designated in 11.5.1a.

11.5.2 Addressee Identification

Before delivering a shipment (or parcel) that contains an article or articles described in 11.5.1, a USPS employee may require that the recipient identify himself or herself as in one of the categories in 11.5.1a.

11.5.3 Wrapping

Sharp-pointed or sharp-edged instruments such as knives, tools, ice picks, and razor blades, that are otherwise mailable, must be wrapped to protect their points and edges from cutting through the outer carton in which they are mailed.

11.6 Prohibited Parcel Marking

For any parcel containing a firearm or a ballistic or switchblade knife, any marking that indicates the contents is not permitted on the outside wrapper or container.

11.7 Intoxicating Liquor

A potable beverage is nonmailable if it is of 0.5% or more alcoholic content by weight, which is taxable under Chapter 51, Internal Revenue Service Code. The product may be mailed if it conforms to applicable requirements of the Internal Revenue Service and Food and Drug Administration and is not an alcoholic beverage, poisonous, or flammable.

11.8 Matter Emitting Obnoxious Odor

Any matter that is a source of an obnoxious odor is nonmailable.

11.9 Liquids and Powders

11.9.1 Liquids and Semisolids

Liquids and semisolids that may liquefy under normal conditions and are otherwise mailable must be adequately prepared for mailing under 1.0 through 8.0.

11.9.2 Powders

Powders that, if allowed to escape from their containers, could cause damage, discomfort, destruction, or soiling, must either be packed in siftproof containers or in other containers sealed in durable siftproof outer containers.

11.10 Motor Vehicle Master Keys and Locksmithing Devices

11.10.1 Motor Vehicle Master Key—Definition

A *motor vehicle master key* is any key (other than the key furnished by the manufacturer with the motor vehicle, or the key furnished with a replacement lock, or an exact duplicate of such keys) designed to operate two or more motor vehicle ignition, door, or trunk locks of different combinations, including any pattern, impression, or mold from which such a master key can be made (18 USC 1716A; 39 USC 3002).

11.10.2 Nonmailable

Any motor vehicle master key, as defined in 11.10.1, and any advertisement for the sale of such item, are nonmailable, unless sent to any of the following:

a. Lock manufacturer.

b. Professional locksmith.

c. Motor vehicle manufacturer or dealer.

d. Federal, state, or local government agency.

11.10.3 Marking

Any marking identifying the contents is not permitted on the outside wrapper or container of any parcel containing motor vehicle master keys.

11.10.4 Locksmithing Device—Definition

A *locksmithing device* is:

a. A device or tool (other than a key) designed to manipulate the tumblers in a lock into the unlocked position through the keyway of such lock.

b. A device or tool (other than a key or a device or tool under 11.10.4a) designed for bypassing a lock or similar security device, or for opening it by a method normally not used by consumers to open such locks or security devices.

c. A device or tool designed for making an impression of a key or similar security device to duplicate such key or device.

11.10.5 Nonmailable

Any locksmithing device, as defined in 11.10.4, is nonmailable, unless sent to any of the following:

a. Lock manufacturer or distributor.

b. Bona fide locksmith.

c. Bona fide repossessor.

d. Motor vehicle manufacturer or dealer.

e. Bona fide automotive repair shops or businesses.

11.11 Drugs

11.11.1 Over-the-Counter Drugs

Over-the-counter drugs are medicines that can be obtained without a prescription. Over-the-counter drugs may be mailed when all applicable federal, state, and local laws, such as the Poison Prevention Packaging Act of 1970 and the Consumer Product Safety Commission requirements, are followed.

11.11.2 Prescription Drugs

Prescription drugs are licensed medicines that require a written order by a medical doctor or pharmacist before they can be obtained. Prescription drugs, including those that contain controlled substances, may be mailed by drug manufacturers or their registered agents, pharmacies, or other authorized dispensers as permitted by 21 CFR 1307.12 or in compliance with any regulation of the Food and Drug Administration or other applicable law.

