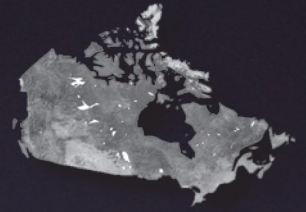




Natural Resources
Canada

Ressources naturelles
Canada



CONSUMER FIREWORKS RETAIL PACKAGE





Consumer fireworks are low-hazard firework articles designed for recreational use by the public. These articles include items such as roman candles, sparklers, fountains, wheels, volcanoes, mines, and snakes. According to the Explosives Regulations, only authorized fireworks may be sold in Canada. It is illegal to tamper with or misuse fireworks and such actions can result in injury, property damage, or even death. As such, it is important for consumer fireworks retailers and users to understand their roles and responsibilities related to consumer fireworks to ensure the safe and secure use of fireworks in Canada.

This information package was developed to provide consumer fireworks retailers with guidance on selling consumer fireworks in their store. It provides general information related to the sale, storage, and transportation of consumer fireworks in accordance with the Explosives Act and its Regulations; as well as extra information related to topics such as the sale of consumer fireworks to minors. Please take the time to carefully read through this package and do not hesitate to contact the Explosives Regulatory Division (ERD) if you have any questions or concerns.

Cat. N°: M39-125/1-2009 (Print)

ISBN: 978-0-662-06701-6

Cat. N°: M39-125/1-2009E-PDF (On-line)

ISBN: 978-1-100-12404-9

© Her Majesty the Queen in Right of Canada, 2009



Recycled paper

The Explosives Act – What is it?

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 license, 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 requirements for the sale, display, and storage of consumer fireworks.

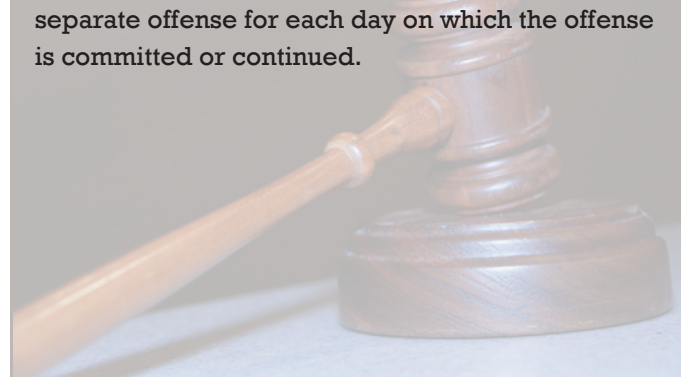
What are the consequences for not following the federal regulations?

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.





Inspector Powers

- Inspectors may enter and inspect any place in which fireworks are being stored, transported or used; they may open and inspect any room, container or package.
- Any fireworks acquired, transported, sold or stored in contravention of the Act 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, and
 - comply with any safety measures as directed by inspectors.
- Any person who obstructs an inspector is guilty of an offence under the Act and is liable to a fine of up to \$5,000 and/or imprisonment of up to six months.

Provincial and Local By-laws

Provinces and municipalities may have their own by-laws and regulations regarding fireworks, such as restricting the sale of fireworks to certain holidays during the year. The Explosives Act does not exempt anyone from complying with local requirements.

QUICK TIP

Check the safety instructions and labels on the firework. If they do not appear in both official languages (English and French), it is not an authorized firework for sale in Canada.

Please note, bilingual labels do not guarantee the firework is authorized.

Legal Fireworks

- The properties and characteristics of all legally manufactured or imported fireworks are tested for compliance with specific safety and reliability criteria set by the Chief Inspector of Explosives, e.g., chemical stability and sensitivity.
- Only fireworks authorized pursuant to 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 torpedoes, cigarette loads, trick matches, and all trick fireworks are prohibited.
- The List of Authorized Explosives is published on the ERD web site at <http://www.nrcan-rncan.gc.ca/mms-smm/expl-expl/aut-aut-eng.htm>

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 in doubt, please do not hesitate to call the Explosives Regulatory Division or an Inspector of Explosives in your region for advice. A contact list with full addresses appears on the website – <http://www.nrcan-rncan.gc.ca/mms-smm/expl-expl/index-eng.htm>.

