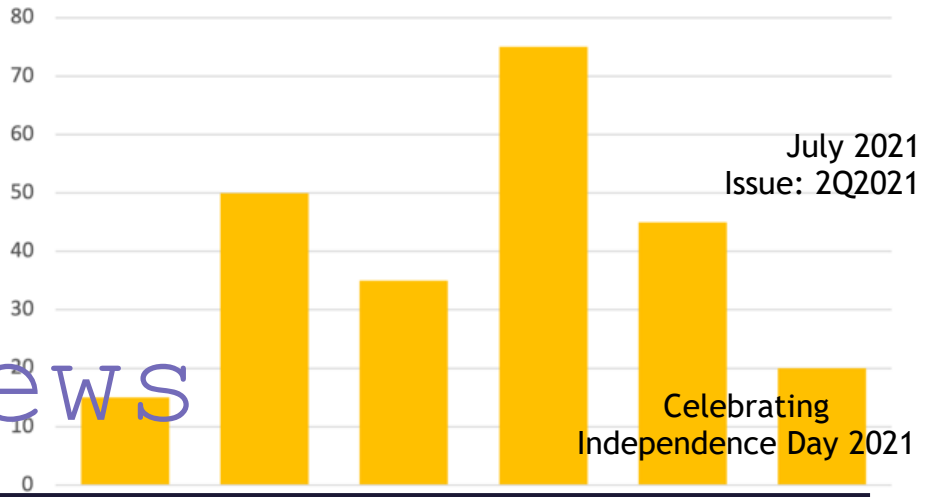




# AFSL News



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### Other Items of Interest:

Fourth of July Fireworks Death Prompted Investigation

<https://www.atf.gov/news/pr/indiana-man-charged-illegally-selling-fireworks-ohio>

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American Fireworks Standards Laboratory  
5550 Friendship Blvd, Suite 420  
Chevy Chase, MD 20815

Tel: 301-907-9115  
E-mail: [afslhq@afsl.org](mailto:afslhq@afsl.org)  
Website: [www.afsl.org](http://www.afsl.org)

John D. Rogers  
Robert (Jay) Howell  
Executive Director

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## A Brief Reflection on the Past

By John D. Rogers

My success with AFSL began with my parents, Lucille and Levi Rogers, who provided the encouragement and means for me to get my undergraduate degree from West Virginia State University and my Law Degree from American University. Subsequently, I started my professional work career with CPSC, working in the area of product safety and collaborating with others in the agency to develop product safety standards. As a Consumer Product Safety Officer, I had the honor and privilege to work with the Commissioners, and their staffs, and the career professional staff who helped me to develop my expertise and skills.

While working at CPSC, I was a member of the “Shekou Six” who traveled to China in 1988 to help the fireworks factories evaluate their products for compliance with CPSC regulations. It was during that trip that the idea of a permanent organization to educate the China industry on U.S. fireworks requirements and to develop rigorous firework standards was envisioned. Joel Anderson asked me to serve as the Executive Director of the newly established AFSL in 1989. He became my mentor and close friend and I celebrate his life and legacy.

Under the direction and guidance of many outstanding members of the Board of Directors, I built an outstanding team in China. William Zhou, China Operations Manager, Tony Gong, Auditor, and Emily Peng, Admin Asst, have managed the AFSL program with integrity and expertise. They facilitate communications between AFSL, the factories, and the China government. I am also proud of our AFSL U.S. operations team, Jerry Wingard and Jieli Tan. Jerry, our AFSL Project Manager, serves as the primary liaison to our member companies here in the United States. Jieli is the Office Manager, whose Mandarin and Cantonese language skills and her knowledge of the industry keeps the total operation in focus and on point. It is also noteworthy that we were able to incorporate BV, our test lab partner, into the AFSL operations. The China Testing Team, led by Chuck Rogers, is responsible for conducting audits and testing products exported to the U.S.