11.11.3 Controlled Substances

Controlled substances are any anabolic steroid, narcotic, hallucinogenic, stimulant, or depressant drug in Schedules I through V of the Controlled Substances Act, 21 USC 801 and 21 CFR 1300. Controlled Substances may be mailed by drug manufacturers or their agents, pharmacies, or other authorized dispensers when distribution is lawful under 21 USC 801 and 21 CFR 1300 and if the mailer or the addressee meets one of the following conditions:

a. The mailer or the addressee is registered with the Drug Enforcement Administration (DEA).

b. The mailer or the addressee is exempt from DEA registration in performing official duties such as military, civil defense, and law enforcement personnel.

11.11.4 Packaging and Markings

Securely package all mailable drugs so that the contents cannot become damaged or dislodged during mailing. Follow the general packaging instructions in 601.1.0 through 601.8.0. Do not identify the nature of the contents on the outside of the mailpiece.

11.11.5 Return of Prescription Drugs

[2-2-06] Mailers may use merchandise return service to return prescription drugs for purposes of drug recalls; voluntary manufacturer withdrawals; and dispensing errors such as incorrect drug, dosage, or strength, as permitted by 21 CFR 1307.12 or other applicable law. The mailpiece must be addressed to the manufacturer or its registered agent. Manufacturers or their registered agents must furnish mailing containers to their customers for the purpose of mailing back the identified drugs. Manufacturers or their registered agents must use merchandise return service (see 507.10.0) with First-Class Mail or Priority Mail for these mailpieces. Manufacturers or their agents continue to be responsible for maintaining records in compliance with any regulation of the Drug Enforcement Administration and/or the Food and Drug Administration.

11.11.6 Mailing Standards

If distribution of a controlled substance is lawful under 21 USC 801, et seq., and any implementing regulation in 21 CFR 1300, et seq., the USPS considers such distribution by mail to constitute the mailing of matter not outwardly or of its own force dangerous or injurious to a person's life or health and accordingly mailable, subject to these standards:

a. The inner container of any package containing controlled substances is marked and sealed under the applicable provisions of the Controlled Substances Act (21 USC 801, et seq., and any implementing regulation in 21 CFR 1300, et seq.) and placed in a plain outer mailing container or securely overwrapped in plain paper.

b. If the mailing includes prescription drugs containing controlled substances, the inner container is also labeled to show the prescription number and the name and address of the pharmacy, practitioner, or other person dispensing the prescription.

c. The outer mailing wrapper or container is free of markings that indicate the nature of the content.

11.12 Drug Paraphernalia

11.12.1 Definition and Examples

It is unlawful to use domestic or international mail to transport drug paraphernalia. The term *drug paraphernalia* refers to any equipment, product, or material of any kind primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under the Controlled Substances Act. Examples of drug paraphernalia are items primarily intended or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, or amphetamines into the human body, such as metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls; water pipes, chamber pipes, carburetor pipes, electric pipes, ice pipes or chillers, and air-driven pipes; carburetion tubes and devices; smoking and carburetion masks; roach clips (i.e., objects used to hold

burning material that is too small or short to be held in the hand); miniature spoons with level capacities of 1/10 cubic centimeter or less; chillums; bongs; wired cigarette papers; and cocaine freebase kits.

11.12.2 Determination

In determining whether an item constitutes drug paraphernalia, in addition to all other logically relevant factors, these factors may be considered:

a. Oral or written instructions or other descriptive materials provided with the item that explain or depict its use.

b. National and local advertising on its use.

c. The manner in which the item is displayed for sale.

d. Whether the owner, or anyone in control of the item, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.

e. Direct or circumstantial evidence of the ratio of sales of the items to the total sales of the business enterprise.

f. The existence and scope of legitimate uses of the item in the community.

g. Expert testimony on its use.

11.12.3 Exceptions

The standards in 11.12.1 and 11.12.2 apply neither to any person authorized by local, state, or federal law to manufacture, possess, or distribute items described in 11.12.1 and 11.12.2; nor to any item that, in the normal lawful course of business, is sold through the mail and traditionally intended for use with tobacco products, including any pipe, paper, or accessory.

