

GUIDE TO STORAGE AND SALE OF FIREWORKS

A guide to the new Explosives Regulations 2014

Your licence should specify the maximum quantity of fireworks (given as the Net Explosive Mass or ‘NEM’) deemed to be safe to store at the licensed premises. This is based on information provided either at the time of the application or assessment visit. While you must not breach this limit the obligation is also on you to store explosives safely.

Any change to the environment of the fireworks store could reduce this amount deemed safe to store. It is up to you to ensure your store remains safe and if in doubt seek advice. Where specific factors exist conditions may be added to your licence in order to ensure the fireworks storage is safe.

The storage of any Hazard Type 3 fireworks (identified by the 1.3G orange diamond logo) will dramatically reduce the maximum permitted quantity that can be stored. In certain locations your store may not be able to contain Hazard Type 3 fireworks under any circumstances, please contact us for further advice.

Storing fireworks in the sales area



The following basic principles are designed to ensure storage is safe.

1. The fireworks must be stored in a metal, wood or other substantial cabinet. These cabinets must:
 - 1.1. be locked shut or positioned to prevent unauthorised access to the fireworks.
 - 1.2. be positioned away from any combustible and flammable materials.
 - 1.3. be placed in a location that will allow the shop customers and staff to evacuate without obstruction.
 - 1.4. have no lights or electrical fittings within it, otherwise you can only store “dummy” fireworks.
 - 1.5. be kept dry and clean. Any loose powder spilled from the fireworks should be swept out on a regular basis.
 - 1.6. not contain any other items. For example, the cabinets must be emptied of all materials likely to catch fire.
 - 1.7. each cabinet must not contain more than 12.5kg (net weight) of fireworks, or 50kg gross weight (including packaging).
 - 1.8. the maximum amount that can be stored in the sales area (unless otherwise further restricted) is based on the floor area and is detailed in the table below:

Floor Space (up to sq. m)	20	40	60	80	100	150	200	250	300	350	400	450	499	Over 500
Net Explosive Mass (kg)	12.5	15	20	25	30	35	40	45	50	55	60	65	70	75

2. The shop area must:
 - 2.1. be kept clean and free of any dirt or spilt explosives powder.

- 2.2. be cleared of unwanted empty packaging and other combustible materials such as cardboard, wood etc.
 - 2.3. be a strictly no smoking area. It is suggested that you display “No smoking notices” in store.
3. You must not:
- 3.1. expose live fireworks to the air for any longer than necessary, i.e. showing a customer the content of a pack.
 - 3.2. display live fireworks in a window. “Dummy” firework must be used, even if they are stored within a cabinet, if the cabinet is placed in direct sunlight.

Storing fireworks in a warehouse or other similar storage areas

4. Any store must be separated from the shop area by a substantial partition i.e. breeze block, stud wall etc. If this is not possible then the store will be added to your ‘shop floor’ total.
5. Where fireworks are kept in a store used exclusively for this purpose i.e. the store contains no other items, the fireworks should be kept in the transport packaging providing the following safety measures are met:
 - 5.1. transport packaging must not be left open.
 - 5.2. the packaging should only be opened when needed, or if the contents are to be transferred to a storage cupboard or cabinet.
 - 5.3. after opening the transport packaging, the boxes must be closed if fireworks remain in the packaging.
 - 5.4. do not transfer fireworks from one transport package to another.
 - 5.5. where goods are stored in the transport packaging, the store must not be located near any route of escape for staff or customers.
6. Any store must:
 - 6.1. be kept clean and dry.
 - 6.2. have all empty transport packaging removed. If the fireworks you are selling are on sale and return, you may keep some transport packaging, but do not leave them in the fireworks store.
 - 6.3. be kept free from items that can cause a fire or make any fire spread more quickly. For example flammable materials or materials that catch fire easily.
7. It is recommended that access to the store is restricted to only those members of staff who need to be there.
8. Where it is not possible to reserve a place exclusively for the storage of fireworks, then the fireworks must be kept in fire-resistant cabinets or containers i.e. closed metal containers or cabinets. These cabinets or containers must:
 - 8.1. be positioned to prevent unauthorised access to the fireworks, or locked shut.
 - 8.2. be positioned away from any combustible and flammable materials.
 - 8.3. be placed in a location that will allow the shop customers and staff to evacuate easily and quickly.
 - 8.4. have no lights or electrical fittings within it. If the cabinet you are using contains lighting or other electrical fittings you can only store “dummy” fireworks within it.
 - 8.5. be kept dry and clean. Any loose powder spilled from the fireworks should be swept out on a regular basis.
 - 8.6. not contain any other items. For example, the cabinets must be emptied of all materials likely to catch fire, and contain no flammable material.
 - 8.7. it is recommended that each cabinet should not contain more than 12.5kg (net weight) of fireworks, or 50kg gross weight (including packaging).

