

## Part 12 Consumer fireworks

### 1 Background

Consumer fireworks are fireworks that are designed for recreational use by the public. They are different from display fireworks, which are fireworks used in larger, usually public, fireworks displays. (Display fireworks are dealt with in Part 13.)

### 2 Overview of this Part

- (1) **Regulated activities** This Part sets out the requirements for people who \*sell or acquire consumer fireworks. The requirements for distributors and retailers are set out in Divisions 1 and 2 respectively. The requirements for people who acquire them for use are set out in Division 3.
- (2) **Consumer fireworks** Consumer fireworks are fireworks that are designed for recreational use by the public. They are classified as type F.1 explosives.  
Note: Explosives that are classified as type F.1 explosives are identified in the list of authorized explosives at [www.nrcan.gc.ca/mms/explosif](http://www.nrcan.gc.ca/mms/explosif).
- (3) **Distributor** A distributor is a person who sells consumer fireworks from an establishment that is not open to the public.
- (4) **Retailer** A retailer is a person who sells consumer fireworks in a retail outlet to the public.
- (5) **Quantity** In this Part, a reference to a quantity of fireworks means the \*gross mass of the fireworks.

## Division 1 Requirements for distributors

### 3 Sale

- (1) **Sellers** A distributor who has factory licence or a vendor magazine licence may acquire for sale or \*sell consumer fireworks. A distributor may acquire for sale or sell only the fireworks specified in their licence.  
Note: Part 5 sets out the steps to obtain a factory licence and Part 14 sets out the steps to obtain a magazine licence.

- (2) **Sale to distributors or retailers** A distributor may sell consumer fireworks to another distributor who has a factory or vendor magazine licence. They may sell under 1 000 kg to a retailer who does not have a licence and 1 000 kg or more to a retailer who has a factory or vendor magazine licence.
- (3) **Sale to users** A distributor may sell the following quantities of consumer fireworks to a person who acquires them for use:
- (a) under 100 kg may be sold to any person who is at least 18 years old;
  - (b) from 100 kg to 1 000 kg may be sold to a to a person who is at least 18 years old and shows the seller an inspector’s permission to acquire the fireworks;
  - (c) more than 1 000 kg may be sold to a person who has a factory or magazine licence.
- (3) **Safety information** A distributor must give a copy of Annex 1 at the end of this Part to every retailer and a copy of Annex 2 to every person who acquires consumer fireworks for use. In both cases, other written information that includes the same information is also acceptable.
- (4) **Record of sale** A distributor must keep a record of every sale of consumer fireworks for at least 2 years after the date of the sale. The record must include all of the following information:
- (a) the name and address of the person who acquired the fireworks;
  - (b) the licence number of any holder of a licence who acquired the fireworks and the expiry date of the licence;
  - (c) a copy of an inspector’s permission, if applicable;
  - (d) the type, trade name, manufacturer and quantity of fireworks sold;
  - (e) the date of the sale.

## 4 Storage

A distributor must store consumer fireworks at a licensed factory in accordance with Part 5 or in a \*magazine in accordance with Part 14.

## Division 2 Requirements for retailers

### 5 Sale

- (1) **Sale without a licence** A retailer may acquire for sale or \*sell consumer fireworks without a licence as long as he has no more than 1 000 kg of consumer fireworks in stock in the retail outlet, including all detached \*storage units.  
Note: Only consumer fireworks that have been authorized by the Chief Inspector of Explosives may be sold. The list of authorized explosives is available at [www.nrcan.gc.ca/mms/explosif](http://www.nrcan.gc.ca/mms/explosif).
- (2) **Requirement for a licence** A retailer who has a factory licence or a vendor magazine licence may acquire for sale or sell consumer fireworks no matter what quantity they have in stock.  
Note: Part 5 sets out the steps to obtain a factory licence and Part 14 sets out the steps to obtain a magazine licence.
- (3) **Who retailer may sell to** A retailer may sell the following quantities of consumer fireworks:
- (a) under 100 kg may be sold to any person who is at least 18 years old;
  - (b) from 100 kg to 1 000 kg may be sold to a person who is at least 18 years old and shows the seller an inspector’s permission to acquire the fireworks;
  - (c) more than 1 000 kg may be sold to a person who has a factory or magazine licence.
- (4) **Record of sale** A retailer must keep a record of every sale of 100 kg or more of consumer fireworks for at least 2 years after the date of the sale. The record must include all of the following information:
- (a) the name and address of the person who acquired the fireworks;
  - (b) the licence number of any holder of a licence who acquired the fireworks and the expiry date of the licence;
  - (c) a copy of an inspector’s permission, if applicable;
  - (d) the type, trade name, manufacturer and quantity of fireworks sold;
  - (e) the date of the sale.

