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**DEPARTMENT OF PUBLIC SAFETY**  
**DIVISION OF FIRE SAFETY**

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To: All Missouri Licensed Fireworks Manufacturers and Distributors

In the 2001 edition of the American Pyrotechnics Association Standard 87-1 Section 4.1.1, states:  
**“Aerial shells exceeding 10 inches in diameter or containing a burst charge that has metallic fuel may be approved under this Standard as Fireworks, UN0333, 1.1G.”**

Standard 87-1, Section 4.1.2 further states:

“The maximum quantity of explosive composition in a salute shell, or in a salute component of a multi-effect shell, shall not exceed 2.5 oz (71g) for approval under this Standard as a 1.3G article. Salutes or articles with salute components containing more than 2.5 oz (71g) of explosive composition per salute or per component may be approved under this Standard as Fireworks, UN0333 1.1G.”

**The U.S. Department of Transportation is now following this standard in requiring aerial display shells exceeding 10-inches in diameter to be labeled as “UN0333, 1.1G.”**

Under Missouri statute 320.106, section (6), states:

“‘Display fireworks’, explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. **These devices are classified as fireworks, UN0335, 1.3G by regulation of the United States Department of Transportation**, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation;”

Missouri statute 320.106, section (9), further states:

“‘Fireworks’, any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations, and American Pyrotechnics Association 87-1 standards;”

Missouri statute 320.126, section 4 states:

“Every such display shall be supervised, managed, or directed by a Missouri licensed operator, or pyrotechnic operator on site pursuant to subdivisions\* (11) and (18) of section 320.106 and shall be located, discharged, or fired so as in the opinion of the permitting authority, after proper inspection based on the most current edition of the National Fire Protection Association standards, NFPA 1123, 1124, and 1126, to not be hazardous to any person or property.”

NFPA 1123 Code for Fireworks Display 2006 Edition, Section A.3.3.14. states:

**“Display fireworks are described as Fireworks, UN 0335 and are classified as Explosives, 1.3G by the U.S. Department of Transportation (U.S. DOT)”**

Missouri state statute 320.136 states:

“Ground salutes commonly known as “cherry bombs”, “M-80's”, “M-100's”, “M-1000's”, and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the federal limits set for fireworks UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020, RSMo.”

**Due to the requirements of Missouri law and NFPA 1123, any display fireworks to be used in an approved display within the State of Missouri must be labeled as “Fireworks, UN0335, 1.3G.”**

**Aerial shells labeled as “Fireworks, UN0333, 1.1G” will not be permitted to be fired in an approved public display within the state. Furthermore under the regulations, fireworks labeled “UN0333, 1.1G” meet the definition of “illegal fireworks” in Missouri.**


The Division of Fire Safety has no other option based on the statutory language and the language of NFPA 1123.

For these reasons, **all Missouri licensed manufacturers and distributors must immediately stop the manufacture and/or sale of any items labeled as “Fireworks UN0333, 1.1G.”** As these items now exceed the federal limits listed in 320.136 RSMo, they are now classified as illegal fireworks in the state of Missouri and banned from use, sale, and possession in Missouri. **Missouri licensed manufacturers and distributors should notify anyone purchasing display fireworks of this ban.**

**Additionally, all Missouri licensed display operators must immediately cease the use of any display fireworks labeled as “Fireworks UN0333, 1.1G.”**

The Division of Fire Safety realizes that this may place a burden upon some manufacturers, distributors, and operators. However, these actions must be taken to comply with state law and the applicable NFPA code.

Sincerely,



Randy L. Cole  
Missouri State Fire Marshal