- 8.8. it is recommended that you mark the cabinet(s) with a warning such as “Fireworks – Highly Flammable”.
9. Do not allow smoking anywhere near the fireworks store. You should display “No smoking signs”.
10. Where a store adjoins a building or is in the same building as a domestic /sleeping accommodation, and that store contains more than 75kg (net weight), 300kg gross weight, the store **must**:
- 10.1. have a fire detection system installed.
 - 10.2. the domestic parts of the building must have access/exit routes that are separate from those used for the fireworks store, i.e. not through the shop or storage area.
 - 10.3. there must be suitable fire protection between the store and the domestic accommodation i.e. doors and floors/ceilings offering 30 minutes fire resistance
 - 10.4. the store must be closed off and secured from the domestic part of the property.
 - 10.5. a risk assessment should be carried out by a competent person, to assess the risk of the storage methods to be utilised.
11. Where you choose to use an International Organisation for Standardisation (ISO) container to store fireworks, the container must, along with the general precautions outlined above:
- 11.1. be, where possible, located well-away from public access.
 - 11.2. if it is placed in a car park cars must not be permitted to park within 3 metres of the store and you must take adequate precautions to prevent unauthorised access.
 - 11.3. be marked with the Fire Division 4 symbol.

Sales system

Fireworks being transferred for display between the store and sales area should not be left unattended and should be placed immediately into display cabinets.

Fireworks should be exposed for as little time as possible and not left unattended. It is our recommendation that you only expose up to 2kg net weight (8kg gross weight) at any one time.

Handling of fireworks should be kept to a minimum to prevent the packaging becoming damaged.

If your display cabinets are located away from the shops tills, you should consider developing a system that prevents customers wandering around the store with the fireworks they wish to purchase. For example, you may wish to design a system where customers can only make (or collect) their purchases immediately before leaving the store.

FAILURE TO MEET THE OBLIGATIONS SHOWN ABOVE COULD RESULT IN YOUR LICENCE BEING REVOKED, AND ANY FUTURE APPLICATION BEING REFUSED.

IT IS A CRIMINAL OFFENCE TO STORE FIREWORKS IN A DANGEROUS MANNER.

Sale of Fireworks

Fireworks must not be hawked, sold or exposed for sale upon a street or public place.

The supply of fireworks to anyone under the age of 18 is prohibited, with the exception of Category 1 fireworks which may only be supplied to those 16 and over. A further exception is made for Christmas crackers, which must not be supplied to any person under the age of 12.

SELLERS ARE STRONGLY ADVISED TO SEEK OF PROOF OF AGE WHERE THE BUYER LOOKS UNDER 25. RECOMMENDED PROOF OF AGE INCLUDES:

✓Passport ✓New style Driving Licence with Photograph ✓Proof of Age Standards Scheme (PASS) Card
The Fireworks Regulations 2004 require a **notice to be displayed** at all premises that supply or expose for supply any adult fireworks. Size of the notice shall be not less than 420mm x 297mm (A3), with letters at least 36 mm high. The notice shall state that –

“IT IS ILLEGAL TO SELL ADULT FIREWORKS OR SPARKLERS TO ANYONE UNDER THE AGE OF 18 AND FOR ANYONE UNDER THE AGE OF 18 TO POSSESS FIREWORKS IN A PUBLIC PLACE”

N.B. Adult fireworks are any fireworks, other than caps, cracker snaps, novelty matches, party poppers, serpents, sparklers, or throwdowns which comply with the relevant sections of BS 7114: 1988.

The Pyrotechnic Articles (Safety) Regulations 2010 provide for the fireworks and packaging construction requirements, to include manufacturer/importer details, and where compliance is to the published EU harmonised standards of EN 15947 the labelling must include a CE mark. Category 1, 2 & 3 fireworks on the market prior to 4th July 2010 may still be labelled in accordance with BS7114:1988 until 3rd July 2017.

Additional requirement of the Fireworks (Safety) Regulations 1997 provide that:

- The splitting of retail boxes of fireworks intended for sale as a unit is prohibited.
- Packets of sparklers to carry the warning - “Not to be given to children under 5 years of age”.
- Under no circumstances should retail outlets be offering for sale any fireworks marked “This device must not be sold to, or used by, a member of the general public” or “Category 4”. (Seek our advice on the supply of fireworks to professional display organisers).
- The supply to the public of the following fireworks is banned: -
 - ALL bangers, including Chinese Crackers, etc.
 - Aerial Shells and Maroons, etc.
 - Fireworks of erratic flight (e.g. Squibs, Jumping Jacks, Helicopters, etc).
 - Mini-Rockets
 - Air Bombs
 - Excessively loud Category 3 fireworks (those with an A-weighted impulse sound pressure level exceeding 120 decibels).

Unless you hold a ‘year round’ licence issued separately under the Fireworks Regulations 2004, you may only sell fireworks during the following periods: -

- 15th October to 10th November
- 26th December to 31st December
- On the first day of Chinese New Year and three days immediately preceding it
- On the first day of Diwali and the three immediately preceding it

ANYONE FOUND TO BE SELLING FIREWORKS OUTSIDE THE DESIGNATED PERIODS WITHOUT PROPER LICENCE MAY BE PROSECUTED AND HAVE THEIR LICENCE REVOKED.

Further guidance on these issues can be obtained by contacting our Business Advice Line on 020 8921 8223 or email to: tradingstandards@royalgreenwich.gov.uk

This is a brief summary of the current law and available guidance which may be subject to change. Only the courts can give an authoritative opinion on the law.

This information can be provided in alternative formats such as large print, Braille or on an audio cassette on request.

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