### 6 Responsibilities of a retailer

Every retailer (both those who have a licence and those who do not) must ensure that the requirements of sections 7 to 14 are met.

## 7 Information to be given at time of sale

A retailer must give a copy of Annex 2 at the end of this Part to every person who acquires consumer fireworks. Other written information that includes the same information is also acceptable.

## 8 Retail outlets

- (1) **Permitted structures** A retailer may \*sell consumer fireworks only from inside a permanent structure or a temporary structure such as tent, a trailer or other shelter. However, a tent may be used only if it is made of flame-retardant material.
- (2) **Preventing unauthorized access** A retail outlet must be secure from unauthorized access when it is not open for business.

## 9 Location of retail outlets

- (1) **Temporary retail outlets** Every temporary retail outlet, including all detached \*storage units, must be located at least 6 m from any combustible material, any building or any other temporary retail outlet. It must also be located at least 3 m from any vehicle parking.
- (2) **Temporary and permanent retail outlets** Every permanent and temporary retail outlet, including all detached storage units, must be located at least 15 m from any of the following:
- (a) gas pumps at a gas station;
  - (b) retail propane-dispensing tanks;
  - (c) above-ground storage tanks for flammable liquid or flammable gas;
  - (d) compressed natural gas dispensing facilities.
- (3) **Distance from flammable substances in bulk** Every permanent and temporary retail outlet, including all detached storage units, must be located at least 100 m from all above-ground bulk storage tanks for flammable substances.

## 10 Structural requirements for permanent retail outlets

- (1) **Exterior walls** Every permanent retail outlet and every detached \*storage unit that contains more than 100 kg of consumer fireworks must have
- (a) an exterior wall fire resistance rating of at least 1 hour and an exterior wall opening protection rating of at least 3/4 hour, if it is located 3 m or more from an adjacent permanent building or structure; or

(b) an exterior wall fire resistance rating of at least 2 hours and an exterior wall opening protection rating of at least 1 1/2 hours, if it is located less than 3 m from an adjacent permanent building or structure.

(2) **Multi-tenant buildings** A permanent retail outlet that is located in a multi-tenant building or a building that includes a dwelling must be separated from the other units or the dwelling by a fire separation that has no openings and a fire resistance rating of at least 2 hours.

(3) **Attached storage units** A storage unit that is attached to an area where fireworks are on display for sale must be either

(a) equipped with an automatic sprinkler system that meets the requirements of the National Fire Protection Association standard NFPA 13: *Installation of Sprinkler Systems*, 2002 edition; or

(b) separated from the display area by a fire separation that has a fire resistance rating of at least 1 hour.

(4) **Construction of storage units** A storage unit must be constructed to prevent unauthorized access and to protect the contents from weather. It must be adequately ventilated to prevent deterioration of consumer fireworks.

## 11 Quantity limits at retail outlets

(1) **No selling from or storing in dwellings** No consumer fireworks may be \*sold from or stored for sale in a dwelling.

(2) **100 kg limit in multi-tenant buildings** No more than 100 kg of consumer fireworks may be stored in a retail outlet that is located in a multi-tenant building or a building that includes a dwelling.

(3) **1 000 kg limit in retail outlet** No more than 1 000 kg of consumer fireworks may be stored in a stand-alone retail outlet, including all detached \*storage units. Out of the 1 000 kg, a total of 200 kg may be displayed for sale.

(4) **Storage at a licensed factory or in a magazine** Consumer fireworks must be stored at a licensed factory in accordance with Part 5 or in a \*magazine in accordance with Part 14 when they are not being displayed for sale or stored in a retail outlet.

