



APPROVED GUIDELINE FOR CONSUMER FIREWORKS  
WRITTEN BY THE SOUTHERN NEVADA CONSUMER  
FIREWORKS CODE COMMITTEE

**SOUTHERN NEVADA CONSUMER FIREWORKS CODE  
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## **CONSUMER FIREWORKS**

### **I. SCOPE**

This guideline defines the parameters and guidelines for the approval of authorized consumer firework wholesalers in Southern Nevada and serves to define the class and category of fireworks that are allowable for sale and use in Southern Nevada. The scope of this guideline also provides the issuance of permits for the sale and storage of fireworks classified as U.N. explosive class 1.4G “consumer fireworks” (formerly class C fireworks).

### **II. REFERENCE**

International Fire Code (IFC), Jurisdictional amendments, NFPA 1124, Code for the Manufacture, Transportation, Storage, Retail Sales of Fireworks and Pyrotechnic Articles and the AFSL Standard 101, 104, 105, 106, 110, 114 and 115, 2018 version.

- The current Fire Code and / or amendments in effect for the specific jurisdiction.
- Testing procedures outlined in this document will apply to all potential Wholesalers and booth operators looking to sell approved fireworks in Southern Nevada.

### **III. PURPOSE**

To standardize requirements, throughout Southern Nevada, with all jurisdictions, regarding the issuance of permits for the sale, storage and use of U.N. explosive class 1.4G “consumer fireworks.”

### **IV. REGULATIONS FOR FIREWORKS**



1. Except as hereinafter provided, it shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail, or use or explode any consumer fireworks, provided that the AHJ shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks by persons, corporations, associations, or other organizations.
2. The retail sale of fireworks shall only take place in fire department / fire code official authorized fireworks retail sales stand / booth by recognizable local charitable and not for profit organizations. A permit shall be obtained from the local AHJ.
3. No person, firm or corporation shall offer fireworks for sale to the public before the 28<sup>th</sup> day of June or after the 4<sup>th</sup> day of July each year.
4. The possession, storage, and use of approved consumer fireworks accepted by the SNCFCC and the AHJ is permitted only from June 28<sup>th</sup> through July 4<sup>th</sup>.
5. Ignition of fireworks shall be done in a manner that will not endanger persons, buildings, structures, property, brush, automotive vehicles and/or equipment, etc.

## V. GENERAL REQUIREMENTS

This document is a guideline provided as a public service and is not intended to be a reprint of every code section that addresses this issue. The user of this document is required to comply with all code requirements, laws, ordinances, etc., Authority Having Jurisdiction (AHJ) or otherwise which apply to the sales, storage and use of fireworks. The AHJ may require more stringent conditions than noted in this document.

- All product being used for retail sales, transporting, possess, store or manufactured must be through a Nevada State licensed, federally licensed and SNCFCC approved wholesaler.
- A permit shall be obtained for the storage and sale of fireworks. The wholesaler shall submit an application for a storage site, and each retail site (fireworks retail sales stand/booth). Said application shall be made on a form supplied by the AHJ.



- The AHJ shall review the permit packets and either approve or disapprove them within a reasonable time frame.
- The issuance of a permit for the sale and storage of fireworks shall not preclude the AHJ from subsequently revoking the permit, imposing additional requirements, or supplementing any existing requirement whenever, in the opinion of the above, later information or newly discovered conditions justify such actions.

## **VI. PERMITS**

Unless otherwise approved by the fire code official, wholesalers are required to obtain a permit from the AHJ for the location where their approved storage yard will be located. All permits must be approved by the AHJ prior to the possession and storage of fireworks and/or transportation of fireworks to or from the yard.

Permits shall be kept on the storage premises at all times. Said premises shall be subject to inspection by fire or police department personnel or other authorized persons upon request.

To obtain a permit, the applicant shall contact the AHJ in which they will be storing and/or selling fireworks so their individual process can be followed.

## **VII. REVOCATION OF PERMITS**

The sale of fireworks is a privilege, which may be suspended or revoked by the AHJ when it is determined that any of the following occurred:

1. A permit is used by an organization other than the organization for which the permit was issued.
2. A permit is used for a location other than that for which it was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.



