



## SALE OF UNAPPROVED FIRE EXTINGUISHERS IN NEW YORK

It has come to OFPC's attention that that fire extinguishers, that do not meet the requirements of General Business Law section 391-j, are being offered for sale in New York State through various retail establishments.

The sale of fire extinguishers in the State of New York is governed by the General Business Law, section 391-j which provides that is unlawful for any person, firm or corporation to sell or offer for sale, fire extinguishers unless the fire extinguishers offered for sale:

- Meet the current National Fire Protection Association standards for fire extinguishers of the model offered for sale and are labeled as having met such standards;
- Have been tested and approved by Underwriters Laboratory, Factory Mutual or other nationally accredited or accepted testing laboratory and are labeled as having been tested and approved; and
- Have labeling securely affixed containing the following information:
  - ◇ Operating instructions;
  - ◇ The class or rating identifying kinds of fires which the particular extinguisher is suitable to be used on. This information shall be presented by use of the appropriate letter rating and pictorial marking representations; and
  - ◇ Are accompanied with an instructional manual that has information detailing operational use, basic fire safety information, information on how and where to have the extinguisher serviced or recharged by an authorized dealer or refers the customer to his local fire department and any information pertaining to checking the extinguisher's contents for operational use by the owner.



The sale of unapproved fire extinguishers in New York, such as the Tundra, manufactured by BRK Brands and marketed by First Alert, is unlawful. A knowing violation is punishable by a civil penalty not to exceed five hundred dollars for a first violation and ten thousand dollars for each successive violation.

Fire officials are encouraged to share this information with retailers in their jurisdiction in an effort to prevent the sale of this prohibited product through awareness and education.

If you have further questions, please contact Chief Paul D. Martin of the Bureau of Fire Prevention at (518) 474-6746.



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