Storage

- A building and its storage units may store up to a total of 1000 kg of consumer fireworks provided that it is detached from a dwelling and that the building, or a dedicated portion of it, is:
 - secure from unauthorized access when it is both 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
 - used exclusively for fireworks storage.
- If the building does not meet these requirements, the fireworks may be kept in a lockable secure container within the building, but the storage limit is reduced to 100 kg.
- The storage facility must display warning signs marked "FIREWORKS".
- No 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 licence issued by ERD.
- No more than 10 kg may be stored in a dwelling.
- For more information on the construction of storage units, contact the ERD.

Displaying Consumer Fireworks for Sale

- Consumer fireworks on display must be separated into lots not exceeding 25 kg. 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 metres
 - 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 accelerants and not be exposed to the sun or excess heat.
- Fireworks on display must be in consumer packs or locked up (for example: in a display case). Fireworks not in consumer 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.

Pictures illustrating what is acceptable and what is not acceptable appear at the following page.

IMPORTANT POINT

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.

Examples of good consumer fireworks displays:



- Fireworks not in consumer packs are out of the reach of the public or in locked display cases
- Fireworks are divided into lots of 25 kg or less with sufficient separation
- No accelerants near the fireworks

Examples of consumer fireworks displays that violate the criteria of the *Explosives Act*:



- Lots exceed 25 kg
- accelerants displayed near fireworks

Lots exceed 25 kg. Cardboard is not a sufficient fire-break to prevent the spread of fire.

Individual articles are accessible to the public and not in consumer packs.



Age Restrictions

(excludes toy pistol caps)

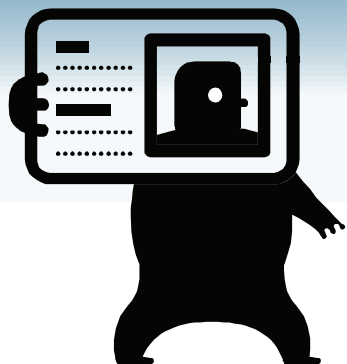
No person shall knowingly sell any consumer fireworks to a person who is under 18 years of age **or appears to be** under 18 years of age, and does not produce evidence that they are 18 years of age or older [Section 120 (1) of the Explosives Regulations].

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

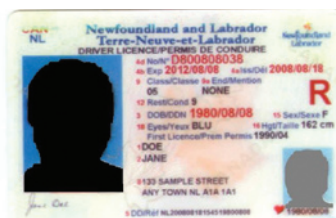


Acceptable I.D.

Remember: If you think that the ID may be fake, do not sell fireworks to the customer. You and the store can be charged with selling fireworks to a minor if you sell to a minor.

The following are examples of acceptable identification:

Provincial Driver's Licenses:



Canadian Passport
(or other Passport ex: USA)

ID Pictures

- Make sure it is the same person in the picture and in front of you.
- Make sure the photo is original (no editing or fading).
- Check to see if there is another picture under the picture you are looking at.



Canadian Citizenship Card

When checking ID

- Take the ID in your hands.
- Have a close look and take your time.
- Check more than one area and make sure birth dates match, if applicable.
- Make sure the person is at least 18 years old. Also check the day and month if necessary.
- If in doubt, ask the person to state their full address and date of birth. If they make a mistake or hesitate, the ID is probably not theirs or is fake.
- Watch out for double lamination – everything should line up and there should be no bubbles.

Store Owners, Managers & Supervisors

Everyone who sells consumer fireworks must know the law.

Ensure:

- The fireworks are properly displayed (see section on displaying fireworks);
- Only authorized fireworks are sold (see section on authorized fireworks);
- No customer handles individual fireworks until after sale;
- If the fireworks are not in consumer packs, they must be inaccessible to the public ;
- Meet with your 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.
 - Have staff read this information and ensure they understand it,
 - Have staff sign the sheet that says they have read and understood the information,
- Keep this information where all employees can see it and refer to it;
- Share this information with all new employees
- Tell your employees to I.D. everyone who appears to be 18;
- Teach your staff to be familiar with acceptable I.D. and to watch for fake I.Ds. (see pages on I.D.);
- Tell staff – **“IF IN DOUBT, DO NOT SELL”**;
- Inform your employees that they can be charged if they sell consumer fireworks to anyone under 18. The store owner or corporation can also be charged.

Staff Safety

- If there is an incident of any kind involving the fireworks, please notify the ERD immediately (for example: fire, accident, theft, etc)
- Do not fight a fire that has reached the fireworks – evacuate and let the firefighters handle the situation. You may fight fires near fireworks to prevent the spread of the fire to the fireworks; however, always do so safely and your safety is more important than saving the fireworks or other goods.

Employees

Every one who sells consumer fireworks must know the law.