4. The permittee fails, refuses, or neglects to comply with any order or notice duly served upon him or the organization under the provisions of jurisdictional requirements and / or this guideline within the time provided therein.
5. Fireworks are discovered to be stored at a location other than indicated on the application for permit.
6. The permittee sells any fireworks that were not obtained from a committee-approved wholesaler.
7. Any fireworks, specifically not on the approved list, that are found on the premises (to include vehicles and trailers) are grounds for revocation of permit.
8. Any violations discovered by local authorities that is against this guideline, local laws or local jurisdiction requirements.

## **VIII. WHOLESALER REQUIREMENTS**

Any company or business entity that seeks to become an approved wholesaler must submit all required documents, AFSL firework testing sheets, and other items listed for approval no later than December 31st of the calendar year prior to the sale season. Example... if you wish to sell during the July 2020 season all required documents must be received, all requirements met, and submission would be allowed no later than December 31, 2019. As of 2020, there will be an annual acceptance of wholesaler applications.

1. Prospective wholesalers must have an active business license within each Jurisdiction in which they plan to do business.
2. Wholesalers must have a business license issued by the State of Nevada.





3. Wholesalers are to inform the Authority Having Jurisdiction, in writing, within a timeframe acceptable to the AHJ, as to where they are proposing to store their products
4. Wholesalers will follow all applicable rules and regulations when transporting fireworks.
5. All wholesalers shall produce and maintain a certificate of insurance in an amount deemed adequate by the AHJ. The certificate of insurance shall comply with the locally adopted Fire Code, “Certificate of Insurance” requirements. Each booth location operated within a specific jurisdiction must be listed on the contract.
6. Only registered non-profit entities may enter into a contract agreement with approved wholesalers to operate retail sales booths.
7. Wholesalers shall be required to present a copy of the guidelines and ensure the retailer understands the contents of the guideline.
8. Upon request, wholesalers will provide the AHJ with the logs for each night’s return of fireworks.
9. The wholesaler shall submit one completed permit application with supporting documentation for each proposed fireworks retail sales stand / booth location.

## **IX. ORIENTATION MEETING FOR WHOLESALERS AND RETAIL BOOTH OPERATORS**

Each wholesaler will be directly responsible for holding online or in-person training for each selling season.

The SNFCC will annually review each wholesaler’s training videos and all information that will be presented to booth operators.



Each retailer will be required to attend the training course prior to the issuance of a certificate of attendance. The certificate of attendance is required for retailer approval to sell fireworks.

## **X. FIREWORK RETAIL STANDS/BOOTHS**

Wholesalers shall provide instruction / demonstration to the retailers on the proper method of stand / booth setup prior to the use of the fireworks retail sales stand / booth.

### **1. INSPECTIONS**

- a. Fireworks stands/booths shall be inspected and approved by the AHJ at any time between June 28<sup>th</sup> and July 4<sup>th</sup>.
- b. The AHJ shall reserve the right to re-inspect a previously inspected and/or approved fireworks stands/booths between June 28<sup>th</sup> and July 4<sup>th</sup>.

### **2. CONSTRUCTION REQUIREMENTS FOR BOOTHS/STANDS**

- a. All fireworks retail sales stand / booths, used for sales of fireworks, must be approved by the AHJ.
- b. The fireworks retail sales stand / booth construction must be structurally sound and placed on a flat, approved surface.
- c. Fireworks retail sales stand / booth shall not exceed 16 feet 6 inches in length or 8 feet in width. *Exception:* Any fireworks retail sales stand / booth exceeding these dimensions must be approved by the AHJ prior to construction.