11.13 Household Substance

A household substance (39 USC 3001(f)), i.e., any matter unsolicited by the addressee, that contains a substance as defined by section 2 of the Poison Prevention Packaging Act of 1970 (15 USC 1471(2)), is permitted in the mail only if it complies with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission (16 CFR 1700).

11.14 Pesticide

A pesticide (18 USC 1716), i.e., any matter that contains a pesticide as defined by section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136(u)), is permitted in the mail only if it complies with child-resistant packaging standards established by the Environmental Protection Agency applicable to that particular matter (40 CFR 157) and meets the applicable standards in 10.0, *Hazardous Materials*.

11.15 Fragrance Advertising Sample

A fragrance advertising sample (39 USC 3001(g)), i.e., any matter normally acceptable in the mail but containing a fragrance advertising sample, is permitted in the mail only if it is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample. A sample meets this requirement if it uses paper stocks with a maximum porosity of 20 Sheffield units or 172 Gurley-Hill units treated exclusively

with microencapsulated oils, and if the sample is produced so that it cannot be activated except by opening a glued flap or binder or by removing an overlying ply of paper.

11.16 Compliance Certificate

A mailer who presents matter that is generally permitted in the mail under 11.13, 11.14, and 11.15 but for compliance with the specified packaging and preparation requirements may submit an accompanying written statement certifying that the matter is packaged or prepared under the applicable federal laws and postal standards. The certifying statement may be made on the mailer's letterhead, on a postage statement, or as a notice on the exterior of each item presented for mailing.

11.17 Battery-Powered Devices

Any device powered by dry-cell batteries must have the batteries removed or deactivated to prevent activating the device in the mail. A battery with liquid electrolyte is not permitted in the mail unless it is a nonspillable type battery that meets the standards in 10.0, *Hazardous Materials*.

11.18 Odd-Shaped Items in Paper Envelopes

Pens, pencils, key rings, bottle caps, and other similar odd-shaped items are not permitted in letter-size or flat-size paper envelopes unless they are wrapped within the other contents of the envelope to streamline the shape of the mailpiece and prevent damage during postal processing. If an odd-shaped item is not properly wrapped, it could burst through the envelope and cause injury to employees and damage to USPS processing equipment. Odd-shaped items that are properly wrapped within paper envelopes and sent at the First-Class Mail or Standard Mail nonautomation rates may be subject to the nonmachinable surcharge under 133.1.10, 233.4.3, 333.4.3, and 433.3.4 or 243.5.6, as applicable. Certain types of odd-shaped items, when properly wrapped, are permitted as automation rate letter-size mail subject to the standards in 201.3.0. Flat-size automation rate mail is subject to the uniform thickness requirement in 301.3.0.

11.19 Abortive and Contraceptive Devices

11.19.1 Abortion Devices

Any article or thing designed, adapted, or intended for producing abortion is not permitted in the mail (18 USC 1461).

11.19.2 Contraceptives

Unsolicited samples of an article or thing designed, adapted, or intended for preventing conception is permitted in the mail only when sent to a manufacturer or a dealer of such an article or things, to a licensed physician or surgeon, or to a nurse, pharmacist, druggist, hospital, or clinic (39 USC 3001; 18 USC 1461).

11.20 Building Construction Material

Building construction material is not permitted in the mail if the acceptance and processing is likely to harm or injure USPS employees, mail, or equipment. Factors considered include but are not limited to whether the material may pose potential storage problems at the postal facilities that may process the material; whether the volume of material may impede the flow of mail in USPS transportation or mail

distribution systems; whether the volume of material may lead to security problems; and whether processing the material may create safety hazards for USPS employees.

12.0 Written, Printed, and Graphic Matter Generally

12.1 Solicitations in Guise of Bills, Invoices, or Statements of Account (39 USC 3001(D); 39 USC 3005)

12.1.1 General

Any otherwise mailable matter that reasonably could be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order, is nonmailable unless it conforms to 12.1.2 through 12.1.5 in *Solicitations in Guise of Bills, Invoices, or Statements of Account (39 USC 3001(D); 39 USC 3005)*. A nonconforming solicitation constitutes prima facie evidence of violation of 39 USC 3005. Compliance with this section does not avoid violation of Section 3005 if any part of the solicitation or any information with it misrepresents a material fact to the addressee (e.g., misleading the addressee about the identity of the sender of the solicitation or about the nature or extent of the goods or services offered may be a violation of Section 3005).

