



Department of Commerce

Division of State Fire Marshal

Fireworks 2013 State of Ohio In-Service

Continuing Education for Licensed
Fireworks Manufacturers and Wholesalers



Continuing Education Credit

To obtain a certificate of completion for this course, you must first completely view the presentation, watch the videos, and pass a short test. Support documents are available to download if you choose.

You must sign in to take the test

***Your user ID and password can be found on
the 2014 license renewal application***





Regulation of Fireworks

- Occupational Safety Health Administration (OSHA)
- Consumer Product Safety Commission (CPSC)
- Bureau of Alcohol, Tobacco, Firearms & Explosives (BATFE)
- Department of Transportation (DOT)
- State Fire Marshal (SFM)
- Ohio Revised Code (ORC) 3743
- Ohio Administrative Code (OAC) 1301:7-7-33
- National Fire Protection Association (NFPA) 1124 (2006)





Occupational Safety Health Administration (OSHA)

- You have the right to a safe workplace.
- The Occupational Health and Safety Act of 1970 (OSHAct) was passed to prevent workers from being killed or seriously harmed at work.
- The law requires that employers provide their employees with working conditions that are free of known dangers.





OSHA Hazard Communication Standard

29 CFR, Chapter XVII, 1910.1200

1910.1200(a)(2)

This occupational safety and health standard is intended to address comprehensively the issue of evaluating the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees, and to preempt any legal requirements of a state, or political subdivision of a state, pertaining to this subject.





OSHA Hazard Communication Standard

29 CFR, Chapter XVII, 1910.1200
(continued)

Evaluating the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees, May include, for example, but is not limited to:

- Provisions for: developing and maintaining a written hazard communication program for the workplace, including lists of hazardous chemicals present;





OSHA Hazard Communication Standard

29 CFR, Chapter XVII, 1910.1200
(continued)

- Labeling of containers of chemicals in the workplace, as well as of containers of chemicals being shipped to other workplaces;
- Preparation and distribution of material safety data sheets to employees and downstream employers;
- Development and implementation of employee training programs regarding hazards of chemicals and protective measures.



American Pyrotechnics Association OSHA Training

Fireworks Safety Video

Yes it really works this time !

[View Video](#)



US Consumer Product Safety Commission

16 CFR Part 1500 & 1507

The U.S. Consumer Product Safety Commission (CPSC) has issued mandatory safety regulations for fireworks devices. The CPSC enforces its fireworks regulations under the Federal Hazardous Substances Act (FHSA), 15 U.S.C. §1261. It is a violation of Federal law to import, distribute or sell fireworks that violate CPSC regulations.



United States
Consumer Product Safety Commission



US Consumer Product Safety Commission

16 CFR Part 1500 & 1507 (continued)

Where can I find the requirements for fireworks?

The labeling requirements are published in the Code of Federal Regulations (CFR) in Title 16, Part 1500.14 and 1500.121.

http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title16/16cfr1500_main_02.tpl



US Consumer Product Safety Commission

16 CFR Part 1500 & 1507 (continued)

The specific types of fireworks that are banned are found in the CFR, Title 16, Part 1500.17 (a)(3), (8), (9) and (11). The performance and construction requirements are published at Title 16, Part 1507.

http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title16/16cfr1507_main_02.tpl



Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE)

ATF receives numerous inquiries from industry members about the applicability of Federal explosives law and regulations to fireworks operations. Questions & Answers are provided at the link below to assist licensees and permittees in understanding and complying with the Federal explosives law and regulations. Individuals with additional specific questions may contact ATF's Explosives Industry Programs Branch at (202) 648-7120, or e-mail EIPB@atf.gov

<http://www.atf.gov/explosives/how-to/fireworks-safety-and-security.html>





Department of Commerce

Division of State Fire Marshal

Operational Inspection of Showrooms



Is the Current License Posted Under Glass?

ORC 3743.17 (D)

The license of a wholesaler of fireworks shall be protected under glass and posted in a conspicuous place at the location described in the application for licensure or in the notification submitted under division (B) of this section.

ORC 3743.04 (D)

The license of a manufacturer of fireworks shall be protected under glass and posted in a conspicuous place on the premises of the fireworks plant.





Is the Approved Occupant Load Posted in the Showroom?

OFC 3322.1.9

A sufficiently sized and legible copy of the approved maximum occupant load shall be prominently posted within every retail sales or representative sales showroom structure near the main entrance.

