



## U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Washington, DC 20226

[www.atf.gov](http://www.atf.gov)

October 2, 2015

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

Dear Dr. Perriam:

This is in response to your letter to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). 3rd Light, Ltd. requested a special explosive device exemption pursuant to the regulations at 27 CFR § 555.32 for EG18X Smokes smoke signals containing explosive materials. You provided the U.S. Department of Transportation (DOT) competent authority documents, Material Safety Data Sheets, and technical drawings.

They EG18X Smokes will be imported into the United States under the company name 3rd Light Ltd. but the brand for the products is Enola Gaye. The smoke signal compositions are contained in cardboard tubing and are initiated by a wire pull friction fuze and are differentiated by the color of the smoke they produce. These items are intended for use by law enforcement and security personnel in training/simulation scenarios or for use in the entertainment industry, paintball, airsoft, etc. They will not be marketed or sold as a consumer product to be used in residential areas, but exclusively for use at specific venues or places of business (e.g., paintball field, skydiving event, training centers).

DOT classifies the EG18X Smokes (EX2015020398 and EX2015020437 under 3rd Light Ltd. China) as 1.4G, UN0197 smoke signals. The signals contain no more than 152 grams of explosive materials, composed of potassium perchlorate, potassium nitrate, potassium chlorate, and nitrocellulose.

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

Dr. John Perriam

After careful consideration, we have determined that the EG18X Smokes do not pose a threat to public safety when possessed and used for their intended purpose. Therefore, we are exempting them as special explosive devices pursuant to 27 CFR § 555.32.

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

ATF may modify or rescind this exemption should we determine that it poses a threat to public safety, causes the Government to incur additional costs to administer, or does not provide levels of safety and security equivalent to those of the regulations prescribed under 27 CFR, Part 555. This approval does not convey any rights or privileges contrary to any other Federal, State, and/or local laws. You should make a copy of this letter part of your permanent records and have it available for inspection by any ATF officer.

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

Sincerely yours,

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

cc: [john@enolagaye.com](mailto:john@enolagaye.com)