

## NEW HAMPSHIRE PERMISSIBLE FIREWORKS ADVISORY COMMITTEE

Review of Emergency Removal of the Excalibur Brand Reloadable Mortar Kit  
*(Meeting called in accordance with RSA 160-C: 13, II)*  
 October 10, 2019 – 9:30 AM  
 NH Fire Academy – Auditorium

Meeting Minutes:

1) Call meeting to order / committee introductions:

- Meeting called to order by Rep. Welch – Committee Chair at 9:35 AM.

2) Quorum Call:

<b>NH House of Representatives</b>	Rep. David Welch, Chair	<input checked="" type="checkbox"/> Present
<b>NH Senate</b>	Senator Harold French	<input checked="" type="checkbox"/> Present
<b>Fireworks Retailers</b>	Mrs. Sarah Bergeron	<input checked="" type="checkbox"/> Present
	Vacant position	<input type="checkbox"/>
<b>Consumer</b>	Mr. Shawn Allison	<input type="checkbox"/> Absent
<b>NH State Police</b>	TFC Matthew Partington	<input checked="" type="checkbox"/> Present
	Standing in for Sgt. Michael McQuade	
<b>NH State Fire Marshal's Office</b>	State Fire Marshal Paul J. Parisi	<input checked="" type="checkbox"/> Present

3) Presentation of findings resulting in emergency removal:

- *Rep. Welch requested Investigator Christopher Wyman from the NH State Fire Marshal's Office to make a presentation of the investigation that resulted in the emergency removal action by Commissioner Quinn.*
- *Inv. Wyman stated that the product complaint came from Champny's Fireworks located in Bow, NH.*
- *Inv. Wyman stated that the owner of Champny's had notified Jake's Fireworks on Aug. 2, 2019 by email of the product problem and the customer complaints she had received. Inv. Wyman stated that representatives of Jake's Fireworks responded to that email stating that they were aware of the short fuse issue and were trying to get it fixed. However, no notifications were made to other businesses about the problem.*
- *Inv. Wyman stated that after the complaint was confirmed, all licensees in NH were contacted, and that four other stores stated that they found the same problem with their product.*

- *Inv. Wyman stated that a random sample of the Excalibur product was voluntarily provided to him by Champny's Fireworks, and that upon examination found three of the four kits contained in a case were "consistently inconsistent" when it came to overall fuse, and launch tube lengths.*
- *Inv. Wyman stated that Jake's Fireworks participates in the American Fireworks Standards Laboratory (AFSL) testing standard, and based on that document, reloadable mortar shell fuses are supposed to extend a minimum of 2" beyond the mouth of the launch tube.*
- *Inv. Wyman stated that according to the compliance certificates and test reports for the Excalibur product that was provided to him by Jake's Fireworks, the fuse length was supposed to be at least 16" inches long, and the launch tube length was supposed to be at least 13" inches long.*
- *Following the presentation of the investigative findings, Deputy Fire Marshal Danielle Cole of the NH State Fire Marshal's Office described for the committee the actions and considerations involved in Commissioner Quinn's emergency removal action.*

4) Committee questions / discussion in reference to findings:

- *Following the presentation Rep. Welch allowed members of the committee and audience members to ask questions about the findings.*

5) Recommendation to Commissioner Quinn reference proper classification of the Excalibur Brand Reloadable Mortar kit:

- *Fire Marshal Parisi asked if Inv. Wyman could provide the committee with an opinion if he felt that the Excalibur product was properly classified as a Consumer Firework according to 27CFR 555.11. Inv. Wyman responded that based on the product information available, it appeared that the Excalibur product was properly classified as such.*
- *Based on Inv. Wyman's response, Fire Marshal Parisi made a motion for the committee to recommend to Commissioner Quinn that the Excalibur brand (24 shell canister) Reloadable Mortar kit was properly classified as a Consumer Firework. Motion was seconded by Senator French. Rep. Welch called for the vote of the committee, vote was unanimous.*

6) Adjournment:

- *Motion by Fire Marshal Parisi, second by Senator French. Rep. Welch called for the committee vote, vote was unanimous.*

- *Meeting was adjourned at 10:01 am.*