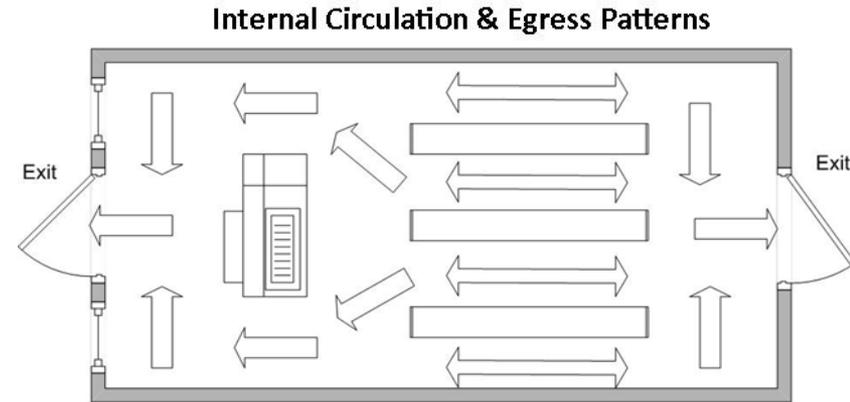




Is the Approved Graphic Floor Plan Being Complied with?

OFC 3322.3.1.4(a)

A sufficiently sized and legible copy of the approved egress floor plan shall be prominently posted within the showroom structure near the main entrance.



http://www.osha.gov/OshDoc/data_General_Facts/emergency-exit-routes-factsheet.pdf





Are All Means of Egress Clear and Unobstructed to a Public Way?

NFPA 1124 7.3.19.2.1(2006)

No consumer fireworks shall be displayed for sale or stored within 5 feet of any public entrance in an enclosed building or structure.

NFPA 1124 7.3.19.2.2 (2006)

No consumer fireworks shall be displayed for sale or stored within 2 feet of any exit, or private entrance in an enclosed building or structure.





Do All Exit Doors Swing Outward?

ORC 3743.19 (N)

All doors of all buildings on the licensed premises shall swing outward.

OFC 3320.7

All exit Doors of all buildings on the licensed premises shall swing outward.





Are All Exits Properly Identified with Lighted Exit Signs and Emergency Lighting?

OFC 1011.2 Illumination

Exit signs shall be internally or externally illuminated.



OFC 1006.1 Illumination Required

The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied.





Are All Exits Properly Identified with Lighted Exit Signs and Emergency Lighting?

(continued)

NFPA 1124 7.3.14.6.1 (2006)



The means of egress, including the exit discharge, shall be illuminated whenever the facility is occupied in accordance with NFPA 101, Life Safety Code.

NFPA 1124 7.3.14.6.2 (2006)

Emergency lighting shall be provided for CFRS facilities and stores shall comply with NFPA 101, Life Safety Code.





Is Panic Hardware Provided? (If Required)

OFC 3320.3

For every structure on a licensed premises, each required means of egress shall be accessible in accordance with the building code as listed in rule 1301:7-7-47 of the Administrative Code and any newly installed or modified exit door assembly shall be provided with panic hardware.





Is the Sprinkler System Operational (if provided)?

Does the Licensee Have Documentation to Verify that the System is in Compliance with all Annual Inspection, Testing, and Maintenance Requirements?

OFC 3322.2.1.2

Each fire alarm, fire detection, smoke control, fire suppression or other fire protection system installed in each building on the licensed premises shall be inspected, tested and maintained in an operable condition in accordance with the requirements of the Revised Code and the building code as listed in rule 1301:7-7-47 and this code.

OFC 901.6.1 and Table 901.6.1

Inspection and Testing as per NFPA 25





Is the Sprinkler System Operational (if provided)?

Does the Licensee Have Documentation to Verify that the System is in Compliance with all Annual Inspection, Testing, and Maintenance Requirements?

(continued)

OFC 901.6.2

Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 3 years *unless otherwise provided for by law or regulation* and shall be copied to the fire code official upon request.





Are Smoke Exhaust and Inter-linked Fire Detection Systems Operational?

OFC 3322.2.1.2

Each fire alarm, fire detection, smoke control, fire suppression or other fire protection system installed in each building on the licensed premises shall be inspected, tested and maintained in an operable condition in accordance with the requirements of the Revised Code and the building code as listed in rule 1301:7-7-47 and this code.

OFC (a) 909.20.1 Schedule.

A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established.





Does the Licensee Have Documentation to Verify that the Smoke Control System has Been Tested & Maintained?