12.1.2 Required Disclaimer

The solicitation must bear on its face either the disclaimer required by 39 USC 3001(d)(2)(A) or the notice: “THIS IS NOT A BILL. THIS IS A SOLICITATION. YOU ARE UNDER NO OBLIGATION TO PAY THE AMOUNT STATED ABOVE UNLESS YOU ACCEPT THIS OFFER.” The statutory disclaimer or the alternative notice must be displayed in conspicuous boldface capital letters of a color prominently contrasting with the background against which it appears, including all other print on the face of the solicitation and that are at least as large, bold, and conspicuous as any other print on the face of the solicitation, but not smaller than 30-point type (see Exhibit 12.1.2). The notice or disclaimer required by this section must be displayed conspicuously apart from other print on the page immediately below each portion of the solicitation that reasonably could be construed to specify a monetary amount due and payable by the recipient. It must not be preceded, followed, or surrounded by words, symbols, or other matter that reduces its conspicuousness or that introduces, modifies, qualifies, or explains the required text, such as “Legal Notice Required by Law.”

Exhibit 12.1.2 Solicitation Disclaimer

ACCOUNTS INCORPORATED

Qty.	Listing Category	Amount
1	Retail	$50.00

IMPORTANT: This form must be returned to ensure your correct directory listing. Please correct listing and ZIP Code if necessary.

☐ Check enclosed ☐ Bill me later

ACCOUNTS INCORPORATED
PO BOX 1000
ANYTOWN WA 98765-4321

ABC COMPANY
1234 MAIN ST
ANYTOWN WA 98765-4321

Detatch and return this portion with your payment.
Retain this portion as your receipt.

Qty.	Listing Category	Amount
1	Retail	$50.00

Business listings to appear in the 2005 Accounts Incorporated Directory.

Amount: $50 for each listing.

THIS IS NOT A BILL. THIS IS A SOLICITATION. YOU ARE UNDER NO OBLIGATION TO PAY THE AMOUNT STATED ABOVE UNLESS YOU ACCEPT THIS OFFER.

12.1.3 Intelligibility

The notice or disclaimer must not, by folding or any other device, be made unintelligible or less prominent than any other information on the face of the solicitation.

12.1.4 Separable Pages

If a solicitation consists of more than one page or if any page is designed to be separated into portions (e.g., by tearing along a perforated line), the notice or disclaimer required by 12.1.2 must be displayed in its entirety on the face of each page or portion of a page that might be reasonably considered a bill, invoice, or statement of account due as required by 12.1.2.

12.1.5 Definitions

For this standard, *color prominently contrasting* excludes any color, or any intensity of an otherwise included color, that does not permit legible reproduction by ordinary office photocopying equipment used under normal operating conditions, and which is not at least as vivid as any other color on the face of the solicitation; and *color* includes black.

12.2 Solicitations Deceptively Implying Federal Connection, Approval, or Endorsement (39 USC 3001(H) and 3001(I); 39USC3005)

12.2.1 USPS Endorsement

Any solicitation stating that it is approved by the USPS or the Postmaster General or that it conforms to any postal law or regulation is nonmailable.

12.2.2 Nonmailable by Government Misrepresentation

A solicitation that misrepresents a government entity is nonmailable subject to these conditions:

a. Matter that contains a solicitation for products, services, information, or funds that implies any federal government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a federal statute, name of a federal agency, department, or commission, or program, trade, or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the federal government is nonmailable unless it conforms to 12.2.3. A nonconforming solicitation constitutes prima facie evidence of violation of 39 USC 3005. Compliance with 12.2.3 does not avoid violation of 39 USC 3005 if the solicitation or accompanying information misrepresents material fact such as the nature, value, quantity, quality, or efficacy of the products or services offered for sale, or of the activities of an organization asking for information or monetary contributions.

b. Such solicitations must not contain a false representation that federal government benefits or services will be affected by whether or not the recipient makes a purchase or contribution.

c. Solicitations for payment for services otherwise available to the recipient free of charge from the federal government are nonmailable unless they contain a clear and conspicuous statement giving notice of that fact.

