

# PHANTOM FIREWORKS

Distributors of Phantom® and Wolf Pack® Brand Fireworks

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House of Representatives  
Public Safety and Homeland Security Committee  
411 Legislative Ave.  
Dover, DE 19901

Chairman Mitchell, Vice-Chairman Mulrooney, and members of the committee, my name is Danial Peart, Director of Government and Regulatory Affairs for Phantom Fireworks. Thank you for accepting my written testimony and please accept my apologies for not being there in person.

Phantom Fireworks is the nation's leading retailer of 1.4G consumer fireworks and has operated for 43 years with more than 80 permanent locations in 16 states and over 1,000 temporary locations in 45 states. I am pleased to testify in support of HB 53.

Phantom Fireworks unequivocally supports the effort to legalize the sale and use of ground-based consumer fireworks and related novelties in Delaware, with our only reservation being that methodology employed to transport, store and display the products for retail sale is done so in the safest manner possible.

Consumer fireworks in America today are the safest that they have ever been. I feel confident in representing that to you, because the facts show that over the past 15 years, while the consumption of fireworks in the United States has more than doubled to over 200,000,000 pounds per year, the number of fireworks-related injuries per 100,000 population reported by the U.S. Consumer Product Safety Commission has decreased by more than 60%.

Compare this astounding increase in use of fireworks coupled with the reduction in injuries to any other consumer product with associated risk such as jet skis, ATVs, trampolines and motorcycles. When the use of these products increases, there is a direct correlative increase in injuries. Not so with consumer fireworks. We are very proud of the safety record we have in the consumer fireworks industry.

In 2006, Indiana legalized the full line of consumer fireworks and, as part of that legislation, the Indiana Department of Health was mandated to maintain fireworks-related injury statistics.

In 2006, the Indiana Department of Health reported 251 fireworks-related injuries. That number has never been reached again, with the 2015 fireworks-related injuries number being 181, a 38% decrease.

A primary reason for the reduction in injuries and improvement in the overall quality of the products has to do with the activities of the American Fireworks Standards Laboratory, the independent international testing agency that physically tests the fireworks at the factory level in China for compliance with U.S. manufacturing and performance standards. Since 1994, when AFSL first began to test the products, the number of products meeting or exceeding the standards has increased each year.

Ironically, the first state in our country's history to ratify the U.S. constitution is one of the last three states to maintain a zero tolerance attitude towards consumer fireworks and related novelty items (New Jersey and Massachusetts are the others). John Adams wrote the following to his wife, Abigail, on July 3, 1819, ahead of the signing of the Declaration of Independence;

*I am apt to believe that it will be celebrated, by succeeding Generations, as the great anniversary Festival. It ought to be commemorated, as the Day of Deliverance by solemn Acts of Devotion to God Almighty. It ought to be solemnized with Pomp and Parade, with Shews, Games, Sports, Guns, Bells, Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more.*

My lone comment while you consider the legalization of these types of fireworks is that you incorporate the only comprehensive standard in the country that addresses all facets of consumer fireworks sale and storage, NFPA 1124, 2006 edition. This document has been thoughtfully written and updated by responsible members of the fireworks industry, fire enforcement officials, and fire protection engineers. Rather than having to "reinvent the wheel" as it pertains to the requirements of sale and storage, here is a document that is almost universally adopted and widely known throughout the country in states that accept consumer fireworks sales and use.

The time is now for Delaware to legalize these products in the safest manner possible. I am honored to be able to testify in support of HB 53. Thank you for your time.



Danial Peart Director of Government and Regulatory Affairs