- d. Siding and roof shall be made of ¼-inch or thicker plywood (or comparable material) or other approved non-combustible materials.
- e. The use of converted travel-type trailers will require prior approval from the AHJ.
- f. The fireworks retail sales stand / booth shall have no less than two (2) exits (minimum of 6 feet in height and 2 feet in width). The counter shall **not** be considered an exit. Exit path shall be free and clear of all obstructions at all times.
- g. All electrical wiring and appliances shall meet the requirements of the National Electrical Code.
  - i. Electrical wiring and lighting shall be “U.L.” listed for outside use when exposed to the elements.
  - ii. Electrical wiring shall be properly sized for its use
  - iii. All electrical wiring shall be protected from physical injury
- h. Tarps shall be allowed to be attached to the roof for protection from the elements when the following conditions are met:
  - i. Tarps shall be flame retardant and shall indicate this via certificate from the manufacture, on packaging (if indicated on packaging, the package shall remain with the tarp at all times) or on the tarp(s) itself.
  - ii. Tarps shall be firmly secured in a manner so that not more than one (1) foot of the tarp hangs over the edge of the roof edges of the stand / booth.
  - iii. Tarp must not block the “No Smoking” symbol or signs
  - iv. Tarps must be removed by organization at end of sale season
  - v. Method(s) for securing tarps allowed:
    - 1. Attach tarp using a screw and washer through each grommet
    - 2. A minimum one (1) inch screw shall be used to secure the tarp.





- i. “NO SMOKING” signs in English and Spanish shall be conspicuously and permanently posted on all four exterior sides of the fireworks retail sales stand / booth. The lettering shall be at least 3 inches in height, and be against a color-contrasting surface so it can be easily seen.
- j. In lieu of item i. above, the international symbol for “No Smoking” can be stenciled above the exit doors on the exterior of the fireworks retail sales stand / booth.
- k. An approved minimum rated 2A:10BC fire extinguisher(s) is required in each fireworks retail sales stand / booth.
- l. The extinguisher must be installed prior to stocking of product, and must be mounted to wall of booth, 4 inch off the floor up to 5 ft. high.
- m. The extinguisher must have a current inspection tag from a Nevada State Licensed Contractor.

### 3. LOCATION/DISTANCES/ATTACHMENTS

- a. Fireworks retail sales stand / booths shall be located in areas so they do not endanger persons, buildings, structures, property, brush, automotive vehicles and/or equipment. Booths shall be located away from other hazards as outlined in the following table:



Minimum separation distances from fireworks retail sales stand / booth

<b>OTHER:</b>	<b>10 feet</b>	<b>20 feet</b>	<b>30 feet</b>	<b>50 feet</b>
<p><u>Roof Tarps:</u> can be attached to the roof, be flame retardant, secured firmly with 1 inch screw and washer through the grommet, cannot hang over more than 1 foot over the edge or block the no smoking signs, must be removed by you at the end of the season.</p> <p><u>POP UPS:</u> Can be placed up against the booth but not attached to the booth, must be secured by water barrel or sand to keep it from flying as not to danger persons, structures, property and vehicles</p>	<p>Vehicle Parking, Curb or edge of roadway, street, or driveway, etc., Air / Water dispensers</p>	<p>Buildings, Tents, Fireworks Storage, Temp Generators and extra fuel, Underground storage tank fuel fill ports</p>	<p>Combustibles (including empty product boxes, dry grass, dry brush and any combustible debris)</p>	<p>Motor vehicle fuel dispensers, Propane dispensers, Compressed natural gas dispensing facilities, Aboveground storage tanks for flammable or combustible liquids, flammable compressed gasses including propane, Any cooking equipment (BBQ's), Ignition Sources (Matches, lighters etc.), 50 feet minimum from other fireworks stands/booths</p>

