



**AFSL**<sup>TM</sup>

**YOUR PARTNER IN  
FIREWORKS SAFETY  
IN AMERICA**

**[www.AFSL.org](http://www.AFSL.org)**

**John D. Rogers, Executive Director**  
7316 Wisconsin Ave., Ste 214 Bethesda, MD 20814  
(301) 907-9115

# **AFSL GENERAL MEMBERSHIP MEETING**

**Thursday, October 4, 2018; 2:00 PM – 4:30 PM**

**Westin Hotels & Resorts**

**Cleveland, OH**

## **A G E N D A**

- I. Report from the Board of Directors ..... Michael Ingram, President**
- II. Election of Directors ..... John D. Rogers, Executive Director**
- III. Financial Report ..... Tad Trout, Treasurer**
- IV. Update on CPSC Proposed Rulemaking ..... Quin D. Dodd, General Counsel**

**Break**

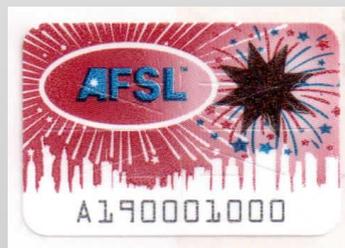
- V. Report on Consumer Fireworks Testing Program**
  - A. Summary of AFSL Test Results ..... John D. Rogers**
  - B. Summary of Audits Conducted at Importer Warehouses .. Jerry Wingard**
- VI. Modifications to AFSL Standards**
- VII. Election Results**
- VIII. Closing Remarks ..... Michael Ingram, President**

## WHAT IS THE AFSL?

The American Fireworks Standards Laboratory (AFSL) is an independent, not-for-profit membership association organized in 1989 to improve the safety of fireworks distributed in the U.S. marketplace.

Participation in the AFSL program is voluntary and is available to all U.S. importers, Hong Kong/China shippers, and manufacturers. AFSL is funded through the payment of a quality improvement fee by U.S. importers for each case of fireworks tested under the program. Activities include:

- ❖ Developing voluntary standards for consumer fireworks that incorporate and enhance the mandatory safety standards of the US government.
- ❖ Conducting training and information exchange for the fireworks industry and regulatory agencies in China and in the US.
- ❖ Testing and certifying every shipment to US participants in the AFSL program.



### **2019 Consumer Fireworks Certification Sticker**

This high-security sticker is placed on each carton of a tested Lot to indicate compliance with all AFSL and U.S. government requirements.

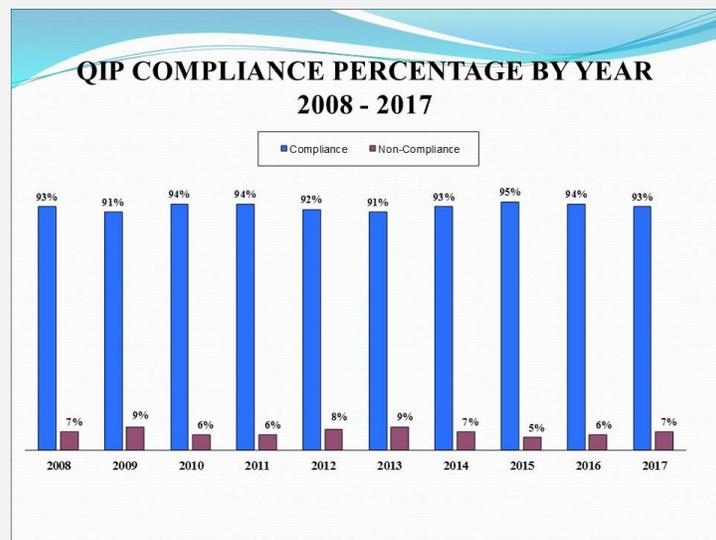
## TESTING VOLUME IN 2017.

AFSL tested 6.77 million cases of fireworks in 2017. This represents 28,891 lots of fireworks tested at more than 300 factories in China. The chart below shows the year-by-year testing volume expressed in shipping cases.



## IMPROVEMENTS IN COMPLIANCE.

The AFSL Program has had a dramatic impact on the compliance of fireworks shipped to the U.S. market. In 1994, the first year of testing, only 64% of tested shipments complied with the AFSL Standards. The chart below shows the level of compliance has remained above 90% for the past seven years.





