



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

PO BOX 386

TRENTON, NEW JERSEY 08625-0386

Office of Safety Compliance

PO Box 386

Trenton, NJ 08625

Chris Christie
Governor

Kim Guadagno
Lieutenant Governor

Hal Wirths
Acting Commissioner

Dear Store Owner:

Last year, seven persons were treated in hospital emergency rooms for injuries resulting from the use of fireworks (see enclosed list). Once again, we are entering the fireworks season and I would like to acquaint you with New Jersey's Fireworks Laws.

New Jersey's laws on fireworks, N.J.S.A. 21:2-1 et seq. and N.J.S.A. 21:3-1 et seq., are very restrictive. In some states, fireworks are permitted to be sold to, and used by, the public. However, in New Jersey, only paper or plastic caps for use in toy guns are legal.

Sparkler and novelty items, such as cigarette loads, trick matches, trick noise makers, smoke grenades, toy propellants, snaps & pops, poppets and champagne poppers, as well as firecrackers, roman candles, rockets, etc., are all illegal in this state. Do not be fooled by a salesperson who tries to tell you that they are authorized to be sold by the Consumer Products Safety Commission, or are sold by mail order houses, or are permitted to be sold in other states, or are permitted to be shipped by the U.S. Department of Transportation. **I repeat** - the only fireworks that can legally be sold and used in New Jersey are paper and plastic caps for toy cap guns. If you have any doubt when approached by a salesperson, call our office at (609) 292-2096 for verification.

The Fireworks Laws are jointly enforced by municipalities and the New Jersey Department of Labor and Workforce Development. The law states that the sale or possession of fireworks, with intent to sell, is a crime of the fourth degree. Any person found guilty of possessing fireworks, including sparklers, with the intention of selling them, can be fined up to \$7,500 and/or imprisoned up to 18 months. Any person found using fireworks illegally can be fined up to \$500 and/or imprisoned for up to 30 days.

If you have any questions or comments about the Fireworks Laws, feel free to contact the Office of Public Safety Compliance at (609) 292-2096, or call me directly at (609) 292-2313.

Sincerely,

Howard Black Acting, Assistant Commissioner
Labor Standards and Safety Enforcement

New Jersey Is An Equal Opportunity Employer

OFFICE OF SAFETY COMPLIANCE
(609) 292-2096 or (609) 292-5626 • FAX (609) 777-4589

AD-181(R-7-06)

ACCIDENTS REPORTED BY EMERGENCY ROOMS

COUNTY	ACCIDENTS REPORTED				WHILE WATCHING DISPLAYS		
	2007	2008	2009		2007	2008	2009
Atlantic	2	1	0		0	0	0
Bergen	1	2	0		0	0	0
Burlington	0	0	0		0	0	0
Camden	0	4	0		0	0	0
Cape May	2	0	0		0	0	0
Cumberland	0	0	0		0	0	0
Essex	1	6	3		0	0	0
Gloucester	0	0	1		0	0	0
Hudson	0	1	0		0	0	0
Hunterdon	1	3	0		0	0	0
Mercer	2	0	0		0	0	0
Middlesex	0	0	0		0	0	0
Monmouth	2	0	0		0	0	0
Morris	0	3	0		0	0	0
Ocean	2	4	0		0	0	0
Passaic	0	0	0		0	0	0
Salem	1	0	0		0	0	0
Somerset	0	0	0		0	0	0
Sussex	0	1	2		0	0	0
Union	0	1	0		0	0	0
Warren	0	0	1		0	0	0
TOTALS	14	26	7		0	0	0



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Dear Chief:

I am writing to you for assistance in enforcement of New Jersey's Fireworks Laws N.J.S.A. 21:2-1 et seq. and N.J.S.A. 21:3-1 et seq. Hopefully, by educating the public on the hazards of fireworks and the prohibition of their use, we can reduce the sale and use of illegal fireworks and create a safer environment for New Jersey's citizens.

In the past few years, we have documented well over a hundred people that were treated in hospital emergency rooms for burns, eye injuries, lacerations, or amputations caused by fireworks. In 2009, seven accidents were reported. Others may have been treated by their own physicians or at hospitals out of state.

I am enclosing a letter which our inspectors distribute to shopkeepers, flea markets, and other locations where fireworks are likely to be sold. This letter informs the recipients that only paper and plastic caps may be sold for public use. I have also directed that the following procedure be used by our safety inspectors when they encounter illegal sale or use of fireworks.

When an inspector encounters a facility where fireworks are being illegally sold, they are to proceed directly to the nearest police department and return to the establishment with a police officer who will confiscate the fireworks, and then the inspector will document the violation(s) on a Department of Labor and Workforce Development (LWD) violation form.

As stipulated in the Fireworks Laws, offering for sale, or sale of fireworks, is a crime of the fourth degree, with a maximum fine of \$7,500 and/or a jail sentence of up to 18 months. Any individual who possesses or discharges fireworks is guilty of a petty disorderly offense and subject to a maximum fine of \$500 and/or a jail sentence of up to 30 days. The LWD will also file a summons in Municipal Court against any person who sells, offers, or exposes for sale, or possesses with intent to sell, any fireworks.

I believe the most effective way to publicize the hazards of fireworks, and the fact that it is illegal to use them, would be for you to issue a statement about this in your local newspaper. A number of police chiefs have done so in the past few years with good results. Should you choose to do so, I would appreciate receiving a copy of the article.

The Fireworks Laws, which also address the ordering and shipment of fireworks into the State by mail order houses, can be accessed at our website at: <http://lwd.dol.state.nj.us/labor/lssc/employee/Fireworks.html>.

If we can be of assistance in your enforcement of the Fireworks Laws, please call me at (609) 292-2313.

Sincerely,

Howard Black, Acting Assistant Commissioner
Labor Standards and Safety Enforcement

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