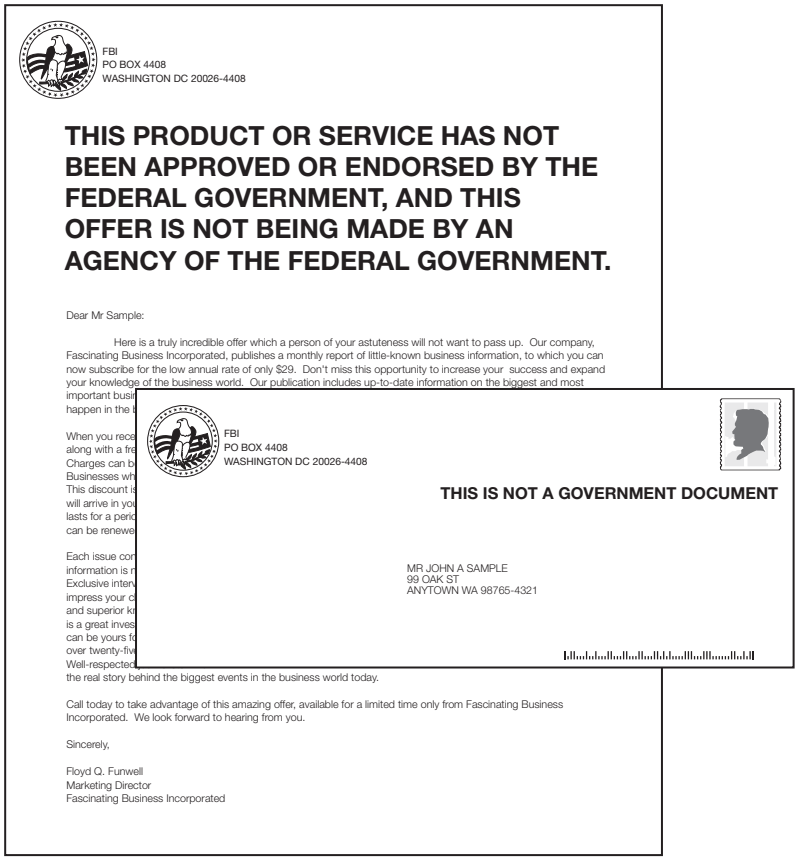
12.2.3 Permitted Solicitations

A solicitation described in 12.2.2a may be mailable if it meets at least one of these conditions (see Exhibit 12.2.3b):

a. The solicitation is by a nongovernmental entity that actually has the federal government connection, approval, or endorsement implied by the solicitation's terms or symbols.

b. The solicitation appears in a publication for which the addressee has paid or promised to pay a consideration or which the addressee has otherwise indicated he or she wants to receive, and the solicitation is not on behalf of the publisher of the publication.

Exhibit 12.2.3b Disclaimers for Solicitations Implying Federal Connection



FBI
PO BOX 4408
WASHINGTON DC 20026-4408

THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT.

Dear Mr Sample:

Here is a truly incredible offer which a person of your astuteness will not want to pass up. Our company, Fascinating Business Incorporated, publishes a monthly report of little-known business information, to which you can now subscribe for the low annual rate of only $29. Don't miss this opportunity to increase your success and expand your knowledge of the business world. Our publication includes up-to-date information on the biggest and most

FBI
PO BOX 4408
WASHINGTON DC 20026-4408

THIS IS NOT A GOVERNMENT DOCUMENT

MR JOHN A SAMPLE
99 OAK ST
ANYTOWN WA 98765-4321

the real story behind the biggest events in the business world today.

Call today to take advantage of this amazing offer, available for a limited time only from Fascinating Business Incorporated. We look forward to hearing from you.

