

May 1, 2024

FIREWORKS FAQs

Pennsylvania's latest fireworks law, [Act 74 of 2022](#), became effective on September 9, 2022. The law regulates the sale and use of consumer grade (Class C, 1.4G) fireworks.

- **What types of consumer fireworks are legal in Pennsylvania?**

Act 74 defines "Consumer fireworks" as follows:

(1) The term includes any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the provisions for "consumer fireworks" as defined in APA 87-1*, the sale, possession and use of which shall be permitted throughout this Commonwealth.

(2) The term does not include devices such as "ground and hand-held sparkling devices," "novelties" or "toy caps" in APA 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.

* APA 87-1: The American Pyrotechnics Association Standard 87-1: Standard for Construction and Approval for transportation of Fireworks, Novelties and Theatrical Pyrotechnics, 2001 Edition.

- **What is NOT legal to sell as consumer grade (1.4G) fireworks in Pennsylvania?**

Professional use only (pro grade) fireworks, binary explosives (such as Tannerite), or any product not described as a consumer grade firework in APA 87-1, 2001 edition.

- **What is "for professional use" fireworks?**

The APA published updated standards in 2018, which included APA 87-1c, Standards for the Construction, Classification, Approval, and Transportation of Entertainment Industry and Technical (EI&T) Pyrotechnics. Most EI&T pyrotechnics are considered "for professional use" fireworks.

Although some EI&T fireworks are categorized as 1.4G fireworks under APA 87-1c, they are NOT included in APA 87-1, 2001 edition as consumer grade fireworks. Accordingly, *EI&T fireworks cannot be sold as consumer fireworks under Pennsylvania law.*

The sale of professional use fireworks, including EI&T pyrotechnics, is strictly prohibited to the general public and subject to additional training, handling, and licensing requirements in Pennsylvania.

- **What is a binary explosive (Tannerite)?**

It is an explosive consisting of two components, neither of which is explosive by itself, which must be mixed in order to become explosive. Binary explosives are not fireworks, and may not be offered for sale at a licensed consumer fireworks facility.

- **Where can consumer fireworks (1.4G) be sold/bought?**

Consumer fireworks can be purchased from facilities currently licensed by the Pennsylvania Department of Agriculture. The sale of consumer fireworks may be conducted through online, mail-order or other transaction, but delivery of consumer fireworks to a purchaser must take place at a licensed facility.

A map of currently licensed facilities by the Department can be found at:

https://www.agriculture.pa.gov/Business_Industry/fireworks/Pages/default.aspx

- **Who can buy consumer fireworks (1.4G)?**

A person who is at least 18 years of age may purchase, possess and use consumer fireworks.

- **Are there restrictions for the use of consumer fireworks?**

A person may not use consumer fireworks:

(1) On private property or on public property, including, but not limited to, streets, parking lots, sidewalks and parks, without the express permission of the owner or entity that controls the property.

(2) Within, directed at or directed from a vehicle or building.

(3) Directed at another person.

(4) While the person is under the influence of alcohol, a controlled substance or another drug.

(5) Within 150 feet of a building or vehicle, whether the building or vehicle is owned by the user of the consumer fireworks.

(6) Within 150 feet of an animal housing facility or a fenced area designed to confine livestock owned or managed by another person.

(7) Within 150 to 300 feet from an animal housing facility or fenced area designed to confine livestock owned or managed by another person, unless the user of consumer fireworks provides written notice to the owner or manager of the livestock at least 72 hours in advance.

- **Who do I contact to report the potential illegal sale or use of fireworks?**

Law enforcement having jurisdiction within or over the area where the alleged offense took place may investigate and prosecute the potential illegal activity.

- **Where can I find information about the requirements for selling consumer fireworks in Pennsylvania?**

The Pennsylvania Department of Agriculture's webpage contains application information and contacts who can assist you with the licensing process.

https://www.agriculture.pa.gov/Business_Industry/fireworks/Pages/default.aspx

- **Who do I contact with questions about consumer fireworks?**

The following agencies and organizations provide resources and information about consumer grade fireworks in Pennsylvania:

Pennsylvania Department of Agriculture:

https://www.agriculture.pa.gov/Business_Industry/fireworks/Pages/default.aspx

Pennsylvania State Police:

<https://www.psp.pa.gov/public-safety/Pages/fireworks-safety.aspx>

American Pyrotechnics Association (APA):

<https://www.americanpyro.com/>

You may also directly contact the Department of Agriculture's Bureau of Ride and Measurement Standards for comments and any additional questions at 717-787-2291 or by email at RA-amusementrides@pa.gov .

Respectfully,

Walter Remmert

Walter Remmert
Bureau Director