## AFSL BOARD OF DIRECTORS - 2018



**Joel Anderson**  
**Director Emeritus**



**Michael Cartolano**



**Thomas Chan**



**Michael Collar**  
**Member at Large**



**John Conkling**  
**Technical Adviser**



**Glenn Davis**



**Phil Grucci**



**Michael Ingram**  
**President**



**Mick Marietta**  
**Secretary**



**John Mo**



**Nancy Nord**



**Tad Trout**  
**Treasurer**



**Joe Wan**



**Alan Zoldan**  
**Vice President**



## AFSL STAFF



**John Rogers**  
Executive Director



**Quin Dodd**  
General Counsel



**Jieli Tan**  
Office Manager



**Jerry Wingard**  
Project Manager



**William Zhou**  
China Audit Control Manager



**Tony Gong**  
Auditor



**Emily Peng**  
China Administrative Assistant

# AFSL MEMBERSHIP LIST

## U.S. IMPORTER MEMBERS

1	Advanced Technique Fireworks, Inc., Goshen, KY	40	Enigma Fireworks Inc., Springfield, VA
2	Alamo Fireworks, Inc., China Grove, TX	41	Fat City, Inc., Meridian, ID
3	All Events Inc. DBA Robbies Fireworks, Jackson, MS	42	Fireworks & More, dba Fireworks Outlet, Baldwin, WI
4	America's Thunder Fireworks, LLC, Shepherdsville, KY	43	Fireworks Fanatics LLC, Wright City, MO
5	American Fireworks Co., Inc., Durant, OK	44	Fireworks Importing, Inc., St. Joseph, MO
6	American Fireworks Co., Inc., Walls, MS	45	Fireworks of Alabama, Inc., Adamsville, AL
7	American Promotional Events, Inc.-East, Florence, AL	46	Fireworks Over America, Springfield, MO
8	American Promotional Events, Inc.- Northwest, Tacoma, WA	47	Flash Fireworks, Derby, KS
9	American Promotional Events, Inc.- Texas, L.P., Lubbock, TX	48	Flashing Thunder Fireworks, Mitchell, IA
10	American Promotional Events, Inc.- West, Fullerton, CA	49	Flying Phoenix Corp., Riverton, WY
11	American Thunder Fireworks Inc., North Reading, MA	50	Four Seasons Fireworks/Darrow Ventures Inc., Winter Springs, FL
12	Ammo Hut Productions, Inc., Claremore, OK	51	Galaxy Fireworks, Inc., Tampa, FL
13	Armadillo Brand, Inc., Lumberton, TX	52	Generous Jerry's F.W. Inc., Grand Forks, ND
14	Arrow Fireworks LLC, Yelm, WA	53	Glitter Mountain Novelties LLC, Donegal, PA
15	Atlas PyroVision Entertainment Group, Inc., Jaffrey, NH	54	Half Price Fireworks Inc., Harrison, OH
16	Atomic Fireworks Inc. of Arkansas, West Memphis, AR	55	Hamburg Fireworks Display Inc., Lancaster, OH
17	Bada Boom Fireworks, Blakeslee, PA	56	Heartland Associates, Columbia, PA
18	Bellino Fireworks Inc., Papillion, NE	57	Herbie Famous Fireworks, Inc. T/A South Carolina Distributors, Cherokee Falls, SC
19	Bethany Sales Co. Inc., Bethany, IL	58	High 5 Fireworks, Inc., Junction City, OR
20	Big's Fireworks LLC, Edgewood, TX	59	Hisle Enterprises, LLC, Evensville, IN
21	Big Tex Fireworks, Ltd., Bastrop, TX	60	International Fireworks Mfg. Co., Douglassville, PA
22	Boom Town Fireworks, Inc., Dyer, IN	61	Island Fireworks Company, Hager City, WI
23	Burda Brothers, Inc., Monroe, MI	62	J. K. Marketing, LLC, Rexburg, ID
24	Burt's Fireworks, Inc., Eagleville, MO	63	Jake's Fireworks, Inc., Pittsburg, KS
25	Capital Pyro LLC, Taylorville, IL	64	Jake's Over Texas, Nederland, TX
26	Cassorla Bros, Inc., Battle Mountain, NV	65	Jeff's Fireworks Inc., Fowlerville, MI
27	Cen-Tex Fireworks, Inc. dba Mr. B Fireworks Schulenburg, TX	66	Johnny Lemas Fireworks, Angola, IN
28	C-H Wholesale Fireworks, Inc., Muskogee, OK	67	Johnny Rockets Display Company, Highland, IN
29	Ches-Lee Enterprises, Bastrop, TX	68	Jolly Jacs, LLC, Cheyenne, WY
30	Coach's Fireworks LLC, Magnolia, TX	69	K & L Marketing Inc. dba Big Top Fireworks, Cummings, ND
31	Consigned Sales, Inc., Grandview, MO	70	Ka-Boomers Enterprises, Inc., Wahoo, NE
32	Cornellier Fireworks Co., Ltd., Beloit, WI	71	Keystone Fireworks & Specialty Sales Co. Inc., Dunbar, PA
33	Crazy Cracker Fireworks LLC, Lincoln, NE	72	Keystone Novelties Wholesale, Lancaster, PA
34	Crazy Debbies Fireworks, LLC, Joplin, MO	73	L. W. Loyd Co., Inc., South Pittsburg, TN
35	D&T Imports, Inc., Henderson, NV	74	Lantis Fireworks, Inc., North Sioux City, SD
36	Dahlia Group LLC DBA Wild Dragon, New Castle, PA	75	Lew's Fireworks Inc., Watertown, SD
37	Dapkus Fireworks Inc., Portland, CT	76	Liberty Fireworks Inc. - Craig, MO
38	Eagle Fireworks, Inc., Kent, WA	77	Liberty Fireworks, Inc. - Great Falls, MT
39	Eagle Fireworks, Inc., Marietta, OH	78	Lucky Dragon Fireworks, Dearborn, MI
		79	Magic in the Sky, LLC, San Antonio, TX

