

WAC 212-17-050 Consumer firework device chemical content, construction. (1) All consumer fireworks devices must meet the chemical content, design, and construction requirements required by the American Pyrotechnic Association Standard adopted under WAC 212-17-021, and the U.S. DOT regulations and Consumer Product Safety Commission standards.

(2) Consumer fireworks devices will not contain:

(a) Prohibited components.

(b) Forbidden devices.

(c) Any chemicals listed as prohibited in the American Pyrotechnic Association Standard adopted under WAC 212-17-021 and Consumer Product Safety Commission standards.

(i) Any fireworks device that is suspected by an authority having jurisdiction of containing prohibited chemicals will be sent to the Consumer Product Safety Commission for laboratory testing through the state fire marshal's office.

(ii) The manufacturer or importer may send samples for independent testing by a recognized testing laboratory at their own cost.

(iii) For a licensed manufacturer, importer, and wholesaler any similar devices are to be segregated from inventory of products that can be sold or used until the findings of the testing laboratory indicate:

(A) The device(s) meet the chemical content in APA 87-1 and can be put into the owner's inventory for sale or use.

(B) The presence of prohibited chemicals which will result in the owner having the responsibility to make arrangements to destroy the devices.

Any items destroyed will need to be witnessed by the authority having jurisdiction or government official such as a police officer, fire marshal, or federal enforcement agent.

(3) Violations of this section are defined in WAC 212-17-515.

[Statutory Authority: RCW 70.77.250. WSR 15-22-082, § 212-17-050, filed 11/3/15, effective 1/1/16. Statutory Authority: Chapters 43.43 and 70.77 RCW. WSR 05-12-033, § 212-17-050, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. WSR 84-23-009 (Order FM 84-05), § 212-17-050, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. WSR 82-22-068 (Order FM 82-10), § 212-17-050, filed 11/2/82.]