OFC (b) 909.20.2

A written record of smoke control system testing and maintenance shall be maintained on the premises. The written record shall include the date of the maintenance, identification of the servicing personnel and notification of any unsatisfactory condition and the corrective action taken, including parts replaced.





Is a Current Inspection Tag Affixed To All Extinguishers?

OFC 906.2 General

Portable fire extinguishers shall be selected, installed and maintained in accordance with this paragraph and NFPA 10 as listed in Rule 1301:7-7-47 of the Administrative Code

NFPA 10 7.2.4.4

Where manual inspections are conducted, records for manual inspections shall be kept on a tag or label attached to the fire extinguisher, on an inspection checklist maintained on file, or by an electronic method.





Are the Proper Amount of Fire Extinguishers Located Strategically Throughout the Facility?

NFPA 1124 7.3.8.1 Specifications (2006)

Portable fire extinguishers shall be provided as required for extra (high) hazard occupancy in accordance with NFPA 10 Standard for Portable fire Extinguishers.

NFPA 1124 7.3.8.2 Extinguisher Type (2006)

Where more than one portable fire extinguisher is required, at least one fire extinguisher shall be of the multipurpose dry chemical type if the facility is provided with electrical power.





Are the Proper Amount of Fire Extinguishers Located Strategically Throughout the Facility?

(continued)

NFPA 1124 7.3.8.3 Location (2006)

Portable fire extinguishers for permanent consumer fireworks retail sales facilities and stores shall be located so that the maximum distance of travel required to reach an extinguisher from any point does not exceed 75 feet as specified in NFPA 10 Standard for Portable Fire Extinguishers.





Are Fireworks Being Stored Or Displayed In An Aisle?

OFC 315.2.2

Means of Egress.
Combustible materials shall not be stored in means of exits or exit enclosures.





Are All Fuses on Items That Have Been Repackaged Properly Covered?

ORC 3743.19 (L)

If any fireworks item is removed from its original package or is manufactured with any fuse other than a fuse approved by the consumer product safety commission, then the item shall be covered completely by repackaging or bagging or it shall otherwise be covered so as to prevent ignition prior to sale.





Are All Fuses on Items That Have Been Repackaged Properly Covered?

(continued)

OFC 3322.1.7 Fuses

If any fireworks item is removed from its original package or is manufactured with any fuse other than a fuse approved by the consumer product safety commission, then the item shall be covered completely by repackaging or bagging or it shall otherwise be covered so as to prevent ignition prior to sale.





Are All Fuses on Items That Have Been Repackaged Properly Covered?

(continued)

NFPA 1124 7.3.15.5.2 (2006)

A consumer fireworks device shall be considered as having a covered fuse if the fireworks device is contained within a packaged arrangement, container, or wrapper that is arranged and configured such that the fuse of the fireworks device cannot be touched directly by a person handling the fireworks without the person having to puncture or tear the packaging or wrapper, unseal or break open a package or container, or otherwise damage or destroy the packaging material, wrapping, or container within which the fireworks are contained.

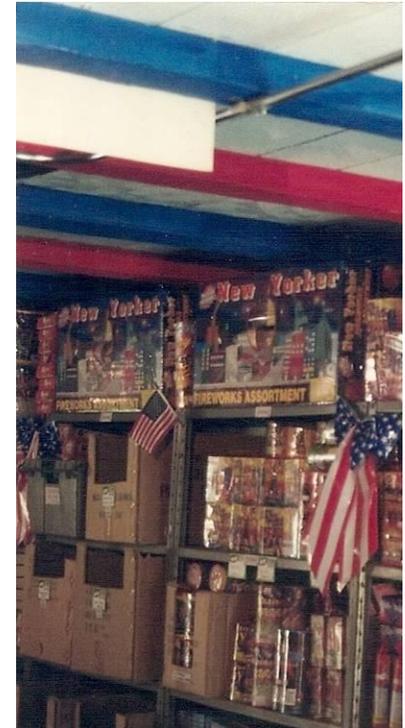




Are All Fireworks Being Maintained At Least Two (2) Feet Below The Ceiling (Non- Sprinklered), or 18" From Deflector (Sprinklered)?

OFC 315.2.1 Ceiling Clearance

Storage shall be maintained 2 feet or more below the ceiling in nonsprinklered areas of buildings or a minimum of 18 inches below the sprinkler head deflectors in sprinklered areas of buildings





Sales Displays and Merchandise Height Requirements

NFPA 1124 7.3.15.2* Height of Sales Displays (2006)

To provide for visual access of the retail sales area by the employees and customers, partitions, counters, shelving cases, and similar space dividers shall not exceed 6 feet in height above the floor surface inside the perimeter of the retail sales area.

