



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108-1598

MAURA HEALEY  
ATTORNEY GENERAL

(617) 727-2200  
[www.ma.gov/ago](http://www.ma.gov/ago)

July 1, 2020

**BY E-MAIL, FIRST CLASS &  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Phantom Fireworks  
2445 Belmont Ave  
Youngstown Ohio 44505-2405  
[info@fireworks.com](mailto:info@fireworks.com)

**NOTICE OF VIOLATIONS OF MASSACHUSETTS LAW  
AND DEMAND TO CEASE AND DESIST**

To whom it may concern:

It has come to the attention of the Attorney General's Office ("AGO") that Phantom Fireworks is mailing advertisements to residences across Massachusetts offering to sell fireworks. These advertisements contain discount coupons, highlight the proximity of Phantom Fireworks's New Hampshire retail stores to the cities of Boston and Springfield, Massachusetts, and encourage recipients to "celebrat[e] ... July 4th in backyards across America." These advertisements are plainly intended as offers to sell Massachusetts residents fireworks for use within the Commonwealth. An example of one of the advertisements is attached to this letter.

Massachusetts law prohibits the sale, or offering for sale, of fireworks, and further prohibits the possession, use or explosion of fireworks in the Commonwealth. M.G.L. c. 148, § 39. By sending advertising to Massachusetts residents, Phantom Fireworks is offering to sell them a product that is prohibited in the Commonwealth. By this marketing scheme, Phantom Fireworks violates M.G.L. c. 148, § 39, and, further, promotes unsafe and illegal conduct by Massachusetts residents who purchase the product and return to their homes.

In addition, Phantom Fireworks's intentional targeting of Massachusetts residents at their homes in Massachusetts with offers to sell them fireworks is a prohibited unfair and deceptive act and practice that violates the Massachusetts Consumer Protection Act, M.G.L. c. 93A, § 2. By directly marketing a product to Massachusetts residents that is illegal to possess or use in Massachusetts and by proposing that Massachusetts residents engage in conduct that the Massachusetts Legislature has deemed to be unsafe and illegal, Phantom Fireworks has violated M.G.L. c. 93A.

**Accordingly, this letter constitutes a demand that Phantom Fireworks immediately cease and desist from violating Massachusetts law by mailing, delivering or directing advertisements for fireworks to residents of Massachusetts.**

Please be advised that should Phantom Fireworks continue to engage in the aforementioned conduct, the Attorney General may take legal action against Phantom Fireworks, and seek appropriate injunctive relief, civil penalties, consumer restitution, costs, and attorney's fees.

Please contact me to confirm that Phantom Fireworks has received this demand and intends to comply. This correspondence is sent without prejudice to any right or remedy which is or becomes available to the Commonwealth.

