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Information Concerning *Professional Use Only* Items:

All Spirit of '76 *Professional Use Only* items meet the powder weight requirements for consumer fireworks, but are not intended for consumer use or retail sales. These items are intended for use by experienced professional fireworks display operators.

Professional Use Only items require special training and equipment (beyond that of Consumer Fireworks UN0336) to setup and operate. Spirit of '76 must receive proof of training or competency in addition to a signed copy of the authorization form below before your account can be authorized to purchase these items.

USDOT - All Spirit of '76 *Professional Use Only* items are classified as *Articles Pyrotechnic* UN0431 (1.4G) or UN0432 (1.4S) by the U.S. Department of Transportation (49 CFR 172.101). Regulations apply when transporting in commerce. Placards required & made available when picking up more than 1000lb gross weight 1.4g items.

ATF - Importation, storage, and distribution of *Articles Pyrotechnic* (UN0431 & UN0432) is generally exempt from federal ATF explosives laws and regulations. You do not need an ATF license to purchase, however we will accept an ATF license as proof of training or competency.

State/Local - State and local laws or regulations may apply to the storage and use of these items. It is the responsibility of the buyer to be aware of and adhere to all laws and regulations of the destination.

All buyers should obtain and be familiar with NFPA 1123: Code for Fireworks Display and/or NFPA 1126: Use of Pyrotechnics before a Proximate Audience. These codes have been adopted by most states and are available from NFPA at www.nfpa.org or by calling 1-800-344-3555.

The Pyrotechnics Guild International Display Operator Certification is recommended as additional training & accepted by us as proof of training. Information about the PGI DOC can be found at www.pgi.org/training/

Spirit of '76 reserves the right to withhold sales of *Professional Use Only* to any individuals for any reason.

Professional Use Only Authorization

Please return a signed a signed copy of this form along with a proof of training or competency to your sales rep. Both documents must be on file before we can authorize your account to purchase *Pro Use Only* Items.

Examples of acceptable proof of training or competency include:

- State issued Display Operators License – aka: shooters license
- State issued fireworks importer, exporter, or distributor license
- FEL (Federal Explosive License) – aka: ATF License (Type-51, Type-54, etc)
- PGI training certificate
- APA training certificate
- Training certificate from reputable company
- Permit to shoot from state or local fire Authority Having Jurisdiction (AHJ)

All "Professional Use Only" (Articles Pyrotechnic UN0431) items are sold and shipped upon the presentation by the buyer that the product will be used strictly in accordance with the laws of the state of destination. It is the buyers' responsibility to be aware of the laws of the state of destination and to follow them. Buyer represents and warrants to Spirit of '76 (Seller) that he/she is authorized under the laws of the state of destination to purchase, store and use Articles Pyrotechnic (UN0431 & UN0432). All products are sold upon the condition that the seller, Spirit of '76, shall not be liable in any civil action for any arrest, accident, or injury occasioned during the transportation, handling, storage, or use of said product. The buyer represents that he/she is aware of the dangers of fireworks and willing to assume full responsibility for the use of them. The Buyer specifically agrees that he/she will not hold the seller liable for any claims that may arise from the use, storage, or transportation, of the seller's product. The Buyer understands and acknowledges the significance and consequences of such specific intentions to release all future claims against the seller. **Furthermore, the buyer agrees that he/she will not make any "Professional Use Only" items available for retail sales.** Spirit of '76 is relying upon the statements made by the Buyer herein.

(Buyer) First Name _____

Last Name _____

(Buyer) Signature _____

Date _____