NFPA 1124 7.3.15.2.1 (2006)

Merchandise on display or located on shelves or counters or other fixtures shall not be displayed to a height greater than 6 feet above the floor surface within the CFRS area.

NFPA 1124 7.3.15.2.2 (2006)

Where located along the perimeter of the consumer fireworks retail sales area, the maximum height of sales displays shall be limited to 12 feet.





Are No Smoking Signs Posted as Required?

ORC 3743.19 (D)

Smoking or the carrying of pipes, cigarettes, or cigars, matches, lighters, other flame-producing items, or open flame on, or the carrying of a concealed source of ignition into, the premises of a wholesaler is prohibited, except that a wholesaler may permit smoking in specified lunchrooms or restrooms in buildings or other structures in which no sales, handling, or storage of fireworks takes place, “NO SMOKING” signs shall be posted on the premises as required by the fire marshal.





Are No Smoking Signs Posted as Required?

(continued)

OFC 3320.6 Smoking

Smoking or the carrying of pipes, cigarettes, or cigars, matches, lighters, other flame-producing items, or open flame on, or the carrying of a concealed source of ignition into, the premises of a wholesaler or fireworks plant is prohibited, except that a wholesaler or manufacturer may permit smoking in specified lunchrooms and/or restrooms in buildings and other structures in which no manufacturing, handling, sales, or storage of fireworks takes place, “NO SMOKING” signs shall be posted on the premises as required by the fire marshal.

Thank You For
Not Smoking





Are Purchaser Forms Being Filled Out Correctly and Kept On File At The Site As Required?

ORC 3743.20

B) Licensed wholesalers of fireworks shall keep the following records with respect to fireworks sold at wholesale or retail for a period of three years after the date of their sale:

(1) In the case of a wholesale sale, the name and address of the purchaser; the destination to which the fireworks will be transported; if applicable, the number of the purchaser's wholesale license; the date of the purchase; when the fireworks are to be shipped directly out of this state by a wholesaler to a purchaser, the manner in which the fireworks were shipped to the purchaser; and such other information as the fire marshal may require;





Are Purchaser Forms Being Filled Out Correctly and Kept On File At The Site As Required?

(continued)

(2) In the case of a retail sale, the name and address of the purchaser; the destination to which the fireworks will be transported; if applicable, the number of the purchaser's exhibitor's license and the number and political subdivision designation of the purchaser's permit for a fireworks exhibition; the date of purchase; when the fireworks are shipped directly out of this state by a wholesaler to a purchaser, the manner in which the fireworks were shipped to the purchaser; and such other information as the fire marshal may require.





Are Purchaser Forms Being Filled Out Correctly and Kept On File At The Site As Required?

(continued)

(C) The seller shall require each purchaser described in division (B) of this section to complete a purchaser's form, which shall be prescribed by the fire marshal and furnished by the seller. On this form the purchaser shall include the information described in division (B) of this section and the purchaser's signature. Each purchaser's form shall contain a statement printed in bold letters indicating that knowingly making a false statement on the form is falsification under section 2921.13 of the Revised Code and is a misdemeanor of the first degree. Each seller shall keep each purchaser's form for a period of three years after the date of the purchase, and such forms shall be open to inspection by the fire marshal or the fire marshal's designated authority.





Purchaser Form

The current version of the State Fire Marshal fireworks purchaser form can be found in the 2013 Fireworks Red Book or on the continuing education main page.

FIREWORKS PURCHASER FORM As prescribed by the Ohio Division of State Fire Marshal