**XI. RETAILER REQUIREMENTS**



1. Retailers shall be limited to local charitable, fraternal, and nonprofit organizations and shall obtain a permit from the jurisdiction through the approved wholesaler, for possession, storage, transportation, sales, and/or use of fireworks prior to storage or sale of fireworks.
2. A proof of orientation attendance certificate.
3. A copy of this guideline shall be readily accessible within the fireworks retail sales stand / booth. Every worker in the booth shall sign the check-in sheet indicating that they have read and understand the guideline.
4. Permits shall be kept in the fireworks retail sales stand / booth at all times. Permits shall be made available for inspection by fire or police department personnel or other authorized persons, upon request.
5. Fireworks shall not be ignited, discharged, or otherwise used within 300 feet of a consumer fireworks retail sales stand / booth or store, gasoline service station buildings, gasoline dispensers, flammable or combustible liquid tank fill or vent lines, above ground flammable or combustible liquid tanks or any building, structure or vehicle containing unsealed flammable or combustible liquids, hazardous materials, or explosives. At least one sign that reads as follows, in letters at least 4in high on a contrasting background shall be conspicuously posted on the exterior of each side of the consumer fireworks stand / booth. "No fireworks discharge within 300 feet".
6. No persons under 16 years of age shall be allowed to sell consumer fireworks. No person under age 14 shall be allowed in the stand or the booth.
7. Consumers must be at least 16 years of age in order to purchase any type of fireworks.
8. Booths must have at least one adult (age 18) in the fireworks retail sales stand / booth at all times during operation.



9. Storing materials and products in fireworks retail sales stand / booths overnight require only one (1) person, minimum 18 years of age or older, to remain alert and awake at all times.
10. Any person selling consumer fireworks shall not knowingly sell consumer fireworks to any person who is obviously under the influence of alcohol or drugs.
11. Smoking shall not be permitted inside or within 50 feet of the consumer fireworks retail sales stand / booth
12. Only fireworks obtained from an approved Wholesaler, which appear on the "approved" consumer fireworks product list of that calendar year as approved by this committee and/or the AHJ shall be displayed in booths, for sale and on booth premises.
13. Extra product storage shall be neat and orderly under the shelving.
14. Matches, lighters and other sources of ignition shall not be located in the fireworks retail sales stand / booth or within 50 feet of booths.
15. Portable generators shall be located not less than 20 feet from the consumer fireworks retail sales stand / booth in accordance with the above listed spacing chart.
16. Portable “gasoline” generators shall be permitted provided the fuel tank quantity is limited to 2 gallons. (Class I flammable liquids).
17. Portable “diesel or kerosene” generators shall be permitted provided the fuel tank quantity is limited to 5 gallons. (Class II and Class III Combustible Liquids)
18. Generator fuels shall not be stored less than 20 feet from the consumer fireworks retail sales stand / booth, and shall be limited to not more than 3 gallons. Where the generator fuel storage is located greater than 50 feet



from the consumer fireworks retail sales stand / booth, the quantity of such fuel shall not be limited.

19. Cooking equipment of any type shall not be permitted within 50 feet of fireworks retail sales stand / booths, used for the storage or sale of consumer fireworks.
20. No motor vehicle or trailer parking within 10 feet of a fireworks sales stand or booth.
21. No motor vehicle or trailer carrying or storing consumer fireworks shall be parked within 20 feet of a fireworks stand / booth, except when delivering, loading, or unloading fireworks or other merchandise and materials used, stored or displayed for sale in the fireworks retail sales stand / booth. The vehicle or trailer must be covered when stored.
22. There shall be no storage permitted at any location unless the location is approved for that use by the AHJ. In no case shall storage of consumer fireworks be permitted in residential neighborhoods, dwellings, garages, public ways or driveways.
23. Available inventory records shall be maintained in the fireworks retail sales stand / booth when there is product on site. The approved consumer fireworks product list shall be maintained in the fireworks retail sales stand / booth at all times when there is product on site.

## **XII. TESTING AND ACCEPTANCE OF FIREWORKS**

Each firework item to be offered for sale in Southern Nevada shall be submitted to this committee for testing and approval. To be considered for testing and approval, all fireworks shall meet and comply with AFSL Standards for Consumer Fireworks dated October 2018, standards 101, 104, 105, 106, 110, 114, and 115.

AFSL standards define and outline the genre and the proper functions of items. All items submitted to this committee for approval shall be accompanied by a product





composition sheet and an official AFSL testing sheet, unless approved by the *Fire Code Official*. The associated testing sheet cannot be more than three years old. A specific date will be scheduled with each approved wholesaler to test all new and existing items. The actual product and its associated ASFL testing sheet will be required for each item submitted for approval, unless approved by the *Fire Code Official*.