One of the highlights of my career has been the opportunity to provide continued education, guidance, and training for the Technicians in China who test products for AFSL. These men and women are the foundation of our program to help make fireworks safer and compliant. I wish continued success and progress to AFSL as I pass the baton.

## What's Hot? - CPSC Regulatory Violations

By Jay Howell

The pandemic had a significant impact on CPSC's market surveillance activity in 2020, with fireworks-related Notices of Violation (NOV) dropping from a prior 3-year average of 105 per year to only 3 in 2020. In the 3-year period preceding the pandemic, CPSC issued 7,083 NOVs (source: CPSC LOA database, last updated 3/19/2021) for non-compliant regulated products. About 4.5% (316) of these violations were attributable to the Fireworks industry, with Pyrotechnic Material Overload coming in at #6 on CPSC's Top 10 NOV list.

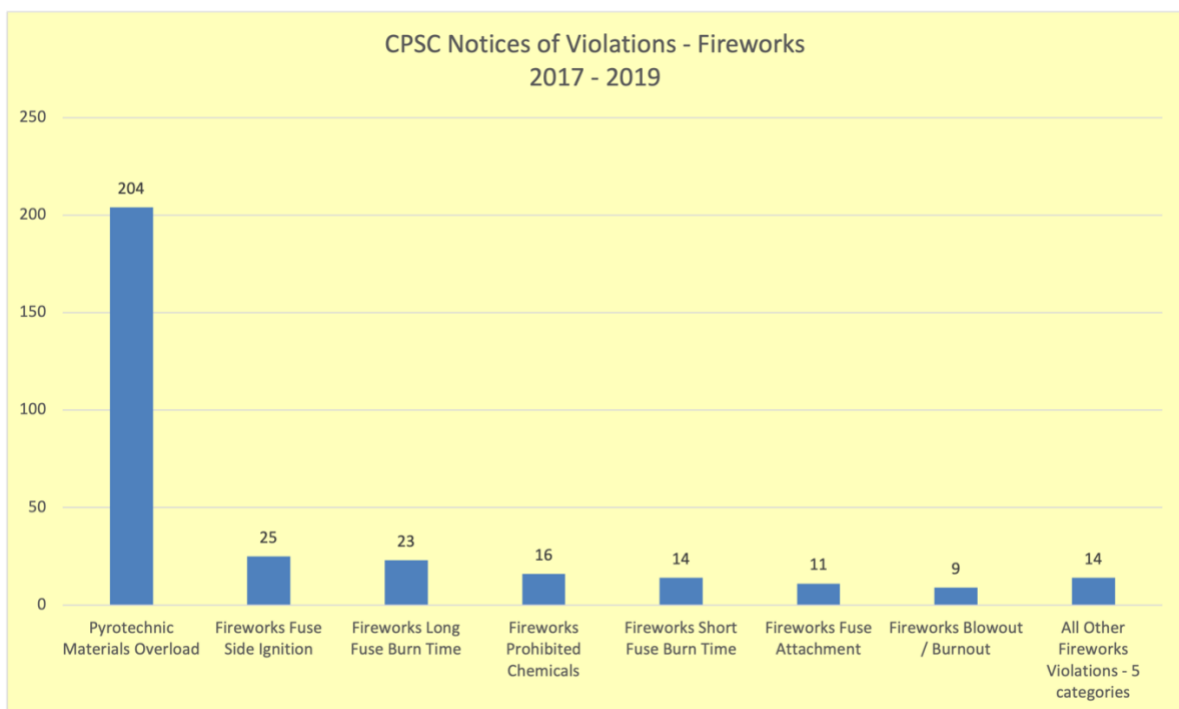
**“However, we can expect CPSC and other regulators to increase their market surveillance activity.”**

Overloaded device NOVs were trending downwards from 2013 to 2015 but began trending upwards in 2016 and continued this trend until the pandemic curtailed CPSC market surveillance activity in 2020. Over 200 Overloaded device violations were issued from 2017 through 2019, 65% of all fireworks violations for that period. Only 1 overload-related NOV has

been issued since 2019. However, we can expect CPSC and other regulators to increase their market surveillance activity in 2021.