Sincerely,

Floyd Q. Funwell
Marketing Director
Fascinating Business Incorporated

c. The solicitation displays the notice required by 12.2.3c1 on the envelope or outside cover or wrapper in which the solicitation is mailed, and one of the two notices required by 12.2.3c2 on the contents. These notices must be printed in boldface capital letters of a color prominently contrasting with the background against which they appear. “Color prominently contrasting” excludes any color or intensity that ordinary photocopying cannot reproduce legibly. The color, which can include black, must be at least as vivid as any other color on the face of the solicitation and its envelope or outside cover or wrapper. The required wording, type size and style, and placement for the notices are as follows:

1. On the Envelope, Cover, or Wrapper. The face of the envelope or outside cover or wrapper must bear the notice: “THIS IS NOT A GOVERNMENT DOCUMENT.” The letters for printing this notice must be as large, bold, and conspicuous as any other letters on the face of such envelope, cover, or wrapper, but never smaller than 12-point type. The notice must appear in the upper right quadrant, below the postage stamp or other postage indicia and above the address, and it must be surrounded by a clear space not less than 1/4 inch wide.

2. On the Contents. The solicitation mailed within the envelope, cover, or wrapper must bear at the outset on its face one of these two headlines, depending on its purpose as indicated in parentheses: (a) "THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT" (for the purchase of or payment for a product or service); (b) "THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT" (for information or the contribution of funds or membership fees). The letters for printing these notices must be as large, bold, and conspicuous as any other letters on the face of the solicitation, but never smaller than 30-point type. The notice must be surrounded by a clear space at least 1/2 inch wide. The notice must not be preceded, followed, or surrounded by words, symbols, or other matter that reduces its conspicuousness or introduces, modifies, qualifies, or explains the required text, such as "Notice Required by Law." The notice must not, by folding or any other device, be made unintelligible or less prominent than any other information on the face of the solicitation.

12.3 Lottery Matter (18 USC 1302)

12.3.1 Definition

For this standard, *lottery* is any scheme or promotion, whether lawful under the laws of any state, which, on paying a consideration, offers a prize dependent in whole or in part on lot or chance.

12.3.2 Unlawful Mail Matter

Unlawful matter includes any letter, newspaper, periodical, parcel, stamped card or postcard, circular, or other matter permitting or facilitating participation in a lottery; any lottery ticket or part thereof or substitute; and any form of payment for a lottery ticket or share.

12.3.3 Fishing Contests, Indian Gaming Regulatory Act, Lotteries

This standard does not apply to:

a. Any fishing contest not conducted for profit, in which prizes are awarded for the species, size, weight, or quality of fish caught by contestants in any bona fide fishing or recreational event (18 USC 1305).

b. Mailings, to addresses within a state, of tickets or other material on a lottery conducted by that state under its laws (18 USC 1307).

c. Any gaming conducted by an Indian tribe under the Indian Gaming Regulatory Act (25 USC 2720).

d. An advertisement, list of prizes, or other information on a lottery not prohibited by the state where it is conducted.

12.4 Advertising Matter

12.4.1 Restrictions

Any advertising, promotional, or sales matter that solicits or induces the mailing of any article described in 8.0, 9.0, or 10.0 is nonmailable except that such matter relating to controlled substances, radioactive materials, restricted liquids and powders, battery-powered devices, odd-shaped items in envelopes, and switchblade and ballistic knives, as described in 8.0, 9.0, or 10.0, is mailable if it contains packaging instructions and any other mailing limitations under 8.0 through 12.0, 508.8.0, *Pandering Advertisements*, and 508.9.0, *Sexually Oriented Advertisements*, (18 USC 1716).

12.4.2 Master Keys

Advertisements for motor vehicle master keys are nonmailable (18 USC 1716A, 39 USC 3002), except to lock manufacturers, professional locksmiths, motor vehicle manufacturers or dealers; and federal, state, or local government agencies.

12.5 Other Nonmailable Matter

12.5.1 Fictitious Name

Matter addressed to a person using a fictitious name, title, or address in conducting, through the mail, any scheme or device in violation of law is nonmailable if:

a. After notification, the addressee fails to appear at the post office and be identified.

b. The fictitious character of such mail is established to the Judicial Officer's satisfaction in consequence of a proceeding initiated under 39 CFR 953 (18 USC 1342).

