



OREGON

STATE FIRE MARSHAL

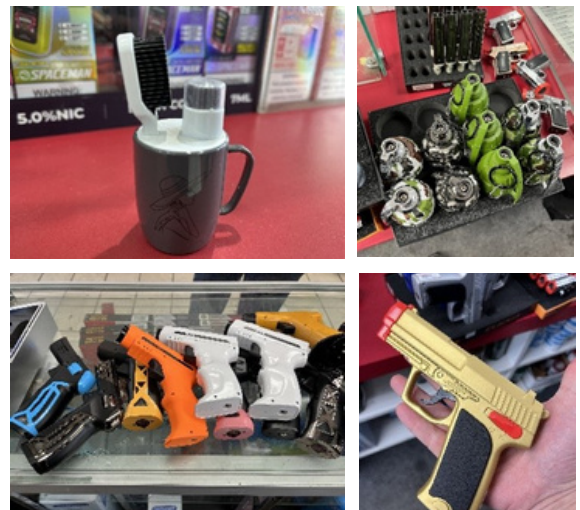
NOVELTY LIGHTER EDUCATION & ENFORCEMENT GUIDELINE

This guideline provides general direction to OSFM Deputy State Fire Marshals and fire marshals from the Oregon fire service for addressing the sale or distribution of novelty lighters.

Under ORS 476.831 to 476.856 and OAR 837-046-0000 to 837-046-0180 novelty lighters are prohibited from being manufactured, distributed, or sold in Oregon. A novelty lighter is defined as a lighter that has misleading design, audio effects or visual effects, or that has other features of a type that would reasonably be expected to make the lighter appealing or attractive to a child less than 10 years of age. Misleading design applies to lighters of all types and includes lighters that resemble or imitate:

- *Cartoon characters, figurines or action figures*
- *Toys or game pieces*
- *Musical instruments*
- *Vehicles*
- *Human body parts*
- *Food, beverages or food or beverage packages*
- *Weaponry*
- *Furniture*
- *Sports equipment*
- *Holiday decoration*
- *Tools*
- *Household products*

EXAMPLES



EXCEPTIONS

- *A lighter manufactured before January 1, 1980*
- *A lighter that has been rendered permanently incapable of producing a flame or otherwise causing combustion*
- *A lighter with only logos, decals, decorative artwork or heat-shrinkable sleeves*



**NOVELTY
LIGHTER
WEBPAGE**



**REGULATORY
SERVICES
CONTACT EMAIL**

IF YOU DISCOVER OR RECEIVE INFORMATION ABOUT NOVELTY LIGHTERS BEING DISTRIBUTED OR SOLD IN OREGON:

1. Contact the manager or owner of the business and advise/educate them about the prohibition of selling these types of lighters. Provide a brochure from:

- a. Oregon State Fire Marshal : Novelty Lighters : Industry : State of Oregon
- b. osfm.lp@osfm.oregon.gov

2. Ask to see all the lighters they sell and assess which ones meet the definition of a novelty lighter.

TIP: *The appearance of some lighters may up for interpretation if they have a design other than a lighter. It is highly recommended you believe a type of lighter meets the definition of a novelty lighter before advising it must be removed from sale. Example, some torch lighters may somewhat resemble a cordless drill due to its shape but lack some of the features a cordless drill has.*

3. Take photos of the non-compliant lighters.

4. Advise the lighters that meet the definition must be removed for sale and no longer sold or provided. (Witness the lighters are removed from sale)

5. Suggest they work with their supplier to return them and receive a refund or credit.

- a. If you are at a retail location, ask for the business name of the supplier and their contact information. The OSFM will then contact them and advise of the prohibition.

NOTE: *It is strongly suggested the lighters are not seized. If they are, they will likely need to be catalogued, stored, and ultimately destroyed.*

6. If the manager or owner is not willing to comply, advise them daily penalties may be imposed by the State Fire Marshal in the following amounts.

- a. **\$1000 per day for Wholesalers.**
- b. **\$500 per day for Retail sellers.**

7. Once satisfied the lighters are removed from sale and compliance is achieved, after leaving the location draft a brief narrative describing what took place and what the outcome was. Send it to the OSFM along with any pictures of the non-compliant lighters. Include the following information:

- a. **Business name**
- b. **Site address**
- c. **Name of person(s) you spoke with**
- d. **Summary of what took place**
- e. **The outcome**
- f. **Name and contact of the supplier/distributor (if applicable)**
- g. **Any other information you think is pertinent.**

Email everything to osfm.lp@osfm.oregon.gov