

## § 1505.51

(c) The requirement that temperatures higher than those specified in §1505.8 not be attained applies to those internal components which are described in §1505.8. Additionally, temperatures of accessible surfaces shall not exceed those specified for Type C surfaces in §1505.7.

(Secs. 2(q)(1)(A), 2(r), 3(e), 10(a), 74 Stat. 372, 378, 80 Stat. 1303-1304, 83 Stat. 187-189 (15 U.S.C. 1261, 1262, 1269); sec. 30(a), 86 Stat. 1231 (15 U.S.C. 2079(a)))

[43 FR 26428, June 20, 1978]

### § 1505.51 Hot surfaces.

(a) *Test probe.* Section 1505.6(g)(2) defines accessibility, for certain paragraphs, as the ability to reach a heated surface with a ¼-inch-diameter rod 3 inches long. To test for accessibility using this test probe, it shall be inserted no more than 3 inches into any opening in the toy. Unless the probe contacts a surface within 3 inches of the plane of the toy's opening, that surface is not accessible.

(b) *Accessibility of Type C and C-marked surfaces.* Under §1505.6(g)(2) (iii) and (iv), touching by casual contact or without employing the aid of a common household tool shall be determined by use of the accessibility test probe described in §§1505.6(g)(2) and 1505.51(a).

[51 FR 34199, Sept. 26, 1986]

## PART 1507—FIREWORKS DEVICES

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AUTHORITY: 15 U.S.C. 1261-1262, 2079(d); 21 U.S.C. 371(e).

SOURCE: 41 FR 22935, June 8, 1976, unless otherwise noted.

CROSS REFERENCE: See also 1500.14(b)(7); 1500.17(a) (3), (8) and (9); 1500.83(a)(27) and 1500.85(a)(2).

## 16 CFR Ch. II (1-1-21 Edition)

### § 1507.1 Scope.

This part 1507 prescribes requirements for those fireworks devices (other than firecrackers) not otherwise banned under the act. Any fireworks device (other than firecrackers) which fails to conform to applicable requirements is a banned hazardous substance and is prohibited from the channels of interstate commerce. Any fireworks device not otherwise banned under the act shall not be a banned hazardous substance by virtue of the fact that there are no applicable requirements prescribed herein.

### § 1507.2 Prohibited chemicals.

Fireworks devices shall not contain any of the following chemicals:

(a) Arsenic sulfide, arsenates, or arsenites.

(b) Boron.

(c) Chlorates, except:

(1) In colored smoke mixtures in which an equal or greater amount of sodium bicarbonate is included.

(2) In caps and party poppers.

(3) In those small items (such as ground spinners) wherein the total powder content does not exceed 4 grams of which not greater than 15 percent (or 600 milligrams) is potassium, sodium, or barium chlorate.

(d) Gallates or gallic acid.

(e) Magnesium (magnesium/aluminum alloys, called magnalium, are permitted).

(f) Mercury salts.

(g) Phosphorus (red or white). Except that red phosphorus is permissible in caps and party poppers.

(h) Picrates or picric acid.

(i) Thiocyanates.

(j) Titanium, except in particle size greater than 100-mesh.

(k) Zirconium.

### § 1507.3 Fuses.

(a) Fireworks devices that require a fuse shall:

(1) Utilize only a fuse that has been treated or coated in such manner as to reduce the possibility of side ignition. Devices such as ground spinners that require a restricted orifice for proper thrust and contain less than 6 grams of pyrotechnic composition are exempted from §1507.3(a)(1).

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(2) Utilize only a fuse which will burn at least 3 seconds but not more than 9 seconds before ignition of the device.

(b) The fuse shall be securely attached so that it will support either the weight of the fireworks device plus 8 ounces of dead weight or double the weight of the device, whether is less, without separation from the fireworks device.

[41 FR 22935, June 8, 1976, as amended at 61 FR 67200, Dec. 20, 1996; 61 FR 67200, Dec. 20, 1996]

### § 1507.4 Bases.

The base or bottom of fireworks devices that are operated in a standing upright position shall have the minimum horizontal dimensions or the diameter of the base equal to at least one-third of the height of the device including any base or cap affixed thereto.

### § 1507.5 Pyrotechnic leakage.

The pyrotechnic chamber in fireworks devices shall be sealed in a manner that prevents leakage of the pyrotechnic composition during shipping, handling, and normal operation.

### § 1507.6 Burnout and blowout.

The pyrotechnic chamber in fireworks devices shall be constructed in a manner to allow functioning in a normal manner without burnout or blowout.

### § 1507.7 Handles and spikes.

(a) Fireworks devices which are intended to be hand-held and are so labeled shall incorporate a handle at least 4 inches in length (see §1500.14(b)(7)). Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four inches below the pyrotechnic chamber.

(b) Spikes provided with fireworks devices shall protrude at least 2 inches from the base of the device and shall have a blunt tip not less than 1/8-inch in diameter of 1/8-inch square.

### § 1507.8 Wheel devices.

Drivers in fireworks devices commonly known as "wheels" shall be securely attached to the device so that

they will not come loose in transportation, handling, and normal operation. Wheel devices intended to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.

### § 1507.9 Toy smoke devices and flitter devices.

(a) Toy smoke devices shall be so constructed that they will neither burst nor produce external flame (excluding the fuse and firstfire upon ignition) during normal operation.

(b) Toy smoke devices and flitter devices shall not be of such color and configuration so as to be confused with banned fireworks such as M-80 salutes, silver salutes, or cherry bombs.

(c) Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

### § 1507.10 Rockets with sticks.

Rockets with sticks (including sky-rockets and bottle rockets) shall utilize a straight and rigid stick to provide a direct and stable flight. Such sticks shall remain straight and rigid and attached to the driver so as to prevent the stick from being damaged or detached during transportation, handling, and normal operation.

### § 1507.11 Party poppers.

Party poppers (also known by other names such as "Champagne Party Poppers," and "Party Surprise Poppers,") shall not contain more than 0.25 grains of pyrotechnic composition. Such devices may contain soft paper or cloth inserts provided any such inserts do not ignite during normal operation.

### § 1507.12 Multiple-tube fireworks devices.

(a) *Application.* Multiple-tube mine and shell fireworks devices with any tube measuring 1.5 inches (3.8 cm) or more in inside diameter and subject to §1500.17(a)(12) of this part shall not tip over when subjected to the tip-angle test described in this section.

(b) *Testing procedure.* The device shall be placed on a smooth surface that can