The committee will select up to 10% of the approved wholesalers list of approved items for annual spot check testing. Testing will include those items on the five (5) year list. This testing will consist of five samples of the item with five out of the five passing the performance test as outlined in the AFSL standards listed above. Items that fail may be re-tested based on the availability of the SNCFCC testing committee.

### **XIII. TESTING AND ACCEPTANCE PROCEDURES**

Based on the requirements set forth in the APA (American Pyrotechnics Association) Standard 87-1

#### **A. General**

- a. It shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at wholesale or retail, or use or explode any fireworks.

Exception: Fireworks that meet all provisions of this rule and regulation and have been field-tested, witnessed and accepted by the Southern Nevada Consumer Fireworks Code Committee.

- b. A minimum of 3 samples of each U. N. explosive class 1.4 G “consumer firework” devices due for renewal testing and new devices not previously tested and approved for sale by the SNCFCC shall be submitted to the SNCFCC for testing and acceptance no later than the 30<sup>th</sup> day of April of the current sales year. Items will be tested using the “Consumer Fireworks Product test Form.” Pass/fail criteria is outlined below and listed on the form.



c. Re-testing

- i. Any item which fails the initial test may be submitted for retesting.
  - ii. The re-test will consist of five of the same item. These items must pass, or a second test of five of the same item can be conducted. If that item does not pass, it will not be included in that year's sales.
- d. The SNCFCC may revoke prior acceptance of any fireworks item due to the changing in any way of the item by the manufacturer, wholesaler, retailer, or any other person(s).
- e. Every five (5) years the SNCC shall test all fireworks and develop and "approved for sale" list.
- f. Handheld devices shall be tested annually, this excludes novelties.
- g. MSDS/AFSL test sheets will be required for each product unless approved by the *Fire Code Official*. This information can be provided to the committee using the packing information form or sheet.

B. Safe and Sane Labels

- a. All locally accepted fireworks shall have a California State Fire Marshal's "Safe and Sane" label printed on the item, or, in the case of small items, the item box shall have the State Fire Marshal's "Safe and Sane Seal" on it. NO Safe and Sane "Stickers" will be allowed.

C. Packaging

- a. All product EX numbers must be provided to the committee for testing and approval. The EX number is unique identifier (similar to a serial number) that can be used to verify the product and its contents.



The EX number will be also verified as part of the initial booth inspection by the jurisdiction.

b. Pyrotechnic leakage

- i. The pyrotechnic chamber in the firework device shall be sealed in a manner that prevents leakage of the pyrotechnic composition during handling, transportation and normal operations.

D. Fuses

a. Firework devices that require a fuse shall comply with the following:

- i. Utilize only a safety fuse that has been treated or coated in such a manner as to reduce the possibility of side ignition.

Exception: Devices such as which require a restricted orifice to operate and contain less than 6 grams of pyrotechnic composition.

- ii. Utilize only a fuse that will burn at least 3 seconds but not more than 9 seconds before ignition of the device.
- iii. The fuse shall be securely attached so that it will support either the weight of the firework device plus 8 ounces (227g) of dead weight or double the weight of the device, whichever is less, without separation from the firework device for 30 seconds.

E. Bases

- a. The base of the bottom of the firework devices that are operated in a standing position shall have the minimum horizontal dimension or the diameter of the base equal to at least 1/3 of the height of the device including any base or cap affixed thereto. Bases must remain fully



attached to the item during transportation, handling and normal operations.

## F. Handles

- a. Firework devices that are intended to be hand-held and so labeled shall incorporate a handle at least 4 inches in length. Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four (4) inches below the pyrotechnic chamber.

Exception: Sparklers which are less than or equal to ten (10) inches in length shall have the handles greater than or equal to three (3) inches in length.

## G. Spikes

- a. Spikes provided with fireworks devices shall be firmly attached during transportation, handling and full operation of the device. Spikes shall protrude at least two (2) inches from the base of the device and shall have a blunt tip not less than 1/8 inch in diameter or 1/8 inch square.

## H. Ground Spinners

- a. Ground spinning devices or any device that is designed to move shall operate within an area of a circle of ten (10) feet in diameter or less.
- b. The device shall not rise more than one (1) foot into the air.
- c. Multi-color or multi-effect ground devices shall not exceed ten (10) seconds between effects.

