

Volume

1A

CONSUMER FIREWORKS MANUAL

For Vendors

ST. JOHN'S REGIONAL FIRE DEPARTMENT

Consumer Fireworks Manual for Vendors

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The information in this Manual are not official versions.

Information in this manual is provided by Natural Resources Canada Explosives Regulatory Division and SJRFD. The information contained in this manual is not designed or intended to be the sole guide and source of information on the subject addressed herein. This information assumes the fireworks will be fired by an adult in accordance with the manufacturer's instructions, and in accordance with all applicable laws and regulations in the jurisdiction.

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INTRODUCTION

Consumer fireworks are low-hazard firework articles designed for recreational use by the public. These fireworks include items such as Roman candles, sparklers, fountains, wheels, volcanoes, mines and snakes (see Appendix A, “Common Types of Fireworks”). No certificate or permit is currently required to purchase them, with the exception being the purchaser and/or person setting them off has to be a minimum of 18 years old.

Although these types of fireworks are considered low-hazard and require no training to use, they are **explosive devices and, as such, are capable of causing injury and damage if not used as per the recommended instructions.**

ICON KEY

 Important Information

The St. John’s Regional Fire Department (SJRFDD) is responsible for providing the Region with an acceptable level of fire and emergency service and currently enforces the Province’s “Fire Protection Services Regulations” under the “Fire Protection Services Act” on behalf of the Fire Commissioner’s Office. The regulations for the sale and storage of consumer fireworks are done in accordance with Section 16. (1) of the Fire Protection Services Regulations, which states “A person shall not offer family fireworks for retail sale unless that person has obtained a permit from the fire commissioner authorizing the storage and sale of those fireworks in accordance with these regulations and the applicable federal requirements”.

The *Explosives Act* sets out the requirements and guidelines for activities involving all explosives, including the manufacture, storage, and sale of explosives, as well as the use of fireworks. A person is authorized to carry out an activity related to explosives if they have received a licence, permit, or certification issued by Natural Resources Canada or if they are authorized by regulations to carry out the activity. For consumer fireworks, the Act and Regulations dictate when a licence is required and the requirements for the sale, display and storage of consumer fireworks. The entire *Explosives Act* can be viewed at:

<http://laws-lois.justice.gc.ca/eng/acts/E-17/>

The proper storage, sale and use of consumer fireworks has become an increasing area of concern for the SJRFDD, therefore, this vendor fireworks information package has been implemented to help ensure the safe and proper storage, sales, transport and use of fireworks by the vendors.

 **It is important for consumer fireworks vendors and purchasers to understand their roles and responsibilities related to consumer fireworks to ensure the safest practices are being followed.**

Part of the new program will require vendors to:



- Become certified through a certification process set in place by the SJRFD;
- The certification involves successfully completing a 25-multiple choice question exam based on this manual. Passing mark is 80%.
- Verbally explain restrictions and/or guidelines to consumers prior to each fireworks purchase, including minimum clearances recommended by the manufacturer;
- Ensure each fireworks sale is accompanied by a waiver that shall be signed by the purchaser.

The objective of this program is to ensure both vendors and purchasers are familiar with the necessary requirements and regulations to ensure the safety of everyone.

REGULATIONS

Provincial and Local Regulations



- No person shall display for sale, any type of fireworks in any manner other than in lots that do not exceed 1000 kilograms gross weight (**2204 pounds gross weight**).
- No person shall sell or give to any person under the age of 18 years any type of fireworks.
- No person shall display for sale any type of fireworks in any manner other than in a package, glass case or other suitable receptacle, away from any other flammable goods.
- No person shall display for sale any type of fireworks in any manner other than in such place that the fireworks are not exposed to the rays of the sun or excess heat from any other source.
- No person shall display for sale any type of fireworks in any manner other than consumer fireworks recognized by the Explosives Regulatory Division (ERD) of Canada.
- Permit shall be posted for public viewing in a prominent place within the establishment.
- The sale of extra fusing, sticky match or final match for consumer fireworks is **PROHIBITED**.
- A permit for the storage or sale of fireworks is valid until November 30 of the current year unless cancelled or suspended sooner and an inspection will be automatically conducted prior to the expiration of the current permit.