80	Martin's Fireworks, Manchester, TN	117	Safety 4th Fireworks Inc., Stratton, OH
81	Marv's Fireworks, Grand Island, NE	118	Salish Fireworks, Anacortes, WA
82	Michons Wholesale, Moneta, VA	119	Samrok Inc., Calgary, Alberta, Canada
83	Micronesia Holding Co., LLC, Saipan, MP	120	Sanedsam Inc., Old Orchard Beach, ME
84	Mid-South Imports, Lenoir City, TN	121	Schneitter Fireworks and Importing Co., St. Joseph, MO
85	Mike Killian Wholesale Fireworks., S. Pittsburg, TN	122	Selva's Fireworks, LLC, Everett, WA
86	Miller Fireworks Co., Inc., Holland, OH	123	Shelton Fireworks, Eagleville, MO
87	MPI Entertainment Corporation AKA Prosumer Fireworks Brand, Marengo, IL	124	Sky Blooms Fireworks, LLC, Lake Lotawana, MO
88	Mr. G's Fireworks, San Benito, TX	125	Sky King Unlimited Inc., Port St. Lucie, FL
89	Mr. W. Fireworks, Somerset, TX	126	Slay's Fireworks, Many, LA
90	Neeley Sales Co., Inc., Greenwood, SC	127	Southeastern Fireworks, Inc., Birmingham, AL
91	Nicholson's Wholesale Fireworks, Kaufman, TX	128	Sparkle Fireworks, Inc., Ripley, MS
92	Ninja Fireworks Company, LLC, Henderson, NV	129	Spirit of '76, Columbia, MO
93	Norred Fireworks, Roanoke, AL	130	Spring Field Fireworks, Inc., Bluffton, OH
94	North Central Industries, Inc., Muncie, IN	131	Star Spangled Novelties LLC, Mosinee, WI
95	Nostalgia Pyrotechnics, Inc., Osco, IL	132	Starr Fireworks, Horace, ND
96	Olympus Fireworks, LLC, Syracuse, UT	133	State Line Fireworks, Inc., Texarkana, AR
97	P & P Imports Inc., Sparta, MI	134	Stateline Fireworks LLC/Tennessee Alabama Fireworks, South Pittsburg, TN
98	Patriot Fireworks, USA, LLC, Ann Arbor, MI	135	Stowers, Inc., Luttrell, TN
99	Patriot USA, Abilene, KS	136	Sun Pacific Trading Co., Honolulu, HI
100	Phantom Importing & Distributing, LLC Youngstown, OH	137	Superior Fireworks, LLC, Orange Park, FL
101	Power Source, Inc., Bonner Spring, KS	138	Sydko Enterprises Inc., St. Joseph, MO
102	Precision Pyrotechnics, Inc., Wiggins, MS	139	The Fireworks Superstore LLC, Hannibal, MO
103	Precocious Pyrotechnics, Inc., Belgrade, MN	140	The Rozzi Company, Inc. dba Rozzi, Inc., Love Land, OH
104	Pyro Planet, Ltd., Zelienople, PA	141	Thundercat Fireworks & Pyrotechnic Display Co., Inc., Madison, WI
105	Pyrotecnic Suppliers, LLC, Henderson, NV	142	T. H. Y. & Associates, Inc., Keaau, HI
106	R. Brown & Company, Missoula, MT	143	Tri-Star Capital Distributors, LLC, Brentwood, TN
107	Racine Fireside Corp., Caledonia, WI	144	Tri-State Fireworks, LLC, Hazel Green, WI
108	Rainbow Fireworks, Inc., Inman, KS	145	Two Bears Trading, LLC, Tacoma, WA
109	Rainmaker Enterprises Ltd., Somerset, WI	146	TYI Trading LLC, Commerce, CA
110	Red Giant Wholesale Fireworks, LLC, West Union, IA	147	Uncle AL's Seasonal Retail Inc., Ft. Myers, FL
111	Red Rabbit Fireworks LLC, Vancouver, WA	148	Utah Grand Finale Fireworks, Pleasant Grove, UT
112	Red Rose Imports, LLC, Willow Street, PA	149	Victory Fireworks, Inc., Ellsworth, WI
113	Reeves Boomland, Inc., Benton, MO	150	Vito's Fireworks, Inc., Covington, KY
114	Reichenbach Fireworks, Co., Billings, MT	151	Wald and Company, Inc., Greenwood, MO
115	RKM Fireworks/St. Evans Inc., Edwardsburg, MI	152	Warpath Corp., Plammer, ID
116	Rocket Fireworks LLC, Millstadt, IL	153	Western Fireworks, Inc., Aurora, OR
		154	Western Pyro Enterprises LLC, Powell, WY
		155	Wild Willy's Fireworks, Papillion, NE
		156	Winco Fireworks International, Inc., Lonejack, MO
		157	Winco Utah, Evanston, WY
		158	Wolverine Fireworks Display, Inc., Kawkawlin, MI
		159	Zenith Specialties, L.P., Clinton, MO

## HONG KONG/CHINA/THAILAND SHIPPER MEMBERS

1	Acme Fireworks Co., Ltd.	46	Liuyang Candour Fireworks Co., Ltd.
2	After Dark Fireworks Import and Export Trade Of Liuyang Co., Ltd.	47	Liuyang Fireworks Limited
3	Ali Fireworks Ltd.	48	Liuyang Flying Dragon Fireworks Co., Ltd.
4	ANCO Pyrotechnics, Ltd.	49	Liuyang Flying Eagle Fireworks Co., Ltd.
5	Asia Pyrotechnics Inc.-Guangzhou Office	50	Liuyang Fuxiang Fireworks Group Co., Ltd.
6	Babytiger Fireworks Imp.&Exp. Ltd., Co.	51	Liuyang Global Fireworks Trade Co., Ltd.
7	Beihai Kylin Fireworks Co., Ltd.	52	Liuyang Goldenkey Trade Co., Ltd.
8	Brothers Pyrotechnics, Inc.	53	Liuyang Hengtai Fireworks Trading Co., Ltd.
9	C & L Int'l Industrial Co., Ltd.	54	Liuyang Import & Export Trade Integrated Services, Co., Ltd.
10	Changsha Fortune Fireworks Trading Co., Ltd.	55	Liuyang Jiasheng Fireworks Co., Ltd.
11	Changsha Royal Import & Export Co., Ltd.	56	Liuyang Jinkou Rising Import & Export Trading Co., Ltd.
12	Changsha Year Import & Export Co., Ltd.	57	Liuyang Jinsheng Fireworks Co., Ltd.
13	China DIY Marketing Ltd.	58	Liuyang Jumbo Trading Co., Ltd.
14	China Hunan Liuyang Asian Swan Fireworks Co., Ltd.	59	Liuyang Kesheng Trading Co., Ltd.
15	China National Samkwong Fireworks Co. Ltd.	60	Liuyang Kongsun Fireworks Exp. Trading Co., Ltd.
16	China Skysong Fireworks Co., Ltd.	61	Liuyang Leping Import & Export Co., Ltd.
17	Chinasky Pyrotechnics Limited	62	Liuyang Mandarin Fireworks Co., Ltd.
18	Dancing Fireworks Group	63	Liuyang Mei-Mei Fireworks Trading Co., Ltd.
19	Deqili Trade (Hepu County) Co., Ltd.	64	Liuyang Miracle Import & Export Trading Co., Ltd.
20	Donsun Fireworks Trading Co., Ltd.	65	Liuyang Pyroshine Fireworks Co., Ltd.
21	Dracon Trading Ltd.	66	Liuyang Qingjia Fireworks Co., Ltd.
22	Fisherman Pyrotechnics, Inc.	67	Liuyang Qingtai Export Trade Co., Ltd.
23	Forward Fireworks Co., Ltd.	68	Liuyang Raging Bull Imp. & Exp. Co., Ltd.
24	Fox Fireworks Ltd.	69	Liuyang Xiangguang Fireworks Trading Co., Ltd.
25	Gate Import and Export Trade of Liuyang Co., Ltd.	70	Liuyang Xiaohe Fireworks Mfg. Co., Ltd.
26	Glorious Co.	71	Liuyang Yihelong Trade Co., Ltd.
27	Guangzhou Holiday Import & Export Co., Ltd.	72	Liuyang Yongfa Industry Co., Ltd.
28	Hefung Fireworks Co., Ltd.	73	Miracle Trading Limited
29	Hong Kong Bravo Fireworks Co., Limited	74	Oasia International Ltd.
30	Hop Kee Pyrotechnics	75	Omni Trading Co.
31	Hua Hui Fireworks Manufacturing Co. Ltd.	76	Po Sing Pro Pyrotechnics Ltd.
32	Hunan Liuyang Worldwide Fireworks Co., Ltd.	77	Pyro Formex, Inc./Golden Bear Fireworks, Inc.
33	Hunan Mega Imports & Exports Trading Co., Ltd.	78	Pyromooi Fireworks Ltd.
34	Hunan Top and Ideal Trading Development Co., Ltd.	79	Pyro Pro Co., Ltd.
35	Hunan Vanguard Business Development Co., Ltd.	80	Red Eagle Industrial & Trade Co., Ltd. Hebei
36	Hunan Welldone Fireworks Co. Ltd.	81	Shangli Tongle Trading Co., Ltd.
37	Hunan Winwell Import & Export Trading Co., Ltd.	82	Shiu Fung Fireworks Co., Ltd.
38	Inter-Oriental Fireworks (HK) Limited	83	Shogun Pyrotechnics Ltd.
39	Jiangxi Changshan Exporting Fireworks Manufacture Co., Ltd.	84	Space Trading Co., Ltd.
40	Jiangxi Dahlia Trade Co., Ltd.	85	Stellar International Trading Co., Ltd.
41	Jiangxi Panda Fireworks Co., Ltd.	86	Sunlight China Products Ltd.
42	Jiangxi Ping Xiang Dancing Red Devil I&E Co., Ltd.	87	Thunder Trading Co., Limited
43	Jiangxi Province Red Horse Fireworks Co., Ltd.	88	Titan Fireworks Limited
44	Jiangxi Wanzai Golden Peak Corporation	89	Topgun Fireworks Co., Limited
45	Legend Fireworks, Inc.-Changsha		