## I. Wheeled Devices



- a. Drives in firework devices commonly known as “wheels” shall be securely attached to the device so that they will not come loose in transportation, handling, and normal operation. Wheel devices intend to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.
- b. A nail for attachment to a suitable location shall be included with each device.

#### J. Toy Smoke and Flitter Devices

- a. Toy smoke devices shall be constructed so that they will neither burst nor produce external flame (excluding the fuse and first fire upon ignition) during normal operation.
- b. Toy smoke and flitter devices shall not be of such color and configuration so as to be confused with banned fireworks including but not limited to: M-80 salutes, silver salutes, cherry bombs, etc.
- c. Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

#### K. Ignition testing

- a. Burnout, blowout and meltdown
  - i. Burnout – the unintended escape of flame through the wall of a pyrotechnic chamber during use.
  - ii. Blowout – the unintended release of pressure at the other than the intended orifice.
  - iii. Meltdown – the continued burning of a pyrotechnic device after the intended effect has concluded. (Cool down time: 30 minutes per AFSL requirements).





b. Residual Burning Test

- i. After the 30 min cool down period, note the temperature on the test form holding the thermal detector 11 inches from top of product. If the internal temperature of the product tested is above 250°F (121°C), the product is recorded as a failure.

c. Duds

- i. Duds – devices which fail to ignite and perform their intended effect, or which the fuse initially ignites but fails to ignite the device.

L. Novelties

- a. Novelties are defined as U.N. class 1.4s or are deregulated and NOT classified as hazardous materials by DOT on the basis of specific test results. Novelty items are not tested or approved by SNCC and are legal to sell year round. Novelties Include:
  - i. Party Poppers – Small plastic or paper devices containing not more than 16 mg of explosive composition that is friction sensitive. A string protruding from the device is usually pulled to ignite it. This device expels non-flammable paper streamers and/or similar products and produces a small report.
  - ii. Snappers – Small, paper-wrapped device containing not more than 1.0mg of explosive composition coated on small bits of sand, and package with sawdust in individual containers of not more than 50 units. When dropped the device explodes, producing a small report.



- iii. Snake, Glow Worm – Pressed pellet of not more than 2g of pyrotechnic composition and packaged in retail packages of not more than 25 units that produces as the primary effect a snake-like ash upon burning. The ash expands in length as the pellet burns.
- iv. Sparklers (#10 or less) – Wire or stick coated with pyrotechnic composition which may not exceed 100 g per item, that produces a shower of sparks upon ignition.
- v. Toy Caps – Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps, containing not more than an average of 16 mg of explosive composition per cap. Toy Caps are described as fireworks UN0336 and classed as 1.4G.
- vi. Other Novelties – Devices intended to produce unique visual or audible effects and containing 50mg or less of explosive composition and limited amounts of other pyrotechnic composition. Examples include: Cigarette loads, trick matches, explosive auto alarms and other trick noise makers.

#### XIV. CONTACT LIST

JURISDICTION	NAME	PHONE	EMAIL
Las Vegas Fire & Rescue	Scott Thompson	702-343-9674	<a href="mailto:sthompson@lasvegasnevada.gov">sthompson@lasvegasnevada.gov</a>
Clark County Building and Fire Prevention	Laura Pippin	702-219-9982	<a href="mailto:lpippin@clarkcountynv.gov">lpippin@clarkcountynv.gov</a>
Henderson Fire	Ryan Johnson	702-210-4085	<a href="mailto:Ryan.johnson@cityofhenderson.com">Ryan.johnson@cityofhenderson.com</a>
North Las Vegas Fire	Kris White	702-249-1705	<a href="mailto:Whitek@cityofnorthlasvegas.com">Whitek@cityofnorthlasvegas.com</a>



## FIREWORKS GUIDELINE SIGNATURE SHEET

Each person who works in the fireworks booth shall read the attached guideline and then sign below. Each signature is an acknowledgement that you have read and understand the guidelines and are willing to comply with all the rules and regulations set forth therein:

<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>DATE</u>



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