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State Fire Marshal

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DATE: July 31, 2012

TO: Minnesota Retailers Association
400 Robert St N # 1540
Saint Paul, MN 55101

As Minnesota State Fire Marshal, I'm submitting this open letter to your members and asking you to share it with them in the interest of safety and property preservation.

Summertime in Minnesota brings more outdoor weddings, celebrations and cultural events. Often, these events include the use of items defined by Minnesota law as fireworks.

Some fireworks retailers sell items called "Sky Lanterns" or "Celebration Lanterns." They require heat from a candle to raise them skyward, where they blow out of sight and land wherever fate drops them. The devices are illegal in Minnesota because they pose a distinct fire and safety threat to buildings, homes, natural settings and livestock.

When Minnesota fireworks law was revised in 2002 to legalize non-explosive, non-aerial fireworks, sky lanterns remained unlawful for consumer use. Minnesota Statute 624.20 Subdivision 1 (a) describes them in a list of illegal items as "...the type of balloons which require fire underneath to propel them."

Minnesota Statute 624.21 states in part that: "Except as otherwise provided in sections 624.20 to 624.25, it shall be unlawful for any person to offer for sale, expose for sale, sell at retail or wholesale, possess, advertise, use, or explode any fireworks."

Minnesota Statute 624.25 (3) states that: "Any person violating the provisions of sections 624.20 to 624.24 ... may be sentenced to imprisonment for not more than 90 days, or to payment of a fine of not more than \$1,000, or both."

While the statutes are not simple to sort out, the bottom line is this: *It is illegal to sell or use sky lantern devices within the state of Minnesota.*

At present, the State Fire Marshal Division is not actively confiscating these items or seeking legal action against retailers who have sold them in the past, but instead is providing information to retailers so they can voluntarily remove these items from their shelves. Consumers who have already purchased sky lanterns should be encouraged to return them for refund or dispose of them safely without using them.

For more information on Minnesota fireworks law, visit the Minnesota State Fire Marshal Division website at: <https://dps.mn.gov/divisions/sfm/programs-services/Pages/Fireworks-Information.aspx>

A handwritten signature in black ink, appearing to read "Tony Rosendahl".