## 12 Precautions to prevent accidental ignition

(1) **Public access to fireworks** Only consumer fireworks that are packaged in family or blister packs may be displayed for sale in those areas of a retail outlet to which the public has access. Those that are not in family or blister packs must be kept behind the sales counter or locked up, for example, in a display case.

- (2) Attending the stock** Consumer fireworks on display for sale must be \*attended when the retail outlet is open to the public. All \*storage units must be kept locked and they must be attended at all times when they are unlocked to permit access. Fireworks in a temporary retail outlet must be attended at all times.
- (3) Contents and maintenance of storage units** Consumer fireworks must not be stored in the same storage unit as any other type of explosive. Storage units must be kept clean, dry and organized.
- (4) Protection from ignition and deterioration of fireworks** Consumer fireworks on display for sale or in a storage unit must be kept well away from flammable substances and from any source of heat or substance that could cause ignition – such as open flames or lit cigarettes. They must not be exposed to heat or dampness that could cause them to deteriorate.
- (5) Warning sign** A clearly visible sign that has the word “Fireworks” and prohibits smoking must be posted in letters or symbols at least 10 cm high in the area where the fireworks are on display for sale and on each storage unit. However, a sign is not required in the display area if a sign that prohibits smoking has already been posted in accordance with provincial or municipal law.

### **13 Precautions to slow the spread of fire**

Consumer fireworks on display for sale must be separated into 25 kg lots by flame breaks to slow the spread of fire from one lot to another. The lots must also be separated from flammable goods such as fuels, paints and solvents, to prevent fire from spreading rapidly from the flammable goods to the fireworks.

### **14 Evacuation in the event of fire**

A retail outlet must have at least 2 unobstructed exits to ensure that employees and the public can quickly evacuate the outlet in the event of fire. Also, all aisles that contain fireworks must be at least 1.2 m wide and must not be blocked at either end.

## Division 3

### Requirements for persons who acquire consumer fireworks for use

#### 15 Who may acquire consumer fireworks

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|---|--|
| (1) <b>Acquiring less than 100 kg</b>   | A person who is at least 18 years old may acquire under 100 kg of consumer fireworks for use.  |
| (2) <b>Acquiring 100 kg to 1 000 kg</b> | A person who has the written permission of an *inspector may acquire from 100 kg to 1 000 kg of consumer fireworks for use.  |
| (3) <b>Criteria for permission</b>      | The inspector’s decision is based on the risk to persons or property, taking into account the type and quantity of fireworks, the date, time and location of their use and the experience of the person seeking the permission.  |
| (4) <b>Contents of the permission</b>   | The permission must specify the type and quantity of fireworks that may be acquired, the name of the person who is permitted to acquire and use them, the date, time and location they are to be used and the safety precautions that must be taken when the fireworks are being stored. |
| (5) <b>Acquiring more than 1 000 kg</b> | A person who has a factory licence or a magazine licence may acquire more than 1 000 kg of consumer fireworks for use.<br><br><small>Note: Part 5 sets out the steps to obtain a factory licence and Part 14 sets out the steps to obtain a magazine licence.</small>                    |

#### 16 Where consumer fireworks are to be stored

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|---------------------------------|--|
| (1) <b>Requirement to store</b> | A person who acquires consumer fireworks for use must store them in accordance with this section.  |
| (2) <b>Up to 1 000 kg</b>       | No more than 10 kg of fireworks may be stored in a dwelling or in a place attached to a dwelling. Up to 1 000 kg of fireworks may be stored in a place or container that is not in or attached to a dwelling.  |
| (3) <b>Safety precautions</b>   | The fireworks must be stored in a dry place to which access is denied to anyone under 18 years of age, away from any source of heat and any substance that could cause ignition. A place or container containing more than 10 kg of consumer fireworks must be kept locked when it is not being *attended. |

- (4) More than 1 000 kg** Any quantity of consumer fireworks over 1 000 kg must be stored at a licensed factory in accordance with Part 5 or in a \*magazine in accordance with Part 14.

## **17 Using consumer fireworks**

Every person using consumer fireworks must take the following precautions:

- (a)** use the fireworks only in accordance with the manufacturer's instructions but do not use them if there are no manufacturer's instructions;
- (b)** use the fireworks in a manner that will not cause a risk to persons or property;
- (c)** do not use the fireworks indoors, on a public street or in a public park, unless the \*local authority has given written consent to do so;
- (d)** do not use the fireworks within 100 m of a church, school, residential care facility or place where explosives are sold or stored;
- (e)** do not hold the fireworks in a hand during use unless the manufacturer's instructions indicate that they are designed to be handheld.



