

outside door of the IME Standard 22 compartment.

(g) Detonators that are classed as 1.4B or 1.4S and contain no more than 1 g of explosive (excluding ignition and delay charges) may be packed as follows in which case they are excepted from the packaging requirements of § 173.62:

(1) No more than 50 detonators in one inner packaging;

(2) IME Standard 22 container is used as the outer packaging;

(3) No more than 1000 detonators in one outer packaging; and

(4) Each inner packaging is marked “1.4B Detonators” or “1.4S Detonators”, as appropriate.

[Amdt. 173-224, 55 FR 52617, Dec. 21, 1990, as amended at 56 FR 66268, Dec. 20, 1991; Amdt. 173-236, 58 FR 50536, Sept. 24, 1993; Amdt. 173-253, 61 FR 27175, May 30, 1996; 68 FR 75743, Dec. 31, 2003; 71 FR 14602, Mar. 22, 2006; 76 FR 3371, Jan. 19, 2011; 78 FR 1084, 1113, Jan. 7, 2013; 78 FR 65480, Oct. 31, 2013; 81 FR 18539, Mar. 31, 2016; 87 FR 79776, Dec. 27, 2022]

§ 173.64 Exceptions for Division 1.3 and 1.4 fireworks.

(a) Notwithstanding the requirements of § 173.56(b), Division 1.3 and 1.4 fireworks (see § 173.65 for Division 1.4G consumer fireworks) may be classed and approved by the Associate Administrator without prior examination and offered for transportation if the following conditions are met:

(1) The fireworks are manufactured in accordance with the applicable requirements in APA 87-1A, 87-1B, and 87-1C (IBR, see § 171.7 of this subchapter);

(2) The device must pass a thermal stability test conducted by a third-party laboratory, or the manufacturer. The test must be performed by maintaining the device, or a representative prototype of a large device such as a display shell, at a temperature of 75 °C (167 °F) for 48 consecutive hours. When a device contains more than one component, those components that could be in physical contact with each other in the finished device must be placed in contact with each other during the thermal stability test;

(3) The manufacturer applies in writing to the Associate Administrator following the applicable requirements in APA 87-1A, 87-1B, and 87-1C and is no-

tified in writing by the Associate Administrator that the fireworks have been classed, approved, and assigned an EX number. Each application must be complete and include all relevant background data and copies of all applicable drawings, test results, and any other pertinent information on each device for which approval is being requested. The manufacturer must sign the application and certify that the device for which approval is requested conforms to the appropriate APA Standard, that the descriptions and technical information contained in the application are complete and accurate, and with respect to APA 87-1A that no duplicate application has been submitted to a fireworks certification agency. If the application is denied, the manufacturer will be notified in writing of the reasons for the denial. The Associate Administrator may require that the fireworks be examined by an agency listed in § 173.56(b)(1) of this part.

(b) [Reserved]

[78 FR 42477, July 16, 2013, as amended at 85 FR 75713, Nov. 25, 2020]

§ 173.65 Exceptions for Division 1.4G consumer fireworks.

(a) Notwithstanding the requirements of §§ 173.56(b), 173.56(f), 173.56(i), and 173.64, Division 1.4G consumer fireworks may be offered for transportation provided the following conditions are met:

(1) The fireworks are manufactured in accordance with the applicable requirements in APA 87-1A (IBR, see § 171.7 of this subchapter);

(2) The device must pass a thermal stability test. The test must be performed by maintaining the device, or a representative prototype of the device, at a temperature of 75 °C (167 °F) for 48 consecutive hours. When a device contains more than one component, those components that could be in physical contact with each other in the finished device must be placed in contact with each other during the thermal stability test;

(3) The manufacturer of the Division 1.4G consumer firework applies in writing to a DOT-approved Fireworks Certification Agency, and is notified in