- |    |   |     |  |
|----|---|-----|--|
| 91 | T-Sky International Group Co., Limited      | 96  | Win Da Hong (HK) Co., Ltd.               |
| 92 | United Pyrotechnics USA Inc.                | 97  | Worldwide Exporting Limited              |
| 93 | Wanzai Century Import &<br>Export Co., Ltd. | 98  | Wukong Fireworks Ltd.                    |
| 94 | Wanzai Color Trading Co., Ltd.              | 99  | Yichun Fenghua Import & Export Co., Ltd. |
| 95 | Wanzai Hongrui Trade Co., Ltd.              | 100 | Yuen Loong Hong Firecrackers Ltd.        |
|    |   | 101 | Pacific Pyro Company Limited (Thailand)  |

## **GENERAL MEMBERS**

- |   |  |   |   |
|---|--|---|---|
| 1 | American Pyrotechnics Association,<br>Bethesda, MD | 3 | Hong Kong Pyrotechnics Association,<br>Hong Kong      |
| 2 | Drayton Insurance Brokers, Inc.,<br>Birmingham, AL | 4 | Hua Yang Transportation Co., Ltd.,<br>Shanghai, China |

## THE YEAR IN REVIEW

### AFSL, APA TESTIFY AT PUBLIC HEARING ON PROPOSED FIREWORKS REGULATIONS.

A delegation of representatives from AFSL, the American Pyrotechnics Association, and Bureau Veritas presented oral and written testimony to the Consumer Product Safety Commission (CPSC) in a public hearing held by CPSC to hear comments on a proposed rule to amend its fireworks regulations. During the March 7, 2018 hearing, the delegation members strongly supported the proposed modifications



CPSC Commissioners (facing camera, left to right): Elliot Kay, Chairman Ann Marie Buerkle; Bob Adler, and Marietta Robinson.

to the regulations, including a ban on fine mesh metal powder in break charges for

aerial fireworks devices. Tests conducted by AFSL's testing contractor, Bureau Veritas, indicate a large majority of AFSL-certified aerial fireworks devices already comply with the proposed ban. See Page 19, "Counsel's Corner", for a more detailed discussion of AFSL's comments.



Joel Anderson testifies in the Public Hearing.

Testifying on behalf of APA/AFSL were AFSL Executive Director John Rogers; APA Executive Director Julie Heckman; AFSL Director Emeritus Joel Anderson, TNT Fireworks; AFSL General Counsel Quin Dodd; Rick Rosati, Governmental Affairs Director for Bureau Veritas; and Danial Peart from Phantom Fireworks.



First Panel includes John Rogers, Joel Anderson, and Danial Peart.



Second Panel includes Julie Heckman, Quin Dodd, and Rick Rosati.

The CPSC staff is expected to send its final recommendation on the NPR to the Commissioners by the end of September 2018, which means the Commissioners could make a final decision on the NPR as early as

mid-October 2018. If approved as expected, the Commissioners will set an effective date for the amendments.

In anticipation of a CPSC decision to ban fine mesh metal powders in break charges, AFSL currently is conducting a pilot program for several companies that volunteered to participate in the pilot, including Fireworks Over America, TNT Fireworks, Phantom Fireworks and Winco Fireworks. In addition to normal testing of Lots submitted for AFSL certification, AFSL also will screen each Lot for fine mesh metals using the XRF scanner proposed by CPSC. Products covered by the anticipated ban include all aerial mine and shell devices, reloadable tube aerial shell devices, rockets, missiles, helicopters, Roman Candles, and combinations containing aerial break charges. AFSL will fail Lots tested under the pilot if they contain fine metal powders even though they are not required to comply with the expected metal powder ban until after CPSC's effective date is published. Once the effective date is established, AFSL will begin testing all shipments in China to determine compliance with the new requirements. The XRF screening test will be done at no additional costs to AFSL member companies.

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### **RELOADABLE SHELL DEATHS/INJURIES INCREASE IN 2017.**

According to injury statistics issued by the Consumer Product Safety Commission in June 2018, injuries associated with reloadable tube aerial shell devices were the second leading cause of fireworks-related injuries reported by CPSC. According to data from CPSC, reloadable shells account for 12% of all reported injuries. Sparklers remain the leading cause of fireworks related injuries with 14% of all injuries.