Section 1 - Seller Information	Section 3 - Purchaser Information
Company _____ Address _____ City & Zip _____ License # _____	Sale Type: Retail <input type="checkbox"/> Wholesale <input type="checkbox"/> Name _____ Address _____ City _____ State _____ Zip _____ Date of Birth _____
Section 2 - Purchaser Requirements	
<p>KNOWINGLY MAKING A FALSE STATEMENT ON THIS FORM IS FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE (ORC) AND IS PUNISHABLE AS A MISDEMEANOR OF THE FIRST DEGREE.</p>	
<p>Sections 3743.44 & 3743.45 of the Ohio Revised Code state that each purchaser of fireworks shall transport the fireworks directly out of the state within 48 hours after the time of their purchase. In accordance with section 1301:7-7-33(Z)(2) of the Ohio Administrative Code (Ohio Fire Code Section 3326.2), the purchaser's copy of the completed purchaser form must accompany the purchased fireworks and must be attached to an invoice that itemizes the quantity of fireworks purchased and lists the amount of the sales transaction. The purchaser's copy of this form must be provided by the purchaser to any law enforcement officer or fire authority upon request.</p>	
<p>ORC 3743.44 requires the number of the purchaser's license or permit authorizing the purchaser to manufacture, sell at wholesale, or sell at retail fireworks or to conduct fireworks exhibitions, or the number of the purchaser's motor vehicle operator's license.</p>	
Driver's license No. _____ <div style="text-align: center;">OR</div> Fireworks License # _____	
<p>I understand that as the purchaser of fireworks, I am responsible for any illegal use of the purchased fireworks, including any damages caused by improper use.</p>	
Purchaser's Signature _____ Date _____	





Is The Facility Open During the Required Business Hours?

ORC 3743.19

(H) Each building used in the sale of fireworks shall be kept open to the public for at least four hours each day between the hours of eight a.m. and five p.m., five days of each week, every week of the year. Upon application from a licensed wholesaler, the fire marshal may waive any of the requirements of this division.





What If The Facility Is Closed, Or Operating Fewer Hours Than Required by ORC 3743.19?

- (1) **3323.1 Waiver.** An application from a licensed wholesaler to waive the business hour requirements of division (H) of section 3743.19 of the Revised Code shall contain all of the following information:
- (a) **3323.1.1** The name, address, and license number of the wholesaler.
 - (b) **3323.1.2** The reason for closing the business.
 - (c) **3323.1.3** The exact date the business will be closed and the exact date the business will reopen.





What If The Facility Is Closed, Or Operating Fewer Hours Than Required by ORC 3743.19?

(continued)

(d) 3323.1.4 An inventory list of the fireworks that will be stored on the premises during the time that the business is closed.

(e) 3323.1.5 A name, telephone number and address where the licensed wholesaler may be contacted in the event of an emergency.

(f) 3323.1.6 The name, address and telephone number of a responsible person who shall have access and keys to all buildings on the premises.





What If The Facility Is Closed, Or Operating Fewer Hours Than Required by ORC 3743.19?

(continued)

(g) 3323.1.7 The manner in which the building(s) and site have been secured to prevent trespassing, theft, or unauthorized entry into the building(s) or structure(s).

(h) 3323.1.8 The name and signature of the local fire official and law enforcement officer who have been notified of the anticipated closing date.

(i) 3323.1.9 The name and signature of the fire and building officials who have been notified if the fire suppression system is to be turned off while the facility is closed.





What Happens After I Submit The Waiver Of Hours Form?

Once a waiver of hours form has been submitted, reviewed and determined to be complete, an approval letter signed by the State Fire Marshal will be sent to the licensee.

The form submitted must be signed by the fire, building, and law enforcement officials **before** an approval will be issued by the State Fire Marshal.

Is a suppression system required?		Was suppression system turned off?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a		
Building Official Signature: _____		Date: _____		
Fire Official Signature: _____		Date: _____		
Notification information				
Fire Official Signature: _____		Date: _____		
Law Enforcement Official Signature: _____		Date: _____		
Licensee Signature: _____		Date: _____		
Bureau of Testing & Registration 8895 East Main Street PO Box 529 Reynoldsburg, OH 43068 U.S.A.		614 752 7126 Fax 614 995 4206 TTY/TDD 800 750 0750 www.com.ohio.gov		
An Equal Opportunity Employer and Service Provider				





What If A Closed Facility Reopens Before The Date Originally Reported On The Waiver Of Hours Application?

(2) **3323.2** If a licensed wholesaler is granted a waiver pursuant to this paragraph and the wholesaler reopens the premises listed in the waiver for fireworks sales prior to the expiration of the waiver period, the licensed wholesaler shall notify in writing the state fire marshal, local fire official and the local law enforcement officer of the date the wholesaler reopens.

(3) **3323.3** If a licensed wholesaler reopens pursuant to paragraph (W)(2)(3323.2) of this rule, any waiver granted to the wholesaler under this paragraph shall automatically expire.





Is A Safety Officer (Law Enforcement Officer, Deputy Sheriff, Etc.) Being Provided When Required?

