



STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY  
John J. Barthelmes, Commissioner



**Division of Fire Safety**  
**OFFICE OF THE STATE FIRE MARSHAL**  
J. William Degnan, State Fire Marshal

Office: 110 Smokey Bear Blvd, Concord, NH  
Mailing Address: 33 Hazen Drive, Concord, NH 03305  
603-271-3294, FAX 603-271-3206

June 18, 2008

Mr. Jon Lips  
Owner / President  
L&W Innovations, LLC  
PO Box 2036  
Parker, CO 80138

Mr. Jon Lips;

This letter is to address your product ItzaGasCan and its permissibility in the State of New Hampshire. A review of your product was conducted by this Office, using information your company provide the City of Concord Fire Department, your website, NFPA 30 chapter 6, ASTM F 852-99 and New Hampshire RSA 153:16-a as reference material.

Your Website states and I quote: *"It is our understanding that certifying to US DOT performance standards makes the ItzaGasCan compliant with all state Fire Marshal requirements. We have not contacted the Fire Marshals in each state, but those contacted have confirmed compliance."*

This statement alone is not only extremely misleading, but shows your companies disregard for gaining proper and lawful approval to sell and distribute your product. New Hampshire RSA 153:16-a Sale of Plastic Containers Prohibited, states: *No person shall sell or offer for sale any plastic container designed or intended for the storage of gasoline or other flammable liquids unless such container conforms to existing federal standards **and has been approved by the state fire marshal.** Any person violating the provisions of this sections shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.*

Your assumption that passing DOT regulations for packaging automatically made your product ItzaGasCan permissible in the State of New Hampshire is clearly not the case. Approval has never been granted by this Office, nor was it ever sought, to allow your product to be distributed or offered for sale in the State of New Hampshire. Although you claim your product is not for storage and only for the emergency transporting of gasoline, your product **IS** storing gasoline for an unknown period of time and under unknown conditions.

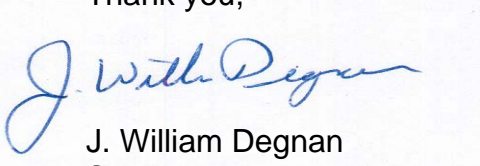
ItzaGasCan  
June 18, 2008  
Page 2

Further, the disposal issue that arises from your product creates a fire safety hazard for the general public. Disposing of a combustible container with remnants of a flammable liquid and / or vapors inside of it, into a general trash receptacle has only to find an ignition source to cause a dangerous fire scenario and does not benefit the residents / visitors of this state in anyway.

In closing, I find your company and product, ItzaGasCan, to be indirect violation of New Hampshire law and the alleged benefits do not out way the hazards your product creates. Thus, your product ItzaGasCan is **NOT APPROVED** and thus **PROHIBITED** for distribution or retail sale within the State of New Hampshire.

You are hereby ordered to remove your product **IMMEDIATELY** from all distribution and retail sales locations in this state. Anyone found to be distributing or selling your product will be subject to criminal charges and fines.

Thank you,

A handwritten signature in blue ink that reads "J. William Degnan". The signature is written in a cursive style and is positioned above the printed name and title.

J. William Degnan  
State Fire Marshal

Cc: All New Hampshire Fire Departments  
NH Association of Fire Chief's  
NH Fire Prevention Society