## Annex 1 Safety information for retailers

*Part 12 of the Explosives Regulations regulates the selling of consumer fireworks. Some important requirements from Part 12 are summarized below. Refer to Part 12 for further details.*

*Following these requirements carefully helps to reduce the risk of fire, theft and vandalism.*

### A. Quantity limits for consumer fireworks

Location	Quantity limits
a dwelling	0 kg
a retail outlet that is located in a multi-tenant building or a building that includes a dwelling	100 kg total on display for sale and in all storage units
a stand-alone retail outlet	1 000 kg total on display for sale and in all storage units, including a maximum of 200 kg in the display area
a licensed factory or magazine	any quantity over 1 000 kg

### B. Display for sale

1. A retail outlet that is located in a multi-tenant building or a building that includes a dwelling must be separated from the other units or the dwelling by a fire separation that has no openings and a fire resistance rating of at least 2 hours.
2. An area where consumer fireworks are on display for sale must have at least 2 unobstructed exits that permit quick exit in an emergency.
3. All aisles that contain consumer fireworks must be at least 1.2 m wide and must not be blocked at either end.
4. A retail outlet must be secure from unauthorized access when it is not open for business.
5. Consumer fireworks must be separated into 25 kg lots by flame breaks to slow the spread of fire from one lot to another.
6. Consumer fireworks that are not packaged in family or blister packs must be kept behind the sales counter or locked up, for example in a display case.

7. Consumer fireworks must be separated from flammable goods, such as fuels, paints and solvents, to slow the spread of fire from the flammable goods to the fireworks.
8. Consumer fireworks must be kept well away from any source of heat or substance that could cause ignition (for example, open flames or lit cigarettes).
9. Consumer fireworks must not be exposed to heat or dampness that could cause them to deteriorate.
10. A clearly visible warning sign that has the word “Fireworks” and prohibits smoking must be posted in letters or symbols at least 10 cm high in the areas where fireworks are on display for sale.

### **C. Storage units**

1. Every storage unit must be constructed to prevent unauthorized access and to protect the contents from weather.
2. An attached storage unit must be equipped with an automatic sprinkler system or separated from the area where consumer fireworks are on display for sale by a fire separation that has a fire resistance rating of at least 1 hour.
3. A storage unit must be kept locked. When the storage unit is opened for access, it must be attended.
4. A storage unit must be kept clean, dry and organized. It must be kept free of grit, combustible or abrasive material, matches, any flame-producing or spark-producing device and substances likely to ignite spontaneously.
5. A storage unit must be adequately ventilated to prevent deterioration of consumer fireworks.
6. A clearly visible warning sign that has the word “Fireworks” and prohibits smoking must be posted in letters or symbols at least 10 cm high on each storage unit.

### **D. Other requirements**

1. Written safety information for the use of fireworks must be given to each consumer who acquires consumer fireworks.
2. No one under 18 years old is permitted to buy consumer fireworks, other than caps for toys.
3. A person must not smoke or use an open flame where consumer fireworks are being sold or stored.

## Annex 2

### Safety instructions for consumers / Consignes de sécurité à l'intention des consommateurs

*Please refer to Part 12 of the Explosives Regulations for additional safety standards for consumer fireworks.*

*Pour plus de renseignements sur la sécurité, consulter la partie 12 du Règlement sur les explosifs.*



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 être sous la surveillance d'un adulte.



CHOOSE a wide, clear site away from all obstacles (for example, 30 m 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 des 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 firing before you begin.

LIRE toutes les directives sur les pièces pyrotechniques. PLANIFIER 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: seaux, boîtes ou brouettes remplis de terre ou de sable.



BURY fireworks that do not have a standing base HALFWAY unless the label on the firework indicates 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’emballage. 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, other than a sparkler.

NE JAMAIS tenir dans la main les pièces pyrotechniques qui sont allumées ou celles que vous tentez d’allumer, sauf les étincelleurs.



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 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 is 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 d’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.