As an employee, you must also know this law.

Read this information, if you don't understand or have any questions please check with your supervisor. Sign the sheet that says you have read this information. Know where the information is located. Share this information with your co-workers.

- I.D. everyone who appears to be under 18
- Familiarize yourself with what is considered acceptable I.D. and how to check I.D.
- Watch out for fake I.D.
- If in doubt –**DO NOT SELL**.
- You can be charged if you sell to anyone under 18. The clerk, store owner or corporation can also be charged.
- Know how to handle complaints
- Tell customers you are obeying the law
- Use non-aggressive language
- If a customer begins to verbally abuse or threaten you, ask him/her to leave the store. If he/she refuses to leave, call the police.
- If the police come, take down the name and badge number of the police officer(s). You may need to contact the officer(s) again.

Transportation

- The road transportation of fireworks is governed in part by the Transport of Dangerous Good (TDG) directives of Transport Canada and in part by the Explosives Regulations, Part VI.
- Smoking on, in, or while attending any vehicle carrying fireworks is prohibited.
- Fireworks should not be transported in the passenger compartment of a vehicle. They should be transported in the trunk. Accelerants such as gas must not be carried in the trunk with fireworks.
- The maximum quantity that can be transported in passenger vehicles is 75 kg. For transporting quantities exceeding 150 kg in non-passenger vehicles, refer to the TDG for appropriate transportation requirements.



Safety Instructions For Consumers

The Explosives Regulatory Division has developed safety instructions with pictures for consumers who want to use consumer fireworks. Ensure each customer receives these safety instructions with each sale of fireworks.



PEOPLE UNDER 18 YEARS OLD who use consumer fireworks must be supervised by an adult.

LES PERSONNES DE MOINS DE 18 ANS qui utilisent les pièces pyrotechniques à l'usage des consommateurs doivent le faire sous la surveillance d'un adulte.



CHOOSE a wide, clear site away from all obstacles (for example: 30m x 30 m for firing roman candles).

CHOISIR un emplacement bien dégagé, loin de tout obstacle. (Par exemple, un terrain de 30 m x 30 m pour les chandelles romaines).



DO NOT FIRE IN WINDY CONDITIONS.

NE PAS ALLUMER LES PIÈCES PYROTECHNIQUES PAR TEMPS VENTEUX.



READ all instructions on the fireworks. **PLAN** the order of the firing before you begin.

LIRE toutes les directives sur les pièces pyrotechniques. **DÉTERMINER** l'ordre d'allumage.



USE A GOOD FIRING BASE such as a pail, a box or a wheelbarrow filled with earth or sand.

UTILISER UNE BONNE BASE D'ALLUMAGE : seau, boîte ou brouette rempli de terre ou de sable.



BURY fireworks that do not have a base **HALFWAY** (in the earth or sand) unless the label on the firework indicate otherwise. Set them at a 10-degree angle, pointing away from people.

ENFOUIR À MOITIÉ les pièces pyrotechniques qui ne possèdent pas de base, sauf indication contraire sur l'étiquette. Les installer à un angle de 10 degrés à l'opposé des spectateurs.



NEVER try to light a firework or hold a lit firework in your hand unless the manufacturer's indicate they are designed to be hand-held.

NE JAMAIS tenir dans la main les pièces pyrotechniques qui sont allumées ou que vous tentez d'allumer, sauf si les instructions du fabricant indiquent qu'elles sont conçues pour être tenues dans la main.



LIGHT CAREFULLY: Always light the fuse at its tip.

ALLUMER PRUDEMMENT : Toujours allumer l'extrémité de la mèche.



KEEP WATER NEARBY: Dispose of used fireworks (including debris) in a pail of water.

GARDER DE L'EAU À LA PORTÉE DE LA MAIN : Jeter les pièces pyrotechniques utilisées ainsi que les débris dans un seau d'eau.



NEVER try to **RELIGHT** a firework that did not go off. **NEVER** try to fix a firework that appears defective. **WAIT** at least 30 minutes before approaching what appears to be a "dud" firework.

NE PAS TENTER DE RALLUMER une pièce pyrotechnique qui n'a pas fonctionné et **NE JAMAIS** tenter de réparer une pièce qui semble défectueuse. Attendre 30 minutes avant d'approcher une pièce ratée.



KEEP fireworks in a cool, dry, ventilated place, out of the reach of children.

CONSERVER les pièces pyrotechniques dans un endroit sec, frais, aéré et inaccessible aux enfants.