Fire Department Authority

Inspectors from the SJRFD may enter and inspect any place in which fireworks are being stored, sold, transported or used; they may open and inspect any room, container or package.



- Any fireworks acquired, transported, sold or stored in contravention of the regulations may be seized by an inspector.
- Persons present during inspections are obliged to do any of the following if requested:
 - ❖ provide assistance so that the inspectors can carry out their duties,
 - ❖ produce, extract or copy any relevant documents,
 - ❖ comply with any safety measures as directed by inspectors.
- Any person who obstructs an inspector is guilty of an offence under The Explosives Act and is liable of a fine of up to \$5,000 and/or imprisonment of up to six months.

Display Regulations



FIGURE 1a. Acceptable manner of displaying fireworks. They are in a glass case, out of reach of customers.

- Consumer fireworks on display must be separated into lots not exceeding 25 kg gross weight. The separation must be sufficient to prevent fire from spreading rapidly from one lot to the next and may consist of, for example:
 - ❖ An aisle with a minimum width of 1.2 meters (aisles not blocked at either end), or
 - ❖ A 6-mm plywood partition that extends 15 cm above the height of the lot or to the display shelf above.
- The fireworks must be kept away from flammable goods and sources of ignition and not be exposed to the sun or direct heat. They must also be kept away from dampness as this might cause them to deteriorate.
- Fireworks must be separated from the ceiling and from any fire prevention system by at least 0.6 meters.
- Smoking is **PROHIBITED** within 8 meters of the fireworks and **NO SMOKING** signs must be posted.



FIGURE 1b.
Unacceptable manner
of displaying fireworks.

Customers are not permitted to handle fireworks.

- Fireworks on display must be in consumer packs or locked up (ie. in a display case). Fireworks not in consumers packs or locked up must be inaccessible to the public. Fireworks may be kept behind the sales counter so long as the public cannot access them. Loose fireworks articles must be put into a package, glass case or other suitable receptacle preventing public access.
- Customers are not permitted to handle any fireworks articles that are not in consumer packs until the articles have been purchased.
- Fireworks on display must be attended by an employee.
- If fireworks are displayed indoors or in a trailer, there must be two unobstructed exits to ensure that employees and the public can quickly evacuate in the event of a fire.
- It is unacceptable to set up display boards that employ live fireworks; even if the fuses are removed (the alteration of fireworks is **PROHIBITED** by the *Explosives Act*). The display board should contain only inert articles, which may be obtained from your distributor or the product manufacturer.

 **All quantities in this document refer to the Gross Weight of the fireworks. This includes the articles and any packaging in which it may be packaged.**

Storage Regulations

A total of 1000 kg gross weight of Consumer Fireworks can be stored in a building or other storage unit, provided that the storage area is detached from a dwelling and that it is:

- secure from unauthorized access when open and closed for business;
- well-constructed using non-sparking materials;
- constructed in such a way that it protects the contents from weather and has adequate ventilation;
- kept scrupulously clean, dry, organized, and free of grit; and
- the area is used exclusively for fireworks storage



FIGURE 2a. Improper manner to store fireworks. There is no sign indicating fireworks storage, an exit is not identified and the exit is obstructed.

If the building does not meet these requirements, the fireworks may be kept in a lockable, secure bin/container within the building, but the storage limit is reduced to 100 kg.