**The following statement was re-produced from the CPSC 2017 Fireworks Annual Report:**

#### *Deaths and Injuries*

- CPSC staff received reports of eight nonoccupational fireworks-related deaths during 2017. Of the eight fatalities in 2017, five were related to reloadable aerial devices; one was associated with manufacturing homemade devices; one involved a firecracker; and one was related to sparklers. Seven victims died from direct impacts of fireworks, and one victim died in a house fire caused by misusing a firecracker. Reporting of fireworks-related deaths for 2017 is not complete, and the number of deaths in 2017 should be considered a minimum.

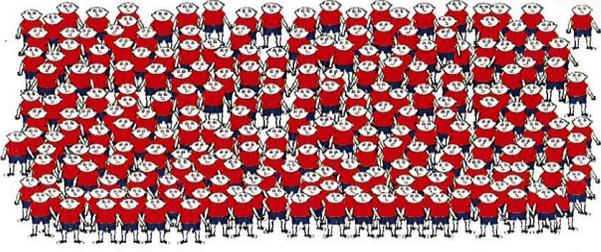
The increase in fatalities associated with reloadable shell devices is a recent and significant upward trend that is continuing into the 2018 season. AFSL Auditor, Jerry Wingard, has conducted investigations of four deaths reportedly associated with reloadable shell devices in 2018 to date. His investigations indicate that three deaths appear to involve reloadable shells while one reportedly involved a 3" display shell. In the first of the reloadable shell incidents, the victim loaded the canister shell into the tube, ignited the fuse, and

held the device in his hand in front of his chest, pointed away from his body. He was struck in the chest when the device recoiled. A second fatality occurred then the victim picked up a tube/shell after the fuse had been ignited by another person. He was struck in the head by the shell. In the third case, several youths were shooting fireworks from a launch tube that had been duct-taped to the top of a football helmet, which then was placed on the victim's head where the shell was ignited.

While any fatality associated with consumer fireworks is unfortunate and unacceptable to the industry, it is worth noting that the reloadable shell fatalities appear to be the result of misuse of the products. AFSL is continuing to study reloadable shell designs to determine if design modifications, additional warning labels, etc., might reduce the potential for consumers to misuse these devices.

# Fireworks Injuries

**280** people on average go to the emergency room every day with fireworks-related injuries in the month around the July 4th holiday.



### Fireworks Safety Tips

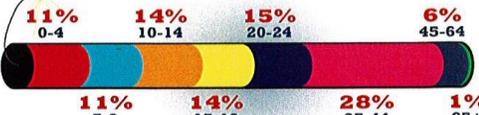
- ★ Never allow **children** to play with or ignite fireworks.
- ★ **Never** try to **re-light** or **pick up** fireworks that have not ignited fully.
- ★ Keep a **bucket of water** or a **garden hose** handy in case of fire or other mishap.
- ★ Make sure fireworks are **legal** in your area before buying or using them.
- ★ Light fireworks **one at a time**, then **move back** quickly.
- ★ More Fireworks Safety Tips – [www.cpsc.gov/fireworks](http://www.cpsc.gov/fireworks)

Source: U.S. Consumer Product Safety Commission 2017 Fireworks Annual Report

### Injuries by Fireworks Type\*

14% Sparklers	12% Reloadable Shells	10% Firecrackers
4% Roman Candles	3% Bottle Rockets	8% Novelties
2% Multiple Tubes	2% Fountains	39% Unspecified

### Injuries by Age



11% 0-4	14% 10-14	15% 20-24	6% 45-64
11% 5-9	14% 15-19	28% 25-44	1% 65+





**Note: This document is reproduced from the CPSC 2017 Fireworks Annual Report.**

## **FACTORIES SUSPENDED IN 2018**

AFSL, in conjunction with its testing contractor, Bureau Veritas, continues to take aggressive steps to prevent any actions that affect the integrity of the testing program in China, including ethical misconduct by AFSL technicians and efforts by factories and shippers to influence decisions relating to whether products pass or fail. On June 14, 2018, AFSL announced the suspension of all testing and certification services for two participating factories in China for violations of AFSL's policies and practices prohibiting attempts to compromise the integrity of the AFSL program and certification procedures. Services were suspended for the following two factories for similar but unrelated actions:

### **Wen Shi Yan Qian Qing Sheng Export Fireworks Factory**

A report from AFSL's contract testing laboratory Bureau Veritas (BV) indicates that, on April 5, 2018, Wen Shi Yan Qian Qing Sheng Export Fireworks Factory (AFSL Factory ID number 36F326) violated AFSL's policies by offering money to a BV technician to certify a shipment of fireworks despite the shipment's failure to comply with all AFSL requirements.

### **Huang Mao Chang Hong Hua Pao Chang.**

A report from AFSL's contract testing laboratory Bureau Veritas (BV) indicates that, on April 13, 2018, Huang Mao Chang Hong Hua Pao Chang (AFSL Factory ID number 36F530) violated AFSL's policies by offering money to a BV technician to certify a shipment of fireworks, despite the fact that the shipment failed to comply with all AFSL requirements when tested.

The suspensions will remain in effect for a period of at least one year, after which time the AFSL Board of Directors will consider whether to resume services to the factories. During the suspensions, products manufactured by the factories will not be tested by AFSL and may not be shipped to AFSL members.

AFSL places the integrity of the work performed by our technicians at the highest priority and cannot tolerate any interference with the testing conducted by our team. Unethical behavior by any program participant is unacceptable and will not be tolerated under any circumstances.

Report any violations, including attempts to bribe or coerce technicians to falsely certify shipments, the removal of AFSL stickers from shipping cartons or the switching of certified fireworks for those not certified by AFSL, directly to AFSL's U.S. headquarters, or to William Zhou, AFSL's China Operations Manager (Mobile: +86 13874903088; Telephone & Fax.: +86-731-8366-7669; E mail: [william.zhou@afsl.org](mailto:william.zhou@afsl.org)).