During the same period, fuse-related violations resulted in 62 NOVs (25 for Side Ignition, 23 for Long Burn Time, and 14 for Short Burn Time). Violations for these failure modes have been trending downwards since 2016.

Prohibited Chemicals and Fuse Attachment failures round out the top 5 reasons for fireworks regulatory violations from 2017 through 2019, with 16 and 11 NOVs issued respectively. It should be noted that 7 NOVs for Prohibited Chemical violations are the only regulatory violations logged into CPSC's database this year.



## Let Your Customers Know

*By Jay Howell*

A little known provision of the Consumer Product Safety Act (CPSA) allows manufacturers, importers, and private labelers of consumer fireworks to label the product and/or product packaging with a label indicating the product complies with the CPSC consumer product safety rules and regulations.

The label must clearly state: **MEETS CPSC SAFETY REQUIREMENTS**. You are free to use any additional labels as long as they don't alter or mislead consumers as to the meaning of the CPSC, such as suggesting that the CPSC has tested, approved, or endorsed the product.

Consumer fireworks may bear the label if the manufacturer, importer, or private labeler has certified the product (General Certificate of Conformity - GCC) as required by section 14 of the CPSA. If your product has passed AFSL testing, you can certify your product is compliant.

For more information, check out the Code of Federal Regulations 16 CFR § 1107.30 - Labeling consumer products to indicate that the certification requirements of section 14 of the CPSA have been met.

## China Testing Team Sets New Record

*By Honglei (William) Zhou*

In April, the AFSL team tested over 2.1 million cases of consumer fireworks, recording the highest monthly volume of testing in AFSL history.

Currently, AFSL China Testing Team employs 43 technicians and 5 clerks, led by two supervisors and a chief trainer. The team worked non-stop in April, in order to support the high demand and urgent need to qualify product for shipment to AFSL members. "We took off only one day in April, for the Qingming Festival" Supervisor Cass Ruan told me, "We start at 8 am every morning, and many technicians don't come back to the office until 9 or 10 pm. Our clerks also worked late."

The testing teams tested an average of more than 12 lots per day. AFSL appreciates the dedication and hard work of the China Testing Team. It is only through their commitment that we can fulfill our promise to the shippers to test lots within three working days and provide testing results to shippers before 10 am each morning.

Through May, we have tested over 6 million cases of consumer fireworks and are projecting over 10 million will be tested in 2021.

Hear tell that years ago, when most houses were stick-built and all the wiring ran through the attic, folks tossed bags of firecrackers up into their attic to serve as a crude fire alarm. Everybody in the house knew to run outdoors when the firecrackers began singing 'cause they knew it meant the wiring had shorted and the house was on fire.

Heard of any other unique uses for fireworks you'd like to share? Drop us an email at [afslhq@afsl.org](mailto:afslhq@afsl.org).

**"The team worked non-stop in April, in order to support the high demand and urgent need to qualify product for shipment to AFSL members."**

## Visiting the Old Dominion

By Jerry Wingard

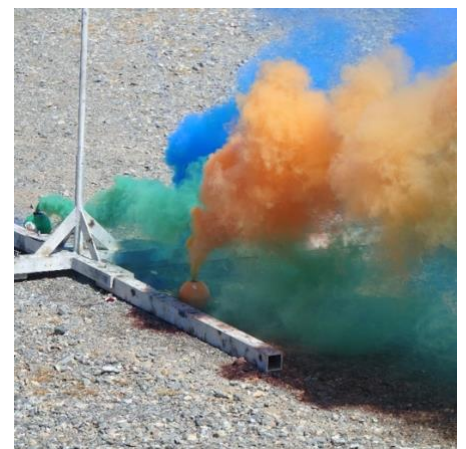
AFSL was once again invited to observe Virginia's Permissible Fireworks Testing, conducted by Virginia's Fire Marshals on April 16<sup>th</sup> at the Virginia Public Safety Training Center in Hanover, Virginia.