- The storage facility must display warning signs marked “***FIREWORKS***” and “***NO SMOKING***”.
- No flammable materials/accelerants can be stored near the fireworks storage area.
- Storage in vehicles, such as trucks or vans, is **PROHIBITED**.
- Storage quantities in excess of 1000 kg require a magazine license issued by the Explosives Regulatory Division.
- No more than 10 kg may be stored in a residential dwelling.
- Always store consumer fireworks in a cool, dry place and keep them away from children. Check the manufacturer’s instructions for special handling directions.

Transportation Regulations

The road transportation of fireworks is governed in part by the Transportation of Dangerous Good (TDG) regulations and in part by the Explosives Regulations, Part VI.

- Flammable goods must not be carried with fireworks.
- Accelerants such as gas must not be carried in the compartment with fireworks.
- Smoking on, in or while attending any vehicle carrying fireworks is **PROHIBITED**.
- TDG orange 1.4G placards must be displayed when transporting more than 4000 kg gross weight (**1000 kg Net Explosive Quantity**) of consumer fireworks.
- Fireworks must not be transported in the passenger compartment of a vehicle. When transporting fireworks in a car, use the trunk, or in a mini-van or sport-utility vehicle, use the cargo compartment and place the fireworks in a non-sparking container with a lid.
- The maximum quantity for transport in passenger vehicles is 300 kg (**75 kg Net Explosive Quantity**).





FIGURE 3a. Proper manner to transport fireworks in a vehicle.

FIGURE 3b. Improper manner to transport fireworks in a vehicle.



LEGAL RESPONSIBILITY

Legal Fireworks

All legally manufactured or imported fireworks are tested for specific safety and reliability criteria set by the Chief Inspector of Explosives. Only fireworks authorized by the Explosives Regulations may be imported into or manufactured, transported, sold, possessed or used in Canada.

- Contraband items such as **cherry bombs, snaps, silver salutes, M-80 salutes, flash crackers, throwdown torpedos, cigarette loads, trick matches, and all trick fireworks are PROHIBITED.**
- The List of Authorized Explosives is published on the ERD website at:

<http://www2.nrcan-rncan.gc.ca/mms/lae-lea/index.cfm>

To further verify whether or not the firework article is authorized for sale in Canada, quickly ask yourself the following questions:

- ❖ Is the firework intended for indoor use?
- ❖ Is the firework a handheld firework (excluding sparklers)?
- ❖ Is the firework meant to be self-propelled from the ground into the air using an unpredictable flight path?
- ❖ Is the firework designed to explode violently?
- ❖ Has the firework had a history of injury related to use?

If you have answered **YES** to any of the above questions, then the firework is likely not authorized for sale in Canada.

If you have any doubt, please contact the SJRFD or the ERD. A contact list for the ERD can be found on the website listed above.

 *The safety instructions and labels should appear in English and French. If they do not, it is not an authorized firework for sale in Canada.*

Age Restrictions

No person shall knowingly sell any consumer fireworks to a person who is under 18 years of age **or appears to be** under 18 years of age and does not produce evidence that they are 18 years of age or older [Section 120 (1) of the Explosives Regulations].

You must ask anyone who appears to be less than 18 years of age wishing to purchase fireworks for a **government issued photo identification**. The person must prove that they are at least 18 years of age before being permitted to purchase fireworks.

What to Look For on the Identification

- ❖ **Proof of Age** - Check for date of birth on the identification and ensure that they are at least 18 years of age. Remember to also check the month and day, if necessary.
- ❖ **Photo** - Look at the photo and ensure that the person purchasing the fireworks is the person on the identification.
- ❖ **Government Issued Card** - Look at the identification and ensure that it is government issued (ex: Driver's Licence, passport, Citizenship Card...etc)

If any of the above conditions are not met, there must be **NO SALE**.



FIGURE 4. Example of a government issued identification.

**GOVERNMENT
ISSUED PHOTO
IDENTIFICATION
MUST BE
REQUESTED FROM
THOSE WHO LOOK
UNDER 18 YEARS
OF AGE**

Responsibilities of Store Owners, Managers, Supervisors and Staff

 Everyone who sells consumer fireworks must know the law.