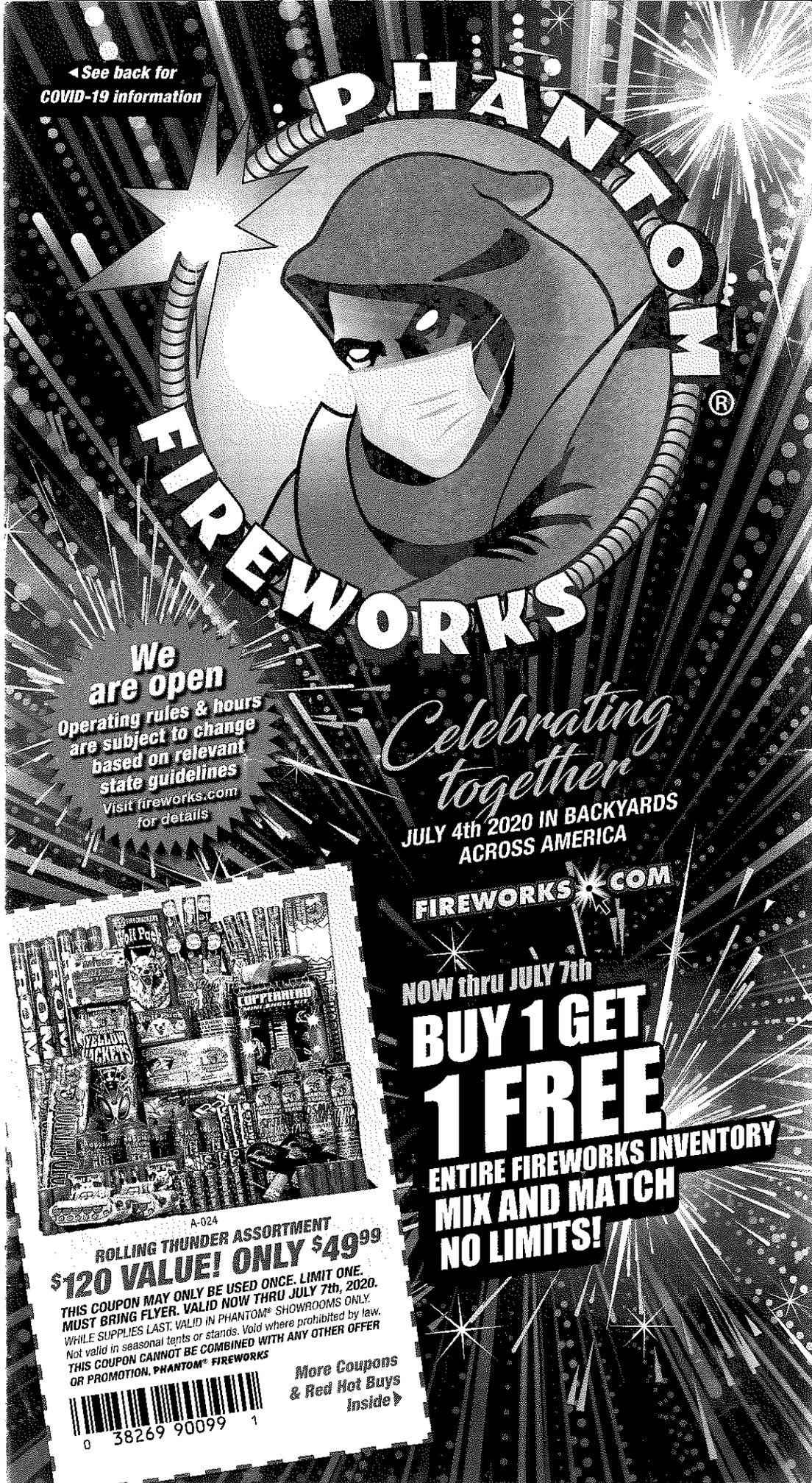
Sincerely,

*Max Weinstein*

Max Weinstein  
Chief, Consumer Protection Division  
Office of Attorney General Maura Healey  
One Ashburton Pl., 20<sup>th</sup> Floor  
Boston, MA 02110

◀ See back for  
COVID-19 information

# PHANTOM FIREWORKS®



**We  
are open**

Operating rules & hours  
are subject to change  
based on relevant  
state guidelines

Visit [fireworks.com](http://fireworks.com)  
for details

*Celebrating  
together*

JULY 4th 2020 IN BACKYARDS  
ACROSS AMERICA

**FIREWORKS.COM**

NOW thru JULY 7th

**BUY 1 GET  
1 FREE**

**ENTIRE FIREWORKS INVENTORY  
MIX AND MATCH  
NO LIMITS!**



A-024

**ROLLING THUNDER ASSORTMENT  
\$120 VALUE! ONLY \$49.99**

**THIS COUPON MAY ONLY BE USED ONCE. LIMIT ONE.  
MUST BRING FLYER. VALID NOW THRU JULY 7th, 2020.  
WHILE SUPPLIES LAST. VALID IN PHANTOM® SHOWROOMS ONLY.**

**Not valid in seasonal tents or stands. Void where prohibited by law.  
THIS COUPON CANNOT BE COMBINED WITH ANY OTHER OFFER  
OR PROMOTION. PHANTOM® FIREWORKS**



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**More Coupons  
& Red Hot Buys  
inside ▶**

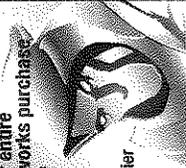
**BECOME AN INSTANT PREMIER CUSTOMER**

Spend \$450 before tax to instantly join our Premier Program.

