

**Bureau of ATF
Consumer Fireworks**

Are "consumer fireworks" subject to regulation under the Federal explosives laws?

No. Regulations in 27 C.F.R. § 555.141(a)(7) exempt "consumer fireworks" from all the provisions of the Federal explosives laws. The term "consumer fireworks" is defined in section 555.11 of the regulations as follows:

Any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in title 16, Code of Federal Regulations, parts 1500 and 1507. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. Consumer fireworks are classified as fireworks UN0336 and UN0337 by the U.S. Department of Transportation at 49 CFR 172.101. This term does not include fused setpieces containing components which together exceed 50 mg of salute powder.

Because "consumer fireworks" are not subject to regulation under the Federal explosives laws, no violation of 18 U.S.C. § 842(i) would occur when felons or other prohibited persons ship, transport, receive, or possess this type of explosive material.