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## RECENT MODIFICATIONS TO AFSL STANDARDS

The AFSL Standards Committee recommended several modifications to the AFSL Standards that have been approved by the Board of Directors. Following is a description of the modifications:

### **I. NEW STANDARD FOR MISCELLANEOUS GROUND ITEMS**

AFSL established a new standard for Miscellaneous Ground Devices that previously were being tested as Specialties, but clearly did not fit into that category. Items covered include Strobes/Flashers, Sparkler Trees, Crackling Balls, and Crackling Tubes. The standard was approved by the Board on October 15, 2017, with a November 1, 2017 effective date.

The new standard includes pyrotechnic composition limits for the following devices: Crackling Balls and Crackling Tubes (20 grams per device and 75 grams for inner packs); Flashers/Strobes (5 grams per item and 60 grams per inner package); Sparkler Trees (4 grams if chlorates are present and 25 grams if no chlorates are present. Also, for devices that contain chlorates the limit is 15% of composition).

The Standard also includes all the requirements for fuse burn time, bases, etc. that apply to other product categories. It also contains warning labels for each of the devices, which are identical to the labels AFSL has required for these items in the past.

### **II. PLASTIC TUBES PERMITTED FOR FUSELESS FIRECRACKERS.**

The Board approved an amendment to the Standard for Fuseless Firecrackers that permits the use of **plastic** tubes in the construction of these items. Prior to the amendment, the language of the standard permitted paper tubes only.

### **III. RESTRICTIONS ON ADVERTISING SAFETY ASPECTS OF REVERSIBLE DOUBLE LIFT CANISTER SHELLS.**

Last year, the Standards Committee approved a testing procedure for Reloadable Tube Aerial Shells that contain lift charges at both the top and bottom of the shell. There were concerns that this design might lead some companies to advertise the design as a safety feature, thereby misleading consumers to believe that all reloadable shells could be used in that manner. As a result, the Committee developed language in the Standard that prohibited any advertising on the package of reversible shells as a specific safety feature.

### **IV. AMENDMENT TO STANDARD FOR RELOADABLE TUBE AERIAL SHELL DEVICES TO ENSURE THE SHELL MAY BE FULLY INSERTED INTO THE BOTTOM OF THE LAUNCHER TUBE.**

The Reloadable Shell standard also was amended to **prohibit** any design or feature, such as a tube inside the launch tube that would restrict the shell from being fully seated into the bottom of the launch tube. The specific design in question contained a smaller paper tube fixed inside the launch tube. It was created to assist the launcher tube in passing the Tube Abuse Test. Please refer to the AFSL Standards on the AFSL website for details regarding the language of the amendments.

## AFSL ANNUAL TECHNICIAN CERTIFICATION TRAINING – JULY 2018

Executive Director John Rogers conducted the Annual AFSL Technician Training Course on July 23-26, 2018, in Liuyang, China. All technicians, supervisors, and managers, a total of 52 people from Bureau Veritas' testing lab, participated in the training. The training focused on new standards established by AFSL including new requirements for Fuseless Firecrackers, and modifications to the existing requirements for fuses.



Technicians taking Certification Exam during 2018 Training.

The training is mandatory for all technicians who test fireworks under the AFSL program and each technician must pass a written exam, given in English, to maintain their current certification or advance to a higher technician classification. It



Senior Certified Technician Star Cao receives award for highest score on Technician Exam.

included three days of classroom training and one day of field exercises where technicians are required to demonstrate the ability to test correctly each category of fireworks.

Following the training, AFSL hosted a dinner to recognize the accomplishments of the technicians, including a special gift to the technician scoring the highest on the written exam. Service Plaques are given to technicians for long-term service to the program, including special awards for 5, 10, and 15 years of service.



Senior Certified Technician Ken Lai receiving AFSL 15 year Service Award.



Senior Certified Technician Motty Mo receiving AFSL 15 year Service Award.



**2018 AFSL Technician Team, July 2018**

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### STANDARDS COMMITTEE MEMBER DENNIS BURGQUIST RETIRES FROM LAS VEGAS FIRE SERVICE

Dennis Bergquist, Fire Inspector with Las Vegas Fire Marshal’s Office retired in April 2018 after more than twenty-five years of service. Dennis is one of two Fire Service representatives on the AFSL Standards Committee and has served for five years. Dennis’s signature contribution to the Committee has been his advocacy for standards to prohibit “residual burning” in

fountains. The re-ignition of fountain casings was first identified in Nevada following a death in house fire resulting from a spend casing re-igniting in an indoor trash can. This appears to be a more significant problem in dry climates.



Jason Glass from TNT presents AFSL Distinguished Service Award to Dennis Burgquist at retirement ceremony.



Dennis Burgquist (third from the left) at working dinner with the AFSL Standards Committee.

During Dennis’s retirement ceremony, Jason Glass from TNT fireworks on behalf of AFSL presented Dennis with AFSL’s Distinguished Service Award for his contributions to consumer safety.

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## VIRGINIA STATE FIRE MARSHALS TRAINING



Classroom Training for Virginia State Fire Marshals.

In January 2018, AFSL was invited to conduct a training seminar for State Marshals in the Commonwealth of Virginia. Twenty-seven Fire Marshals from throughout the State of Virginia participated in the course. The focus of the program was to familiarize Fire Marshals with AFSL's certification program and how AFSL tests fireworks to determine compliance with its Standards. The class also included a session on how to identify fireworks that are legal for sale in Virginia.

Several counties in Virginia require products sold in their jurisdictions to be AFSL-certified before they are approved for retail sale. The program is being

considered for adoption throughout the State. One of the other areas under discussion is the use of the network of Fire Marshals in Virginia to follow-up on complaints relating to sale of illegal and dangerous fireworks which would be referred to them by fireworks industry members. This would help to expand the resources available to handle such complaints particularly during the peak fireworks season. AFSL also has discussed the concept with representatives of CPSC who expressed an interest in coordinating a nationwide effort. Additional discussions with CPSC as well as the National Association of State Fire Marshals are planned for the coming months.



Field Training for Virginia State Fire Marshals.



Virginia State Fire Marshals Training Class.