ORC 3743.19

(M) A safety officer shall be present during regular business hours at a building open to the public during the period commencing fourteen days before, and ending two days after, each fourth day of July. The officer shall be highly visible, enforce this chapter and any applicable building codes to the extent the officer is authorized by law, and be one of the following:

- (1) A deputy sheriff;
- (2) A law enforcement officer of a municipal corporation, township, or township or joint township police district;
- (3) A private uniformed security guard registered under section 4749.06 of the Revised Code.





Is A Safety Officer (Law Enforcement Officer, Deputy Sheriff, Etc.) Being Provided When Required?

(continued)

OFC 3322.1.6 Safety Officer

A uniformed safety officer shall be present at all times that any fireworks building is open to the public during the period commencing fourteen days before, and ending two days after, each fourth day of July. The officer shall be highly visible, stationed at the showroom entrance, and shall enforce the provision of Chapter 3743 of the Revised Code and any applicable fire and building codes, including but not limited to maximum occupancy load and no smoking regulations to the extent the officer is authorized by law, and be one of the following:

- (i) A deputy sheriff;
- (ii) A law enforcement officer of a municipal corporation, township, or township or joint township police district;
- (iii) A private uniformed security guard registered under section 4749.06 of the Revised Code.





Why Does The Renewal Application Ask For The Percentage Of Shares For Each Shareholder?

To ensure compliance with ORC 3743.70, the state fire marshal must identify shareholders holding, owning, or controlling a five per cent or greater.

ORC 3743.70 No license issued to felon.

The fire marshal shall not issue an initial or a renewal of a license , permit, or registration under this chapter on or after June 30, 1997, if the applicant for the license or permit, or any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the applicant for the license or permit, has been convicted of or pleaded guilty to a felony under the laws of this state, another state, or the United States.



American Pyrotechnics Association Fireworks Transportation and Handling Video

View Video

Yes it really works this time !





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE

* For Use by Ohio State Fire Marshal Inspectors, Certified Fire Safety Inspectors and Licensed Fireworks Manufacturers/Wholesalers conducting retail sales operations *



Download a copy of this document from training resources on the sign-in page.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

- This document is intended for use as a guide to assist state fire marshal fire inspectors, certified fire safety inspectors, and fireworks manufacturers and wholesalers in the placement and display of aerial devices/products in wholesale and retail showrooms in the state of Ohio.
- This guidance document is not intended to supersede any requirements mandated by any federal, state or local laws or rules, including incorporated reference standards.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

This guide lists the primary laws, rules, and incorporated reference standards regulating the storage of aerial devices/products in a retail showroom and covers the packaging (including examples of acceptable and unacceptable packaging), the orientation of the aerial products on display shelving, and placement of physical barriers or breaks on or by such shelving that assists in containment of the displayed aerial devices/products.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Primary Ohio Revised Code and Ohio Administrative Code (Ohio Fire Code, including incorporated reference standards) pertaining to the display of aerial (1.4G) fireworks for sale in a retail showroom:

- **Ohio Revised Code (R.C.):**
 - **R.C. 3743.18 (A) & (B)(1),(3) and (5):** Storage and business operations.
 - **R.C. 3743.19** Additional requirements for wholesalers.
 - **R.C. 3743.25** Safety requirements for fireworks showroom structures.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

- **Ohio Administrative Code (OAC)/Ohio Fire Code (OFC):**
 - **OAC 1301:7-7-33, Section 3320** Fire safety requirements in buildings.
 - (T)(1) 3320.1 General.
 - (T)(1)(a) 3320.1.1 denotes the use of National Fire Protection Standard 1123 and 1124 (2006 Editions).
 - **OAC 1301:7-7-33, Section 3322** Fireworks showroom (V)(1)(g) 3322.1.7 Fuses.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Incorporated Reference Standards:

- National Fire Protection Standard 1124 (2006)
*Manufacture, Transportation, and Storage of Fireworks
Pyrotechnic Devices.*

Chapter 7 – Retail Sales of Consumer Fireworks.

