



DEPARTMENT OF FINANCIAL SERVICES
Division of State Fire Marshal

**Sparkler Registration
LICENSE/PERMIT INFORMATION
PACKET**

BUREAU OF FIRE PREVENTION
REGULATORY LICENSING SECTION
200 East Gaines Street
Tallahassee, Florida 32399-0342
Telephone: 850/413-3171
Fax: 850/410-2467

Fire.Prevention@myfloridacfo.com

Chapter 791, Florida Statutes

Definitions

"Manufacturer" means any person engaged in the manufacture or construction of sparklers in this state.

"Retailer" means any person who, at a fixed place of business, is engaged in selling sparklers to consumers at retail.

"Seasonal retailer" means any person engaged in the business of selling sparklers at retail in this state from June 20 through July 5 and from December 10 through January 2 of each year.

"Distributor" means any person engaged in the business of selling sparklers to a wholesaler.

"Sparkler" means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand held or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning. Any sparkler that is not approved by the division is classified as fireworks.

"Wholesaler" means any person engaged in the business of selling sparklers to a retailer.

Section 791.013, Florida Statutes

Testing and Approval of Sparklers

A person who wishes to sell sparklers must submit samples of his or her product to the division for testing to determine whether it is a sparkler as defined in Section 791.01, Florida Statutes, which states:

"Sparkler" means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand held or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning. Any sparkler that is not approved by the division is classified as fireworks.

The testing and approval requirements are found in Section 791.013, Florida Statutes and Florida Administrative Code 69A-50 which is contained herein.

The Division of State Fire Marshal receives and tests products each year and publishes a list of approved products. The approved list is effective February 1 of each year and expires each January 31st.

The approved list is available from the Division or you view or print a list from the division's website at www.fldfs.com/sfm.

Section 791.015

Registration of Manufacturers, Distributors, Wholesalers and Retailers of Sparklers

REGISTRATION REQUIREMENTS:

Any manufacturer, distributor, wholesaler, retailer, or seasonal retailer of sparklers who wishes to do business in this state or to otherwise sell, ship, or assign for sale its products in this state must register annually with the division on forms prescribed by the division.

REGISTRATION FORMS MAY BE OBTAINED AS FOLLOWS:

Regulatory Licensing Section
200 East Gaines Street
Tallahassee, FL 32399-0342
850/413-3171
Casia.Sinco@myfloridacfo.com
fire.prevention@myfloridacfo.com

Registration Fees

Type: 07 60	Manufacturer of Sparklers:	\$1,000
Type: 07 61	Distributor of Sparklers:	\$1,000
Type: 07 62	Wholesaler of Sparklers:	\$1,000
Type: 07 64	Retailer of Sparklers	\$15
Type: 07 63	Seasonal Retailer of Sparklers	\$200

The registration form filed with the division must be completed in detail, providing all requested information. The form must be notarized and must include the following information: business name; address; telephone number; officers, if the business is a corporation; and an individual designated as a contact person. Any incomplete form will be returned to the submitter.

Duplicates

Each certificateholder wishing to have a duplicate certificate issued for one, which is lost, shall request such duplicate by notifying the division in writing and shall pay a fee of \$5.

Change of Address

Each certificateholder wishing to have a duplicate certificate issued for one in which the business address or mailing address has changed shall notify the division in writing and shall pay a fee of \$5.

NOTE: A certificateholder may not change the address of the location at which sparklers will be sold once a certificate has been processed by the division. This type change in location requires a new application and a new application fee for any type registration.

EXPIRATION AND RENEWAL

All certificates of registration are issued annually by the division and expire at midnight each January 31st.

All certificate holders are notified by invoice of the renewal requirements each year prior to the January 31st expiration date of certificates.

Section 791.02, Florida Statutes

Sale of Fireworks Regulated

It is unlawful for any person, firm, copartnership, or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the board of county commissioners shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks by fair associations, amusement parks, and other organizations or groups of individuals when such public display is to take place outside of any municipality; provided, further, that the governing body of any municipality shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks within the boundaries of any municipality. Displays must comply with the provisions of Section 791.012, Florida Statutes, minimum fireworks safety standards.

A sparkler or other product authorized for sale under this chapter may not be sold by a retailer or seasonal retailer unless the product was obtained from a manufacturer, distributor, or wholesaler registered with the division pursuant to Section 791.015, Florida Statutes.

Each retailer and seasonal retailer shall keep, at every location where sparklers are sold, a copy of an invoice or other evidence of purchase from the manufacturer, distributor, or wholesaler, which states the registration certificate number for the particular manufacturer, distributor, or wholesaler and the specific items covered by the invoice. Each seasonal retailer shall, in addition, exhibit a copy of his or her registration certificate at each seasonal retail location.