12.5.2 Foreign Origin

Mail of foreign origin is nonmailable if it contains matter determined by a court of competent jurisdiction or by the International Trade Commission to violate the Semiconductor Chip Protection Act of 1984 (17 USC 901-914) or to violate the copyright laws of the United States or any copyright convention or treaty to which the United States is a party (17 USC 601-603).

12.5.3 Foreign Destination

Matter addressed to foreign countries posted in violation of law or treaty stipulation is nonmailable.

12.5.4 Lewd or Filthy Matter

Obscene, lewd, lascivious, or filthy publications or writings, or mail containing information on where, how, or from whom such matter may be obtained, and matter that is otherwise mailable but that has on its wrapper or envelope any indecent, lewd, lascivious, or obscene writing or printing, and any mail containing any filthy, vile, or indecent thing is nonmailable (18 USC 1461, 1463).

12.5.5 Matter Inciting Violence

Any matter of a character tending to incite arson, murder, assassination, treason, insurrection, or forcible resistance to any law of the United States, or containing any threat to take the life of, or to inflict harm upon, the President of the United States is nonmailable (18 USC 1461, 1717).

12.5.6 Other Matter

Other matter that is nonmailable (18 USC 1717) includes every letter, writing, circular, stamped card or postcard, picture, print, engraving, photograph, newspaper, pamphlet, book, publication, or thing as described in these statutes:

a. Forged or altered military or official passes (18 USC 499).

b. Matter bearing forged or altered seals of government departments or agencies (18 USC 506).

c. Defense information (18 USC 793, 794).

d. Documents obtained by persons falsely assuming to be foreign diplomats (18 USC 915).

e. False statements influencing foreign governments (18 USC 954).

f. Matter relating to a conspiracy to injure property of a foreign government (18 USC 956).

g. Matter unlawfully in aid of a foreign government (18 USC 957).

h. Matter relating to an expedition against a friendly nation (18 USC 960).

i. Matter relating to delivery of an armed vessel to a belligerent nation (18 USC 964).

j. Matter wrongfully bearing the seal of a government department or agency (18 USC 1017).

k. Forged, altered, or misused passports (18 USC 1543, 1544). Passport applications containing false statements, and passports falsely obtained (18 USC 1542).

l. Matter bearing false statements intended to injure Armed Forces during war (18 USC 2388).

12.5.7 Animal Fighting Matter

Written, printed, or graphic matter (e.g., advertisements) promoting or furthering an animal fighting venture conducted in any state (except a venture involving live birds permitted under the laws of the state in which the fight is conducted) is nonmailable under 7 USC 2156. Violators can be subject to the criminal penalties in 7 USC 2156. For this standard:

a. *Animal* means any live bird, or any live dog or other mammal, except man.

b. *Animal fighting venture* means any event involving a fight between at least two animals that is conducted for sport, wagering, or entertainment. The term does not include any activity whose primary purpose involves using one or more animals in hunting other animals.

c. *State* means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any U.S. territory or possession.

12.5.8 Private Identification Without Disclaimer

A private identification document without a disclaimer is nonmailable (18 USC 1738; 39 USC 3001(a)). This group includes any document that:

a. Is of a type intended or commonly accepted for the identification of individuals;

b. Bears a birth date or age purported to be that of the person named in it;

c. Is not issued by or under the authority of a government;

d. Is deposited in the mail by someone in the business of furnishing, for valuable consideration, documents that meet criteria in 12.5.8a and 12.5.8c;

e. Is deposited in the mail to further that business; and

f. Is deposited by someone who knows that it fails to carry diagonally printed, clearly and indelibly on both the front and back, "NOT A GOVERNMENT DOCUMENT" in capital letters no smaller than 12-point type.

12.6 Sweepstakes Matter (39 USC § 3001(K)(3)(A))

12.6.1 Definition

The term *sweepstakes* means a game of chance for which no consideration is required to enter.