Ensure:

- Fireworks are properly displayed;
- Only authorized fireworks are sold;
- No customer handles individual fireworks until after sale;
- If fireworks are not in consumer packs, they must be inaccessible to the public;
- Meet with employees regularly:
 - ❖ Educate and remind staff of the law;
 - ❖ Have staff review this information on a regular basis and check that they understand what is required by law;
 - ❖ Ask if they have any questions or concerns;
 - ❖ Staff are responsible to verbally inform purchasers of the regulations and have purchaser sign a waiver.
- Keep this information where all employees can see it and refer to it;
- Share this information with all new employees and inform them of the certification process;
- Tell your employees to I.D. everyone who appears to be 18 or younger;
- Teach staff to be familiar with acceptable I.D. and to watch for fake I.D.s;
- Tell staff, **“IF IN DOUBT, DO NOT SELL”**;
- Inform employees that they can be charged if they sell consumer fireworks to anyone under 18. The store owner or corporation can also be charged.

**SAFE SELLING OF
CONSUMER
FIREWORKS IS
EVERYONE'S
RESPONSIBILITY**

Staff Safety

If there is any type of incident involving fireworks, please notify the SJRFD and the ERD immediately (ie. fire, accident, theft, etc.)

Do not fight a fire that has reached the fireworks - **EVACUATE AND CALL 911**. When the SJRFD arrives they will handle the situation.

You may fight fires near fireworks to prevent the spread of the fire to the fireworks; however, only do so if you can do it safely and feel confident to use a portable fire extinguisher.

 ***Your safety is more important than saving fireworks or other goods.***

Failure to Comply

By law, the responsibility rests with the retailers to ensure that the sale of consumer fireworks is in accordance with the Explosives Act and its Regulations.

Under Section 21 (1) of the Explosives Act, every person who personally or by an agent sells consumer fireworks contrary to the Regulations is guilty of an offence punishable on summary conviction or by indictment and is liable:

- A. on summary conviction, to a fine up to \$250,000 and/or imprisonment of up to 2 years; or
- B. on indictment, to a fine up to \$500,000 and/or imprisonment of up to 5 years.

And under Section 21.1, if the person commits or continues to commit the offense for more than one day, that person is liable to be convicted for a separate offense for each day on which the offense is committed or continued.

FOR THE PURCHASER

The Consumer Fireworks Purchaser Form

**ENSURE THE
PURCHASER
UNDERSTANDS
THE SAFETY
INSTRUCTIONS
PRIOR TO
SIGNING THE
FORM**

Staff selling fireworks are to ensure the following items are complete before having the purchaser sign the **Consumer Fireworks Purchaser Form** (see Appendix B, “Sample of Consumer Fireworks Purchaser Form”):

1. Ensure the purchaser understands the safety instructions.
2. Review the types of fireworks purchaser is purchasing to obtain minimum recommended clearances.
3. A copy of the **Consumer Fireworks Safety Instructions** brochure shall be given to every purchaser.
4. Purchaser and vendor to sign **Consumer Fireworks Purchaser Form**.
5. Original copy of **Consumer Fireworks Purchaser Form** to be given to the purchaser.
6. Carbon copy of **Consumer Fireworks Purchaser Form** shall be kept on site for review by the SJRFD at any time.

Safety Instructions for Purchasers

Ensure that all purchasers receive a **Consumer Fireworks Safety Instructions Brochure** when purchasing consumer fireworks.

The brochure contains the following information:

1. **Follow the Laws.** Follow your local and provincial laws regarding the purchase, possession and use of family fireworks.
2. **Only Purchase Authorized Fireworks From Reliable Dealers.** All vendors within the SJRFD jurisdiction are required to have a permit for the sale of fireworks. All authorized fireworks will have a bilingual label.

