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Good afternoon, as a 25 year member of the General Fireworks Advisory Committee, I appreciate the opportunity to provide comments on the January 24 th , 2026 “Public Safety Fireworks Enforcement Task Force Report.” Phantom Fireworks is thankful for the members of the fire services that donated their time to find potential solutions in the hopes of preventing another deadly, avoidable tragedy like the Esparto explosion.

It’s easy to read through the report and find numerous examples of recommendations that support this goal: Including the SFM in the container-to-port process, giving local law enforcement seizure authority over illegal fireworks, felony disqualification alignment, expanding import notifications to a container’s final destination, listing all storage locations on site plans, joint inspections, and enhanced AHJ training address tragedies like the July 2025 Esparto explosion, and the 2021 incidents in residential communities in Los Angeles and Ontario, CA. I, along with all members of the GFAC, want to see these avoidable incidents come to an end, and the bad actors (criminals) who knowingly disregard federal, state and local laws are caught before such tragedies occur.

I am proud of my work on the GFAC and Phantom Fireworks is proud to have been an integral part of shaping California’s fireworks policy for 25 years, and we have been a good partner to the state in working within the provided framework to make the California fireworks industry the safest in the country. However, some of the recommendations in this report don’t appear to be focused on moving towards the eradication of these tragedies. Phantom Fireworks supports the overwhelming majority of the recommendations in this report, however, there are several recommendations that appear to be nothing more than window dressing that will place undue burden on the legal, compliant, safe and sane fireworks industry, with no reciprocal challenge to the illegal, non-compliant, fireworks industry. Bad actors should be dealt with and any loopholes that exist to facilitate their nefarious enterprises should be slammed shut, but “headline victories” that don’t support these goals must be declared and avoided so the Task Force and the GFAC time isn’t wasted on empty efforts.

I’m happy to highlight some of the recommendations that we look forward to discussing at the next GFAC meeting in April. I would like to thank everyone involved with the Task Force for volunteering their time to ensure that we avoid these incidents in the future and continue to make California’s safety- first approach an example for others to follow.

Sincerely,
Linda Hass



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1. 1.4. Move License Scope From Statute To Regulation

This section vaguely mentions... The Task Force identified a need for the OSFM to change license scope and definitions.

Typically, the SFM has rulemaking authority to promulgate policy codified by elected officials. This recommendation would give the SFM significant policy authority, stretching well-beyond the currently prescribed rulemaking authority. While this would make such changes easier, at this time the GFAC isn't even certain what changes the Task Force identified.

At a minimum, the changes the Task Force found should be identified and discussed before any action is taken. Then, the GFAC can accurately discuss how this recommendation should be addressed without ignoring the intent of the legislature at the time the law went into effect.

2. 2.2 Safe and Sane Product Retesting

The Task Force recommends implementing periodic retests to confirm that products are continually manufactured to the same specifications as when initially tested. Additionally, the Task Force recommends that OSFM be granted the authority to conduct sampling and targeted retests, either randomly or upon receipt of information that the OSFM believes requires a retest.

What is the suggested trigger for retesting? Is a blanket requirement for everything, or is it in response to a specific call to action from a specific product? It's clear that the SFM should have the authority to retest an item that malfunctions and causes an injury, or items that have credible information to being overloaded or otherwise illegal, or unsafe. Consumer fireworks are handmade and any variance from the prescribed effect should be able to be verified and confirmed safe or not. If the recommendation is to simply retest everything at some specified interval, I'd ask what the imperative is that exposes the lack thereof as a "problem?"

Retesting items that warrant a second look should be welcomed by any law-abiding company in California. Blanket retesting of everything is merely a penalty to the law-abiding safe and sane fireworks industry, as well as an unnecessary cost and burden to the SFM office.



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3. 2.3.: Firework Identifications

The Task Force identified the difficulty in identifying dangerous fireworks from other fireworks. The Task Force recommends that the OSFM adopt regulations that specify more robust marking and labeling requirements for fireworks.

I don't understand this recommendation. Identifying dangerous fireworks vs California legal fireworks shouldn't be a problem for anyone charged with working within the fireworks industry. There are federal warnings mandated on all consumer fireworks that make this identification quick and easy. Adding another marking, seal, or QR code to the product, again, only punishes the law-abiding companies and doesn't address the current issue of fraudulent seals or other markings. If the field inspectors can not identify dangerous fireworks vs California-legal fireworks, further education and training is needed, not another marking on the label that can be easily compromised.

4. 2.7. Improve the OSFM's Testing Abilities

The Task Force recommends that the OSFM consider the need for fireworks lab testing and either reinstate an in-house laboratory or contract with a 3rd party for testing.

If this is used to test dangerous and illegal fireworks for misrepresented components or composition weights, and for the purpose of adding additional charges against those who break the law, then this recommendation has plenty of merit. If the purpose is only to scrutinize safe and sane fireworks, then this becomes an exercise and cost without a goal.

4. 3.2. Mirror the ATF Requirements for Applications

One key recommendation is to require a site plan for every fireworks storage location as part of each license application.

The Task Force also recommends adopting a process similar to the ATF's for updating company ownership or officer information on licenses.

In addition, the Task Force recommends verifying employees in a way that mirrors the ATF's employee-possessor process...



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Anyone dealing in 1.3G already does this as part of their ATF licensure. Why not require an ATF license to sell safe and sane so all of this is already captured? New Hampshire's fireworks laws are different, but to sell consumer fireworks there you must have an ATF license.

6. 3.5. Require Explosive Operational Permits at Renewal

The Task Force recommends that the OSFM require companies to provide a current Operational Permit from the Authority Having Jurisdiction (AHJ) as required by HSC 12640 when renewing their state fireworks license.

This is a good recommendation, but some acknowledgment must be made that not all AHJ's have the same abilities and staffing. Sometimes, the local process moves slow enough where this would create an unnecessary burden on law-abiding companies through no fault of their own. The suggestion is good and we hope it is included, but some timeline or "cure period" should be incorporated to address this.

7. 6.2. Disposal Funding Solutions

To address this issue, the Task Force recommends establishing a stable funding source based on the average annual cost of disposal. In addition, the Task Force discussed options to help offset expenses, including creating a buy-back program that allows the State to resell seized fireworks that are safe and legally permissible, thereby reducing waste and generating revenue. Another option discussed was to implement a civil cost recovery program requiring individuals from whom fireworks are seized to pay for disposal costs.

These are all reasonable suggestions, some already suggested by members of the GFAC years ago. But the most significant cost-savings option would be to discontinue the practice of labeling all seized fireworks as hazardous waste. If the fireworks aren't in a damaged state, then there's no reason to label them as hazardous waste, as opposed to the correct designation of hazardous material. Hazardous waste is significantly more expensive to transport and dispose of than hazardous material, and this change would represent an immediate savings to the state before any of these options would be implemented.