12.6.2 Mailable Matter

Sweepstakes matter is mailable only if it discloses all of the following:

a. In the body, in the rules, and on the order or entry form that no purchase is necessary.

b. In the body, in the rules, and on the order or entry form that a purchase will not increase the odds of winning.

c. All terms and conditions, including rules and entry procedures of the sweepstakes.

d. The sponsor or mailer, with the principal place of business or address at which the sponsor or mailer may be contacted.

e. Sweepstakes rules, including the odds of winning, quantity, value, and nature of the prize and the schedule of any payments over time.

12.6.3 Nonmailable Matter

Sweepstakes matter is nonmailable if it does any of the following:

a. Represents that individuals not making a purchase may be disqualified from receiving future solicitations.

b. Requires that the entry be accompanied by an order or payment for a product or service previously ordered.

c. Represents that the recipient has won a prize unless that individual has won such prize.

d. Otherwise contradicts or is inconsistent with any disclosure required by 12.6.2, *Mailable Matter*, or 12.6.3, *Nonmailable Matter*.

12.7 Skill Contests (39 USC 3001(K)(3)(B))

12.7.1 Definition

The term *skill contest* means a puzzle, game, competition, or other contest in which a prize is awarded, the outcome depends upon the skill of the contestant, and for which a payment, purchase, or donation is required to enter.

12.7.2 Mailable Matter

Skill contests are mailable only if they include all of the following:

a. Disclose the terms and conditions of the contest, including the rules and entry procedures.

b. Disclose the sponsor or mailer, with the principal place of business or address at which the sponsor or mailer may be contacted.

c. Contain rules that state all of the following:

1. Number of rounds or levels and the cost to enter each round.
2. If subsequent rounds will be more difficult.
3. Maximum cost to enter all rounds.
4. Number of entrants or percentage expected to correctly solve the contest.
5. Identity or qualifications of the judges, if judged by other than the sponsor.
6. Method of judging.
7. Dates the winners will be determined and the prizes awarded.
8. Quantity, value, and nature of the prize.
9. Schedule of any payments over time.

12.8 Facsimile Check (39 USC § 3001(K)(3)(C))

A facsimile check is nonmailable unless it states on the face of the check that it is not a negotiable instrument and has no cash value.

12.9 Exclusions and Disclosures (39 USC §§ 3001(K)(4) & 3001(K)(5))

12.9.1 Mailable Matter

Matter described in 12.6, 12.7, and 12.8 is mailable if it appears in a magazine, newspaper, or other periodical if the promotions are not directed to a named individual, or the promotions do not include the opportunity to make a payment or order a product or service.

12.9.2 Notices and Disclaimers

Any notice or disclaimer required under 12.6, 12.7, and 12.8 shall be clearly and conspicuously displayed. Disclaimers required by 12.6.2a and 12.6.2b must be more conspicuously displayed than any other disclaimer.

12.10 Removal of Names from Mailing Lists (39 USC § 3001(L))

12.10.1 Lists

In general, any person who uses the mails for any mailing falling under 12.2, 12.6, 12.7, and 12.8 shall adopt reasonable practices or procedures to prevent the mailing of such matter to any person who, personally or through their legal

representative, submits a written request that no such matter shall be mailed to that person. Such request may be made either to the mailer, or the Attorney General, or their representative, of the appropriate state. Such requests shall be honored for a period of five years from the date of the request. The mailer shall maintain a record of all such written requests.

12.10.2 Special Requirements for Sweepstakes and Skill Contests
Any promoter of sweepstakes or skill contests must make a clear and conspicuous disclosure of the address or toll-free telephone number by which an individual, or their duly authorized representative, may notify a promoter to have that individual's name and address removed from all lists of names and addresses used by that promoter to mail any skill contest or sweepstakes. Promoters have 60 days from the date of receipt of the removal request to effect the removal of the name and address from all mailing lists used by that promoter for any skill contest or sweepstakes.

12.11 Unauthorized Decisions by Postmasters
Postmasters are not authorized to decide whether written, printed, or graphic matter is nonmailable based on its content or to deny entry to such matter or exclude it from the mail.

12.12 Refusal Due to Improper Preparation
Written, printed, or graphic matter not properly prepared for mailing can be refused.