AFSL is very interested in this testing because Virginia regulations specify the same performance requirements for fireworks as those contained in the AFSL standards. This gives AFSL an opportunity to see how the fireworks perform after being transported to the ports in China and then shipped from China to America.

Chuck Rogers, Americas Director with Bureau Veritas, and I were able to observe the testing, note our observations, and answer questions from the State and Local Fire Marshals that were evaluating the samples. All of the issues that were identified, such as residual burn failures, were documented and addressed with the Bureau Veritas team.

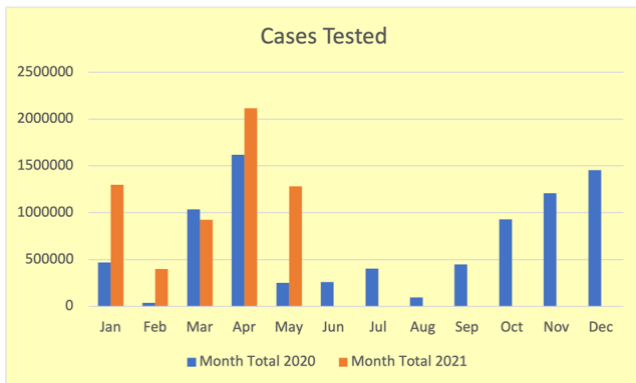
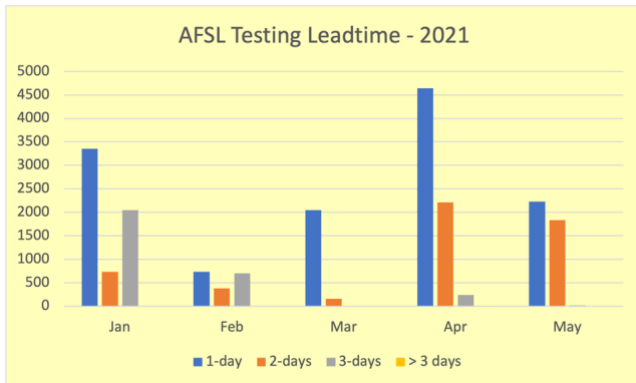
We did notice that the number of products and samples being evaluated were smaller than we've seen in past years. Just one more example of the impact that the supply chain disruptions have had on the fireworks industry. During the testing, Virginia State Fire Marshal Garrett Dyer stopped by the Virginia Public Safety Training Center and paid us a visit. This gave me an opportunity to share with him a little about what the AFSL does, our overall mission, and our goals.

**“AFSL is very interested in this testing because Virginia regulations specify the same performance requirements for fireworks as those contained in the AFSL standards.”**



## How are we doing? AFSL KPIs

By Jay Howell



AFSL’s Key Performance Indicators can help to answer the question, “So, what have you done for me lately?”

### AFSL Testing Leadtime

Testing Leadtimes have remained within the targeted 3-day window. Resources have been well managed, allowing us to test over half the lots within 1 day, despite the heavy demand for testing.

### Number of Cases Tested

We tested a record 2.1 million cases in April, surpassing last April’s record 1.6 million cases. Through May, the number of cases tested this year is up 76%, with 2.6 million more cases tested than were tested at this point last year.

Hat’s off to the China Testing Team, Chuck, William, Emily, and Tony for a job well done!

### Compliance Rate

The Compliance Rate is slightly off the 95.9% rate we saw last year, running at 95.2% through May 2021. We have failed 286,231 cases through May, 147,452 more than the same period last year.

Fuse burn times (short and long), residual burn, no effects, and stability (tilt block test) account for over 6 of every 10 fails.

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