- **7.3.15.2*** Height of Sales Displays.
- **7.3.15.2.2** Perimeter Height.
- **7.3.15.3*** Flame Breaks.
- **7.3.15.6*** Aerial Devices: Aerial devices shall be packaged and displayed for sale in a manner that will limit travel distance of ejected pyrotechnic components if ignition of the fireworks occurs.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Packaging of Aerial Devices/Products:

There are 6 different types of packaging methods for aerial devices/products that are acceptable for use in a retail showroom. Other packaging methods of unusual nature or otherwise not specifically described in this guidance document will be evaluated by the State Fire Marshal upon request of the licensee. State Fire Marshal Inspectors, during the course of an inspection, may also require that displays be rearranged in a manner that provides for the greatest amount of safety for the employees and the customers.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Packaging of Aerial Devices/Products:

The various packaging methods are as follows:

- **Type 1** - Hard cardboard (shipping containers).
- **Type 2** - Cardboard enclosed (display cardboard- no cellophane window or wrapping).
- **Type 3** - Cellophane packaging (assortment pack). The concern with this type of packaging is the direction of any of the aerial fireworks devices contained within the package. If one or more of the aerial devices within the package are pointing toward an outside portion of the package that is enclosed only by cellophane, then such packages, to the extent of the aerial devices pointing towards the cellophane, does not qualify as proper containment under Ohio law.





Packaging of Aerial Devices/Products (continued)

The various packaging methods are as follows:

- **Type 4** - Packaging material that contains aerial devices that are intended to be shot through the packaging material itself.
- **Type 5** - Open-loaded tubes – no packaging or covering.
- **Type 6** - Single items – any aerial devices sold individually.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Packaging That Is Acceptable For Display As It Is Shipped:

(Listed here by Type Number from the list in the Packaging of Aerial Devices, on previous screen)

A. The following list of aerial display devices/products can be displayed in a retail showroom as the devices are originally packaged by the device manufacturer and do not require any special arrangement for safety in display:





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Packaging That Is Acceptable For Display As It Is Shipped:

- **Type #1** - Hard cardboard (shipping containers)
- **Type #2** – Cardboard enclosed (display cardboard-no cellophane window or wrapping)
- **Type #3** – Cellophane packaging (assortment pack): unless one or more aerial device products are found to be “pointing out,” away from the containment of the original packaging.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Packaging That Is Acceptable For Display As It Is Shipped:

(Listed here by Type Number from the list in the Packaging of Aerial Devices, on previous screens)

B. The following list of aerial display devices/products **Cannot** be being arranged or displayed in manner that incorporates approved flame barriers/breaks, shelving or containment in some manner:





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Orientation of Aerial Devices/Products for Display in a Retail Showroom:

This section is intended to assist state fire marshal fire inspectors, certified fire safety inspectors, and fireworks manufacturers and wholesalers in orienting aerial device/product displays within a retail showroom. Such fireworks must be displayed in a code compliant manner that promotes a safe environment for the employees and customers. This guidance describes how to achieve the minimum safety standards while acknowledging the important retail display characteristics of the aerial devices/products.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

- **Type # 1 Packaging.** Due to the manner in which these aerial devices/products are packaged, the originating shipping containers provide the minimum required safeguards – if the packages are positioned correctly per the instructions provided on the shipping/cardboard container. (Example: The cardboard shipping container indicates on the instructions to display the box “THIS SIDE UP.”)
- **Type #2 Packaging.** Type #2 packaging provides the same characteristics as Type #1. If such packages are displayed in accordance with the instructions provided on the package, they will meet the minimum safety requirements.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

- **Type #3 Packaging.** Type #3 packaging is often identified as an “assortment pack.” These packages use cellophane as a part of or as all of the packaging for the fireworks to be sold. To use a Type #3 package in a retail showroom, such packages must be oriented as follows:



- a) For packages with all aerial devices contained within the package pointing in the same direction, such packages must be placed so that no aerial devices / products are pointing toward any customers as that customer would approach the packaging;





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

- b) If one or more aerial devices are pointing “out” of the packages toward the customer as they observe the package, then the entire box needs to be placed in the upward position for display or otherwise positioned so that no aerial devices/products points toward the customer.
- **Type # 4 Packaging.** Type #4 aerial devices/products are intended to be “shot through” the package wrapping that such fireworks are placed in by the manufacturer. These devices must be displayed under the bulkhead of a perimeter wall or under the “shelving units” (barriers) at either an 8 feet or 12 feet height on the perimeter wall of the retail showroom. No storage is allowed above the 12 feet height on a perimeter wall. If displayed on the interior display floor, the fireworks must be contained in a gondola shelving fixture that does not exceed 6 feet in height.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Placement of Physical Breaks or Barriers

Horizontal physical breaks/barriers or shelves are for use on perimeter walls of a retail showroom that does not have any “overhead bulkheads” built into the facility’s structure (over the aerial device/product display shelving) or does not have an 8 foot (maximum) ceilingheight:

- a) At the 8 foot height, a horizontal break/barrier or shelf unit can be installed to cover an area no more than 4 feet out from the perimeter wall. (The 4 foot maximum break/barrier/shelf width is the maximum allowable measurement so that automatic fire sprinkler system protection is not impeded or obstructed.)