## Counsel's Corner

*Quin D. Dodd, Esq.*

*General Counsel to the AFSL*



2018 has been a very active year thus far in the world of consumer fireworks regulation in the U.S. At the federal level, both the U.S. Consumer Product Safety Commission (CPSC) and the Department of Transportation (Pipeline and Hazardous Materials Transportation Administration) are moving forward to adopt a number of currently voluntary safety standards as mandatory federal regulations. Since the CPSC appears to be further along in its process, this article will highlight the key provisions of that agency's Notice of Proposed Rulemaking (NPR), as well as other key developments of note at the CPSC.

As most in the U.S. fireworks industry should be familiar by now, in February 2017, after years of studying its existing standards and test methods, the CPSC proposed the adoption of a number of key standards identical or very similar to existing AFSL and APA/DOT safety standards. Among the various provisions in the NPR, the most impactful in terms of safety are expected to be:

- A limit of one percent on the fine mesh metal content of the break/burst charge of aerial devices;
- Total composition limits for aerial devices and limits on the ratio of break and lift charge composition to overall composition in such devices;
- Total composition limits for fountains, torches, wheels and chasers;
- Addition of lead and HCP to the list of chemicals prohibited in fireworks (and establishment of a limit of 0.25 percent for such chemicals);

Again, all of these and the other provisions of the NPR are currently contained in existing DOT (APA 87-1) and AFSL standards, and therefore should be of little or no impact to most AFSL members (as well as U.S. fireworks importers and sellers generally). AFSL/APA submitted joint comments in strong support of final adoption by the CPSC of the NPR because both organizations strongly believe that it will:

- Once and for all replace the subjective CPSC "ear test" to determine whether aerial devices are overly energetic with a more objective and workable limit on metal powders in break charges, with a proven, field-expedient test method (XRF) that both AFSL and the CPSC have demonstrated to be accurate and reliable;
- Modernize CPSC (and eventually DOT) safety regulations, in keeping with significant changes in consumer fireworks (neither agency's standards have seen significant changes in many years); and
- Establish a level regulatory playing field, whereby all fireworks importers will have to adhere to needed safety standards that protect consumers from unnecessary risk of harm and in so doing helps preserve and strengthen the entire U.S. fireworks industry.

Despite the fact that some in the industry have and continue to criticize in particular the proposed ban (one percent limit) on metal powders in aerial break charges, AFSL strongly believes that a reasonable limit

(AFSL/APA have advocated for a two percent limit) will more than accommodate for any metal powder contamination and that such metal powders are unnecessary for the proper functioning of aerial fireworks.

AFSL also believes (and its testing of more than 1600 market samples bears out) that the large majority of aerial fireworks sold in the U.S. likely already do comply with this standard, and that fireworks factories will readily adjust for those products that may not. Moreover, AFSL is comfortable, (as is the CPSC) that the XRF test method is both reliable and field expedient for testing, and in any case far more reliable than the current CPSC “ear test” (to the more than 50 year-old “no audible effects” standard). AFSL and APA have therefore been urging the agency to quickly finalize the NPR, in time for the industry to adjust for the 2019 summer fireworks season, and would encourage all AFSL members and others to do the same.

In other CPSC developments of note, a new commissioner, Dana Baiocco, was sworn-in in early June 2018 to replace Marietta Robinson, whose term had expired. Ms. Baiocco, a Republican and formerly a tort litigation defense attorney in the Boston office of a prominent national law firm, has a term that will continue until October 2024, with the possibility of an additional “hold over” year until 2025. This leaves the Commission with a current 2-2 tie between Republicans and Democrats on the Commission.

The President has also recently nominated Peter Feldman, currently counsel to the Senate Commerce Committee, to fill the vacant fifth commissioner seat, which would give the Republicans 3-2 majority control. In addition to the nomination of Mr. Feldman, the President has also re-nominated Commissioner and Acting Chairman Ann Marie Buerkle, both to an additional seven-year term as commissioner (her current term expires this year) and also to become the full Chairman, through at least the remainder of the Trump Administration. While either/both Feldman and Buerkle could be confirmed at any time, historically Senate confirmations become increasingly scarce as fall elections approach, so it may well be until next year that the issue is resolved. (AFSL strongly supports the confirmations of both Buerkle and Feldman).

It should also be noted that, during the last approximately year of Ms. Buerkle’s tenure as Acting Chairman, a number of key CPSC leadership staff personnel have changed, including the Executive Director, General Counsel, and directors of Compliance, Import Surveillance, Communications, and Legislative Affairs. Oftentimes, these individuals and their staffs can have more of a direct impact on U.S. fireworks manufacturers, shippers, importers, distributors and retailers than can the Commission, at least on particular matters.

Finally, with regard to AFSL, it is worth noting that we recently extended our agreement with the global testing and certification company, Bureau Veritas, for an additional five years, to 2023. Bureau Veritas contracts with AFSL to conduct testing of consumer fireworks, primarily in China, AFSL Quality Improvement Program. AFSL is glad to have had a very productive relationship with BV over the past three years and is looking forward to more good things to come, including during this time of significant change in the U.S. regulatory environment.

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**CONGRATULATIONS JIELI – U.S. CITIZEN!**

AFSL is proud to announce that Office Manager Jieli Tan has become a naturalized citizen of the United States of America. Jieli has worked in the AFSL headquarters office since 2010 and has been a legal resident since 2008. She submitted her application for U.S. citizenship in 2017



Jieli takes the Oath of Allegiance.

following an expedited process. Jieli took the citizenship exam on August 13, 2018, and to no one's surprise she passed with flying colors. She participated in the swearing in ceremony on August 20, 2018, which was



Jieli Receives Citizenship Certificate.

attended by several family members and friends.



From left to right: Christy Barber, Victor Fickes (Jieli's In-laws); John Rogers; Jieli Tan; Brian & Amina Rogers, and Silvija Tresnjak-Smith (Godmother).



Celebration after the ceremony.

## AFSL BOARD MEETING AND GENERAL MEMBERSHIP MEETING IN SAN DIEGO



AFSL President Michael Ingram addresses the General Membership Meeting in San Diego, CA on October 4, 2017.

AFSL held its annual General Membership meeting in San Diego, CA on October 4, 2017. AFSL President, Mike Ingram opened the meeting with a discussion of ongoing AFSL activities, including the Board's strong support for the pending CPSC rulemaking which would prohibit fine metal powders in aerial break charges. Tad Trout, Treasurer provided a financial report, and General Counsel Quin Dodd presented a detailed discussion of the CPSC proposed rule.