3. **Store fireworks properly.** Always store fireworks in a cool, dry place and keep them away from children. The maximum amount of fireworks that can be stored in a dwelling is 10 kg gross weight. Any amount in excess of this must be stored in a separate, locked building.
4. **Transport.** Always transport fireworks in your trunk or in the absence of a trunk (e.g. van or pick-up truck), transport fireworks in a non-sparking container with a lid. Do not smoke while loading, transporting or unloading fireworks.
5. **Use fireworks outdoors.** Never use fireworks indoors; they are designed for outdoor use only.
6. **Choose a Clear, Open Area.** Always use fireworks in an open area away from buildings, vehicles, dry brush/grass and overhead obstructions such as power lines. A minimum clear area of 30m x 30m is required for the safe use of aerial fireworks, such as Roman candles, and 20m x 20m for fountains and other ground-based items.
7. **Check for Wind.** Check wind direction and wind speed; fireworks should be lit with the prevailing wind blowing away from spectators. Do not set off fireworks in strong winds.
8. **Have Water Nearby.** Keep a charged hose or bucket of water close by in case of a malfunction or fire. Dispose of used fireworks (including debris) in a pail of water.
9. **Read ALL Instructions.** Carefully read all the instructions for each firework item ahead of time.
10. **Use Ground-Based Fireworks on a Hard Surface.** Always light ground-based fireworks (fountains or mines) on a hard, flat and level surface to ensure stability of the item. Grass is typically not suitable; lay down wood/plywood.
11. **Bury Aerial Fireworks.** For aerial fireworks (Roman candles), bury (do not pile) the device to half its length in the ground or in a large pail filled with earth or sand.
12. **Keep Spectators Safe.** Keep all spectators at least 20m away.
13. **Use Proper Eye Protection and Wear Proper Clothing.** Protect your eyes with safety glasses or safety goggles. Regular prescription glasses or sunglasses provide little or no protection and may actually contribute to an injury. Wear non-flammable clothing such as cotton; never wear synthetic fibres (nylon, polyester) when firing.

14. **Keep Children Away From Fireworks.** Never let children handle, play with or fire fireworks under any circumstances. Even sparklers, which are considered by many as “safe” fireworks for children, burn at very high temperatures and can easily ignite clothing.
15. **Use Care When Handling Fireworks.** Take care when handling fireworks to prevent dropping them. Do not carry fireworks in your pockets. Never smoke when handling fireworks.
16. **Use Care When Firing Fireworks.** When lighting, never put any part of your body or head over the firework; never hand hold them or insert them into other means of containment such as pipes; and never point or throw them at people. During the show, store the unused fireworks away from the firing area and keep them covered to prevent stray sparks from prematurely setting them off.
17. **Dud or Misfires.** Never attempt to re-light fireworks that have misfired (duds). Wait 30 minutes and then place them in a bucket of water.
18. **Clean-Up After the Show.** Wait 30 minutes after the display has finished. Check the firing area for duds, clean up all debris, dispose in a pail of water and check the area again the next morning.

FREQUENTLY ASKED QUESTIONS (FAQs)

Below are some commonly asked questions regarding the implementation of the Consumer Fireworks Vendors Certification Program.

While the SJRFD has made every attempt to provide information that will answer potential questions, if you have a question that has not been answered here, please feel free to contact the SJRFD as per the contact information at the beginning of the manual and we will be happy to assist you in any way we can.

Q. WHY IS THE SJRFD IMPLEMENTING THIS CERTIFICATION PROGRAM?

A. Consumer fireworks have become an increasing concern for the SJRFD. The SJRFD is implementing this program to ensure vendors and purchasers are aware of the safety instructions and recommendations.

Q. WHERE CAN I OBTAIN THE REQUIRED INFORMATION FOR THIS PROGRAM?

A. Information is available on the City's website at www.stjohns.ca under "Living in St. John's", "Fire and Emergency Services", "Services", click on "Consumer Fireworks Exam" and the Manual is called **Consumer Fireworks Manual for Vendors**.

