

Brian Sandoval
Governor



Chris Perry
Director

Peter J. Mulvihill, P.E.
State Fire Marshal

State Fire Marshal Division

Stewart Facility
107 Jacobsen Way
Carson City, NV 89711
(775) 684-7501 • Fax (775) 684-7518

March 6, 2013

All State of Nevada Fire Agencies

Re: Sale of Unapproved Fire Extinguishers in Nevada

The Nevada State Fire Marshal Division is sending you a Safety Alert issued by the Division regarding the sale of unapproved fire extinguishers in Nevada.

The attached letter and Safety Alert is being sent out to all retail outlets licensed by our Division to sell portable fire extinguishers at retail. We are asking your help in getting the word out about these unapproved extinguishers.

Please read the attached safety alert and call or email Danny Brennan at 775-684-7526 with any questions you may have.

Sincerely,

Peter J. Mulvihill, P. E., Chief
State Fire Marshal Division
Nevada Department of Public Safety

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Fire Extinguisher Retail Outlets in Nevada

Re: Sale of Unapproved Fire Extinguishers in Nevada

The Nevada State Fire Marshal Division is sending you a Safety Alert regarding the sale of unapproved fire extinguishers in Nevada.

The attached Safety Alert describes various aerosol spray can type products represented to be fire extinguishers. These products have not been tested and listed by a nationally recognized testing laboratory (such as UL or FM Global) for use as portable fire extinguishers complying with adopted design and safety standards and may be ineffective or unsafe. If your retail location is currently selling these types of extinguishers, you must immediately cease and remove all such products from sale.

Continued sale or offer to sell these unlisted products is a violation of Nevada Administrative Code Sections 477.405 and 477.407 and carries penalties in accordance with Nevada Revised Statute Section 477.250.

Please read the attached Safety Alert and call or email Danny Brennan at 775-684-7526 or dbrennan@dps.state.nv.us.

Sincerely,

Peter J. Mulvihill, P. E., Chief
State Fire Marshal Division
Nevada Department of Public Safety



March 6, 2013

SAFETY ALERT



SALE OF UNAPPROVED FIRE EXTINGUISHERS IN NEVADA

The Nevada State Fire Marshal Division has become aware of fire extinguishers which do not meet the requirements, as set forth in Nevada Administrative Code (NAC) chapter 477, being offered for sale in Nevada through various retail establishments.

The sale of fire extinguishers in the State of Nevada is governed by the NAC sections 477.281, 477.405 and 477.407 and Nevada Revised Statute (NRS) 477.250, which provides that it is unlawful for any person, firm or corporation to sell or offer for sale, fire extinguishers unless the fire extinguishers offered for sale have been approved as follows:

NAC 477.405 Approval of equipment; prohibited equipment; label required. (NRS 477.030)

1. No portable fire extinguisher or component of a fixed fire extinguishing system may be sold or leased in this State unless it has been approved, labeled or listed by Underwriters Laboratories Inc., Underwriters' Laboratories of Canada, FM Global Technologies LLC, Applied Research Laboratories, the United States Coast Guard or any other testing laboratory approved by the State Fire Marshal. *(The Nevada State Fire Marshal only recognizes NFPA 10 compliant extinguishers per NAC 477.281, paragraph 2 (a).)*
 2. No portable fire extinguisher or fixed fire extinguishing system may be sold, leased, installed or serviced in this State if it uses as an extinguishing agent carbon tetrachloride, chlorobromomethane, methyl bromide, trichlorotrifluoroethane or any other agent which has not been accepted by a laboratory approved under subsection 1. Any accepted fire extinguishing agents must be approved by the State Fire Marshal or the authorized representative of the State Fire Marshal. Plans for proposed Halon installations must be submitted to the State Fire Marshal or the authorized representative of the State Fire Marshal with an application for approval. No portable fire extinguisher containing Halon as an extinguishing agent may be sold or used except as approved by the authority having jurisdiction for use in commercial occupancies or other special applications.
 3. Inverting type extinguishers may not be hydrostatically tested. Each such extinguisher which becomes due for hydrostatic testing must be permanently removed from service.
 4. Each portable fire extinguisher must bear a label which includes the following information:
 - (a) The unit is a fire extinguisher.
 - (b) The manufacturer's name.
 - (c) The date of manufacture.
 - (d) The designation of the model.
 - (e) The numerical rating and classification.
 - (f) The weight full and empty.
 - (g) The extinguishing agent.
 - (h) The test pressure determined by the manufacturer.
 - (i) The testing laboratory's listing label.
 - (j) The freezing limits, if applicable.
 - A label bearing this information must not be removed from the extinguisher except when it has failed to pass the tests or other requirements of this chapter.
- [St. Fire Marshal, §§ 2.201-2.203, eff. 11-27-78]—(NAC A 1-19-84; 3-9-89; 2-17-94; R220-99, 9-25-2000; R062-04, 9-3-2004)

NAC 477.407 Advertising and sales: Devices for suppressing fire. (NRS 477.030) A device for suppressing fire must not be sold or advertised as a fire extinguisher, provided as part of other sales, or represented, either orally or by written word, to be a fire extinguisher unless it meets the requirements for a fire extinguisher pursuant to this chapter.
(Added to NAC by St. Fire Marshal, 8-22-86, eff. 9-1-86; A by R220-99, 9-25-2000; R090-10, 12-30-2011)

PENALTIES

NRS 477.250 Violation of chapter; each day of violation constitutes separate offense.

1. Any person who knowingly violates the provisions of this chapter or any of the regulations adopted by the State Fire Marshal is guilty of a misdemeanor.
2. Each day on which a violation occurs is a separate offense.
(Added to NRS by 1967, 153; A 1979, 127)—(Substituted in revision for NRS 477.060)

All spray type extinguishers that do not bear the NFPA 10 compliant listing are considered unlawful for sale in the State of Nevada.

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

If you have further questions, please contact the Nevada State Fire Marshal Division at: (775) 684-7526 or email us at: sfm@dps.state.nv.us

BELOW ARE SOME EXAMPLES OF PROHIBITED PRODUCTS RECENTLY SEEN THROUGHOUT NEVADA