**PREMIER CUSTOMERS CAN CHOOSE BETWEEN 2 VALUABLE OPTIONS YEAR ROUND!**

**50% OFF your entire fireworks purchase OR BUY 1 GET 1 FREE**

See fireworks.com for Premier Bonuses and complete Premier Program benefits.



**Shop early**  
we may be experiencing longer than usual wait times due to social distancing

**Showrooms now open!**  
**We are doing everything we can to provide a safe, secure, and comfortable shopping space for our valued customers.**  
**Curbside pickup available! For details, hours and the most recent updates visit FIREWORKS.COM**

- HINSDALE, NH / SPRINGFIELD, MA (603) 256-8123
- SEABROOK, NH / BOSTON, MA (603) 474-3322
- LONDONDERRY, NH / BOSTON, MA (603) 434-0700
- SCARBOROUGH / PORTLAND, ME\* (207) 883-6119
- HOLDEN / BANGOR, ME\* (207) 843-0704

Go To Fireworks.com For Addresses.

**ONLINE GIFT CARD SPECIAL**

PHANTOM'S GIFT CARDS NEVER EXPIRE. Use them anytime year-round—great gifts for Father's Day, July 4th, New Year's or any celebration!

**FIREWORKS.COM**

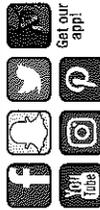


Now thru June 26th, 2020 only!  
**FOR EVERY \$300 GIFT CARD GET 1 \$100 ITEM FREE**  
**FOR EVERY \$1,200 GIFT CARD GET 5 \$100 ITEMS FREE**

**No limits!**  
**Buy more get more free fireworks**

PRSR: STD  
U.S. POSTAGE  
PAID  
PHANTOM®  
FIREWORKS  
2445 Belmont Ave.  
Youngstown, OH  
44505-2405

**GIFT CARDS PURCHASED ONLINE ONLY. E-GIFT CARDS AND E-BONUS ITEM COUPONS delivered by the next business day. E-GIFT CARDS AND E-BONUS ITEM COUPONS ENCLOSED SEPARATELY. Gift cards and coupons for free bonus items sent certified mail through the U.S. Postal Service, please allow 3-5 business days for delivery. Signature required. Coupons for free bonus items may be redeemed at any permanent Phantom showroom thru December 31, 2020. Must be 18 years of age or older (21 in NH & ME). Not valid in seasonal tents or stands.**



Get our app!

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**YOU MUST VISIT A SHOWROOM TO PURCHASE FIREWORKS.** If you purchase fireworks, please use them in compliance with the laws and in a safe manner consistent with all safety rules. You must be 18 years old to purchase fireworks (21 years old in NH and ME). Valid driver's license required. Void where prohibited by law. Purchase restrictions may apply at some showrooms. Call your nearest showroom for further information. We make every effort to provide accurate information but reserve the right to correct typographical or pricing errors should they occur. If you are planning to purchase fireworks, the use of which is not permitted in your home state, but are to be used in another state where the use of such fireworks is permitted, then a visit to our showrooms is the answer to your needs.

**\*IMPORTANT:** Sale of missiles, rockets and aerial spinner items is not permitted in ME. **ME AND NH RESIDENTS:** Must be 21 years of age to purchase fireworks in NH & ME (18 years for active military personnel with proper I.D. in NH). Check with your local fire department to see if permissible fireworks may be used in your community. **NEW YORK RESIDENTS:** New York law prohibits the transportation, sale, possession, or use of fireworks in New York without a valid permit. Interstate transportation through New York is permitted. Certain communities allow fountains. Check with your local authorities. **MASSACHUSETTS RESIDENTS:** Massachusetts prohibits the transportation, sale, possession, or use of fireworks in Massachusetts without a valid permit.

**NEW JERSEY RESIDENTS:** New Jersey law prohibits the transportation, sale, possession, or use of certain fireworks in New Jersey without a valid permit. Interstate transportation through New Jersey is permitted.