

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
RUBEN GRIJALVA, STATE FIRE MARSHAL**



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November 22, 2004

To: All Fire Chiefs


Re: Classification of Snap Caps and Party Poppers

Due to numerous questions our office receives on the classification of Snap Caps and Party Poppers, we are distributing the attached Information Bulletin. This bulletin is intended to provide clarification on the sale and use of State Fire Marshal (SFM) approved and classified "Party Poppers" and "Snap Caps".

Unlike fireworks classified as "Safe and Sane", these devices are approved for sale in California throughout the year, as long as they have been tested, approved and classified by the SFM.

This Information Bulletin is also available on our web site, <http://www.fire.ca.gov>. If you have any questions, please do not hesitate to contact me.

Sincerely,


RUBEN GRIJALVA
State Fire Marshal

Attachment: SFM Informational Bulletin

Issued: October 18, 2004

Visit our website: <http://osfm.fire.ca.gov>



California State Fire Marshal Informational Bulletin

Classification of Snap Caps and Party Poppers

This Information Bulletin is to provide you with clarification on the sale and use of State Fire Marshal (SFM) approved and classified "Party Poppers" and "Snap Caps".

"Party Poppers" and "Snap Caps" are classified by the SFM as a "pyrotechnic device" in accordance with Title 19, California Code of Regulations (CCR), §986. These pyrotechnic devices should *not* be confused with other firework devices such as "Dangerous" or "Safe and Sane". These devices are *not* regulated as "Dangerous" or "Safe and Sane" fireworks.

In the absence of a local ordinance specifically prohibiting the sale, possession, and/or use by the public of any "Party Popper" or "Snap Cap", these products *cannot* be prohibited from sale or use throughout California.

Per Title 19 CCR, §986.7 and 986.8 respectively, these items may be sold at retail outlets without requirement of a state fireworks retailer license or other retail sales restrictions so long as they are units of a particular manufacturer and design which have been classified by the SFM.

Every individual party popper item shall bear the classification label of the SFM, including the manufacturer's and importer/exporter's registration number. The words "party popper" shall appear in legible print on such label.

The packaging for snap caps shall bear the classification label of the SFM, including the manufacturer's and importer/exporter's registration numbers. The words "Snap Caps/Snappers" shall appear in legible print on such label.

Should you require further information regarding this issue, please do not hesitate to contact Supervising Deputy State Fire Marshal Patty McKinnon at (916) 445-8415 or Patty.McKinnon@fire.ca.gov.