Q. DO ALL STAFF HAVE TO COMPLETE THE CERTIFICATION?

A. All staff responsible for selling fireworks shall complete the certification.

Q. WHERE CAN I DO THE EXAM?

A. Exams can be taken at Central Fire Station, 5 Fort Townshend, Monday to Friday from 9 a.m. to 4 p.m by appointment only. To schedule an appointment please call (709) 576-3905. It is a requirement to book an appointment to ensure there is staff available to assist in the exam proctoring.

Q. CAN A PERSON STUDY FOR THIS EXAM?

A. Yes. The exam is based on the **Consumer Fireworks Manual for Vendors** which is available on the City’s website at www.stjohns.ca under “Living in St. John’s”, “Fire and Emergency Services”, “Services”, click on “Consumer Fireworks Exam”

Q. WHAT IS THE PASSING MARK FOR THE EXAM?

A. The passing mark is 80%.

Q. WHAT DOES THE EXAM ENTAIL?

A. The exam consists of 25 multiple choice questions. There is no set time limit to complete the exam.

Q. WHAT IF A PERSON DOES NOT PASS THE EXAM?

A. The person has the option to re-write the exam the next business day. There is no limit to how many times a person can write it, however there are different exams, therefore they will not be given the same exam twice.

Q. DOES THE CERTIFICATION EXPIRE?

A. No. There is no expiry date for the certification; however we encourage that employees periodically review the **Consumer Fireworks Manual for Vendors** to refresh themselves on the information.

Q. DOES THE VENDOR’S PERMIT TO SELL FIREWORKS EXPIRE?

A. Yes. The vendor’s permit to sell fireworks will expire on November 30 of each year, unless cancelled or suspended sooner. An annual inspection will automatically be conducted prior to the expiration of the current permit.

Q. WHAT WILL STAFF RECEIVE TO SHOW THEY HAVE BEEN CERTIFIED?

A. Staff will receive a certification card which shall be kept on site. The card will contain their name and a certification number. Inspectors will ask to see the certification cards as part of the annual inspection or upon request.

Q. DO I NEED TO RETAIN A COPY OF THE CONSUMER FIREWORKS PURCHASER FORM?

A. Yes. A copy of the form shall be retained for review by the SJRFD during the annual inspection or any other time.

LIST OF APPENDICES

Appendix A	Common Types of Fireworks
Appendix B	Sample of Consumer Fireworks Purchaser Form

APPENDIX A

COMMON TYPES OF FIREWORKS

COMMON TYPES OF FIREWORKS

Sparklers burn at a temperature of **1200 degrees** Fahrenheit so they produce an intense heat and light, and a spray of sparks. To put it in perspective, wood burns at 575 degrees Fahrenheit. They remain hot enough to produce serious burns for several minutes after they go out.



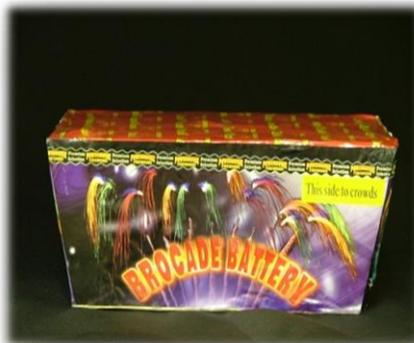
Roman candles shoot coloured balls or stars high into the air, one after the other.



Fountains or volcanoes are lit from the top and produce a spray or eruption of coloured sparks.



Batteries or barrages are made up of several roman candles or fountains that, when lit, fire one after another.



Mines and comets begin like a fountain, but then make a sudden eruption of a comet, stars, reports or whistles.



Wheels must be mounted on a stake or frame. When lit, they spin rapidly, spraying a ring of burning sparks sometimes accompanied by a loud whistling noise.



APPENDIX B

CONSUMER FIREWORKS PURCHASER FORM