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

Placement of Physical Breaks or Barriers (continued)

- b) If aerial devices/products are to be displayed above the 8 foot height in a retail showroom, another physical break/barrier or shelving unit at the 12 foot maximum height limit must also be installed. Similar to the previous section, the physical breaks/barriers or shelving unit's maximum allowable width cannot go beyond 4 feet from the adjacent wall. This will ensure that any automatic fire sprinkler system protection is not impeded or obstructed.
- c) Interior floor displays (not along an exterior wall of a retail showroom) of aerial devices/products cannot be displayed above the 6 foot height limitation established in NFPA Standard 1124 (2006) 7.3.15.2.





FIREWORKS - AERIAL DEVICE SALES DISPLAY GUIDE (continued)

“Open” top floor displays: Displays of aerial device/product displays arranged in open-top boxes or containers are not permissible. (Example: aerial devices on display in trash containers or open-top boxes.) Such devices/products must be displayed under a shelf unit or overhead bulkhead.





Division of State Fire Marshal

How do you get in touch with the Division of State Fire Marshal's office ?

Routine during business hours:

614-752-7126

or

1-877-264-0023 *toll free*

Emergency after hours

1-800-589-2728

(Investigations Bureau)





Fireworks Contact Information

Red Book

Emergency Assistance for Incidents
Storage of Confiscated Fireworks

Investigations

614-752-7107
800-589-2728

Firework License
License Verification
Background Checks
Red Book

Testing & Registration
webfmtr@com.state.oh.us

614-752-7126
877-264-0023

Exhibition Permits
Variance Requests
Reporting Incidents
Inspections
Illegal Sales
Construction

Code Enforcement

614-728-5460
888-276-0303

Continuing Education
Registration/Certificates
Training

Fire Academy

614-752-7196
888-726-7731





The Importance of Recognizing & Reporting Suspicious Activity (continued)

Accordingly, it is important to remind your employees to remain consistent in carrying out these following steps:

- **Recognize and understand how hazardous chemicals in your manufacturing facilities or fireworks in your product inventory may be used illicitly.**
- **Discuss product or service usage with customers.**
- **Know your customers and report suspicious or unusual purchases to authorities immediately.**

Please notify your local police or local FBI office if you are concerned about ANY suspicious activity or purchases. Your assistance is crucial in keeping our nation safe.

FBI office listings can be found at the following link:
<http://www.fbi.gov/contact/fo/fo.htm>



Advisory #2010-14



Internet Resources

Ohio Revised Code 3743

<http://codes.ohio.gov>

Ohio Administrative Code/Ohio Fire Code 1301:7-7-33

<http://codes.ohio.gov>

Ohio Department of Commerce

Division of State Fire Marshal

<http://www.com.ohio.gov/fire/>

US Consumer Product Safety Commission

<http://www.cpsc.gov/>





Internet Resources continued

Bureau of Alcohol, Tobacco, Firearms, and Explosives

<http://www.atf.gov/>

US Department of Transportation

Federal Motor Carrier Safety Administration

<http://www.fmcsa.dot.gov/rules-regulations/rules-regulations.htm>

Hazard Communication Standard

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10099





Internet Resources continued

US Department of Transportation

<http://www.dot.gov/>

United States Department of Labor

Occupational Safety and Health

Retail Sales of Fireworks

Industry Best Practices

<http://www.osha.gov/SLTC/pyrotechnic/retail/retail.html>





Internet Resources continued

The American Pyrotechnics Association

<http://www.americanpyro.com/>

2013 Fireworks Redbook

<http://www.com.ohio.gov/documents/2013fireworksredbook.pdf>

The Fire Protection Research Association

Fire Safety in Consumer Fireworks

Storage and Retail Facilities

Hazard Assessment Research Project

<http://www.nfpa.org/assets/files//PDF/Research/PyrotechnicsLiteratureReview.pdf>





Division of State Fire Marshal

8895 E. Main Street
Reynoldsburg, OH 43068
614.752.8200 or 1.888.252.0803
TTY/TDD: 1.800.750.0750

Email questions to: webfmtr@com.state.oh.us

Website: <http://www.com.ohio.gov/fire/default.aspx>

EVERYONE GOES HOME



**Department
of Commerce**

Division of State Fire Marshal