The results of the Election of Directors were

announced, with candidates Mike Cartolano, Tad Trout, Joe Wan, and Alan Zoldan re-elected, and Glen Davis elected to a first-time seat on the Board.

AFSL was pleased to meet for the first time the family of long-time China Operations Manager, William Zhou, including his wife Shirley Shen and their son Sean Zhou. Sean, a student at the University of San Diego, met with the Board to thank them for a scholarship set up by individual Board members to help fund his college tuition and other costs. He plans to stay in the U.S. to pursue a Master's degree in 2018. Shirley and Sean participated in a number of activities during the week, including the APA's closing dinner and fireworks show.



William and wife Shirley take time to enjoy La Jolla Beach.



William Zhou, wife Shirley Shen and their son Sean, attend APA Dinner and Fireworks show in San Diego, CA.

Also during the week, Dr. John Conkling, AFSL Director and Technical Advisor to the Standards Committee, unveiled the publication of his new book “Boom” which provides an inside look at to the history of the American Fireworks Industry and how it has evolved over the years. Dr. Conkling provides a unique perspective of the industry and the challenges US importers face in sourcing from China. He has been travelling to China to work with the fireworks industry since early 1980’s, well before the trip became popular for US industry members.

The book also provides insight into the role that AFSL has played in getting China factories to focus on the safety of fireworks manufactured for the US market. Dr. Conkling was a member of the “Shekou Six”, which is credited with creating the AFSL and persuading the China to support it.

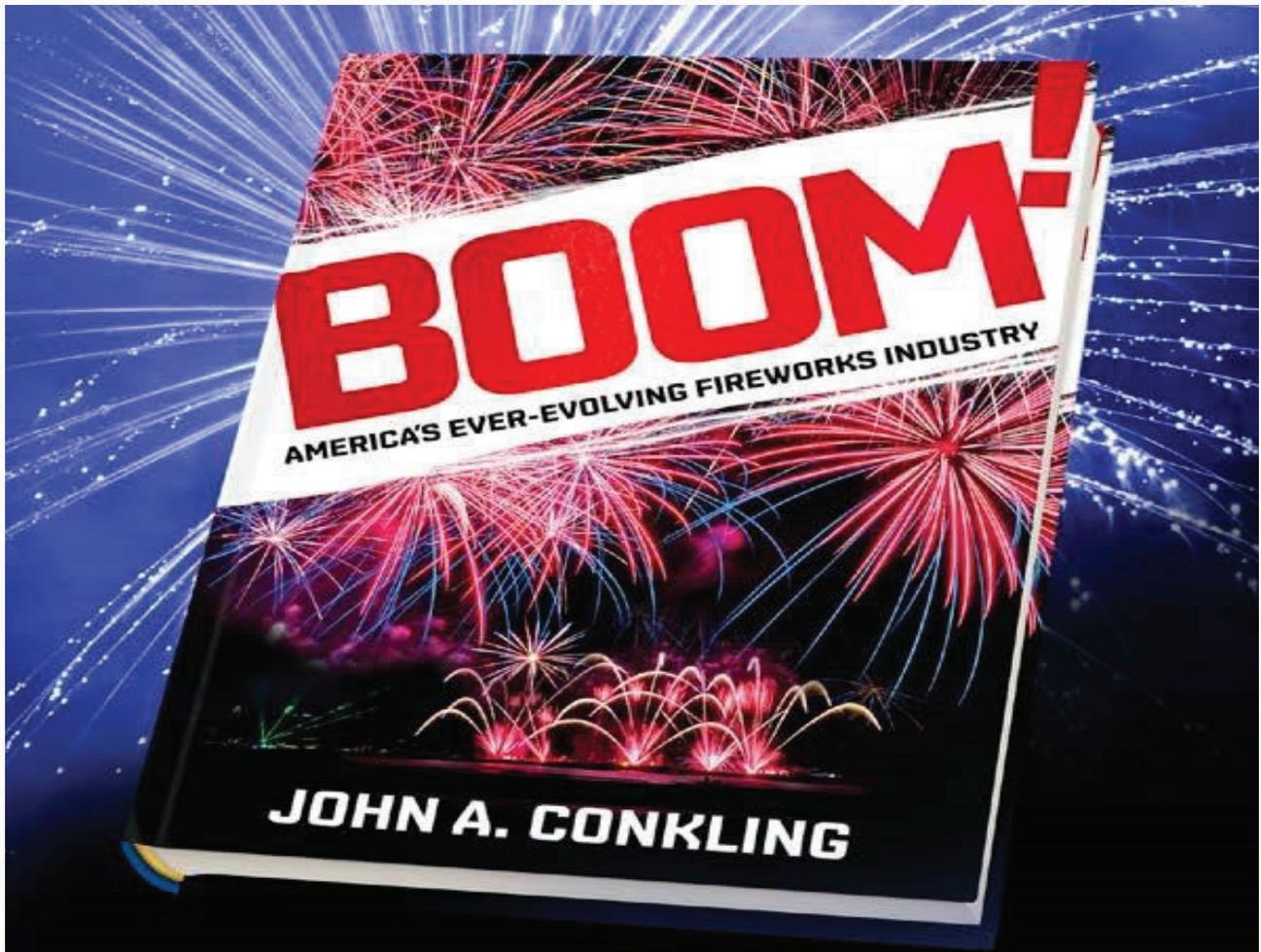
Dr. Conkling autographed books purchased during the APA Convention registration. “BOOM” is available for sale (see details on the back cover of this newsletter). A portion of the proceeds from the sale of the book are being donated the American Pyrotechnics Safety and Education Foundation.



Dr. John Conkling autographs his new book “Boom!” for Yulu Hu.



AFSL Board of Directors and staff in San Diego, CA; All smiles after the Board meeting was finished in the shortest time ever!



**Dr. John Conkling's latest book on  
the history of the United States  
fireworks industry is now available!**

Retail price is \$29.95

( See order form)

Quantity discounts on purchases of  
100 , 250 and 500 are available.

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