

## Information for businesses

### Storage of Explosives

**The Pyrotechnical Articles (Safety) Regulations 2015**  
**Firework Regulations 2004**  
**The Explosives Regulations 2014**

#### **General Requirements**

##### All types of explosives

There is a duty on **ANY** persons storing explosives for any length of time to take appropriate measures to prevent fire or explosion.

Explosives can only be sold from premises in Staffordshire that have been licensed with Staffordshire Trading Standards.

##### CE Marking

Since 4<sup>th</sup> July 2017 all fireworks, T1 and T2 theatrical pyrotechnic articles and P1 and P2 pyrotechnic articles have to comply with the labelling requirements of the Pyrotechnic Articles (Safety) Regulations 2015.

If your products do not have a CE mark on the labelling then they will not comply with the regulations and CANNOT be supplied after 4<sup>th</sup> July 2017.

Any product found on site after 4<sup>th</sup> July 2017 without a CE mark will be prohibited from sale and you may be prosecuted.

Disposal of non-compliant product must be done by yourselves through authorised routes. Your supplier may be able to help you with this.

Staffordshire County Council and Staffordshire Fire and Rescue Service will not be able to dispose of pyrotechnics for you.

For further advice please telephone 01782 297522.

##### Fireworks

It is illegal to sell fireworks to persons under the age of 18.

Only fireworks that comply with European safety standards (EN15947) carrying the CE mark and correctly labelled with details of the manufacturer and importer can legally be supplied to consumers.

However Fireworks that were manufactured or imported before 4 July 2010 and that complied with British Standard BS 7114 can continue to be sold without the CE mark until 4 July 2017.

Boxes of fireworks must not be split and sold separately.

The following types of explosives **MUST NOT** be sold by retail:

- an aerial wheel
- ALL bangers, flash banger or double banger
- a jumping cracker
- a jumping ground spinner
- a spinner
- a mini rocket
- a shot tube previously known as an air bomb or shell-in-mortar
- a battery containing bangers, flash bangers or double bangers
- a combination (other than a wheel) which includes one or more bangers, flash bangers or double bangers
- Sparklers over 470mm in length
- Air bombs
- Any firework which exceeds 120 decibels must not be supplied to consumers.

Staffordshire Trading Standards have the power to refuse a licence.

### **What you need to do**

Your first step is to carry out a risk assessment. Risk assessment is about considering hazards and deciding on sensible precautions to counteract these. For example, a fire could be started by a discarded cigarette so the sensible precaution is to stop people smoking anywhere near the explosives.

The main questions you need to ask yourself are: -

- How could a fire start?
- How could it spread?
- What do I need to do to protect people if there is a fire?

The actions you need to take are how to: -

- Stop a fire starting
- Stop it spreading
- Protect people in the event of a fire

A simple checklist has been produced by the Health & Safety Executive and is available from their website <http://www.hse.gov.uk/pubns/indg407ch.pdf>

A licence is required if you are storing up to 2000kg net explosive content (NEC) of explosives.

If you wish to store more than 2000kg NEC then you need to contact HSE directly.

Storage in the retail sales area is no longer a fixed amount but it is linked to the m<sup>2</sup> of retail floor area as follows: -

Floor area of sales area	Quantity of explosives	Floor area of sales area	Quantity of explosives
(square metres)	(kg)	(square metres)	(kg)
not exceeding 20	12.5	not exceeding 250	45
not exceeding 40	15	not exceeding 300	50
not exceeding 60	20	not exceeding 350	55
not exceeding 80	25	not exceeding 400	60
not exceeding 100	30	not exceeding 450	65
not exceeding 150	35	not exceeding 499	70
not exceeding 200	40	equal to or exceeding 500	75

The above figures are maximum amounts **BUT** the retail sales area has to be suitable and capable of storing the amount of explosives safely and lower limits may be imposed.

Some fireworks (mainly rockets) have been reclassified from 1.4G to 1.3G which may affect the amount permitted to be stored or alter the separation distance.

**If you have any fireworks labelled 1.3G please contact Staffordshire Trading Standards to ensure you are compliant with your licence.**

### **How should explosives be stored in the retail sales area?**

1. Explosives can be kept in the retail sales area provided that they are stored in a closed and secure container. This container can be an enclosed glass showcase or metal or other substantial container or a combination of the methods. The maximum amount that can be kept in any single container or showcase is 12.5kg NEC.  
If storing more than 12.5kg NEC then a floorplan must be submitted with the application form.
2. The containers must be kept closed at all times. A small quantity of explosives may be removed to show the customer and must be replaced immediately unless sold
3. If the public have access to the container or showcase it must be kept locked
4. No other goods may be stored with the explosives
5. Explosives should never be on open display or placed in a shop window

## **How should explosives be stored in the non-retail sales area?**

1. You should keep explosives in a place used exclusively for this storage of explosives
2. Where it is not possible to segregate explosives from other combustible materials the storage arrangements will need to be designed to prevent the spread of fire by fragment throw. This will involve either: -
  - storing in an ISO container
  - using enclosed storage cabinets or cupboards
  - building a structural partition
  - Fully enclosed roller trolley's/cages with a maximum mesh size of 25mm
3. Explosives should be kept in closed transport containers at all times
4. Explosives should not be stored near to flammable materials or materials that can easily catch fire E.g. White spirit, barbecue lighting fuel, paint thinners or other flammable liquids, matches, firelighters, bulk quantities of paper, empty cardboard boxes, video tapes, tights and toilet rolls.
5. There is also a risk of chemical contamination or an additional explosion hazard. E.g. Products containing caustic substances such as drain cleaners and paint strippers and products such as fertilisers containing oxidising agents

## **Premises with or adjoining, domestic premises**

Where more than 75kg NEC of explosives are kept on a premise which has domestic/sleeping accommodation or adjoins such a building then steps have to be taken to protect residents of those premises.

### **The following specific precautions must be taken: -**

- a fire detection system in the shop;
- domestic/sleeping accommodation must have a protected escape route;
- domestic/sleeping accommodation must be separated from the area where the explosives are stored by a wall/ceiling constructed from material achieving a ½ hour standard of fire resistance; and
- the explosives must be stored in a secure area to prevent access by unauthorised persons including any children who live in the adjoining accommodation

## **Single sales or more than 50kg NEC of explosives**

The purchaser has to produce a valid Licence. This includes the retailer when they take delivery of explosives from their supplier. (e.g. purchasing wholesale)

## **Fireworks regulations 2004**

These regulations require that suppliers of fireworks to the public display in a prominent position, a notice stating the following:

### **It is illegal to**

1. Sell category F2 fireworks and category F3 fireworks to anyone under the age of 18 and
2. it is illegal for anyone under the age of 18 to possess category F2 fireworks or category F3 fireworks in a public place

Free copies of the poster are available from Staffordshire County Council Trading Standards.

There is a curfew banning the use of fireworks after 11:00pm and before 7:00am. The curfew is extended to midnight on 5<sup>th</sup> Nov and 1:00am on New Year's Eve, Diwali and the Chinese New Year. It is your responsibility to ensure you are aware of, and complying with the regulations.

A licence permits you to sell fireworks during the following periods of the year:

- 15<sup>th</sup> October to 10<sup>th</sup> November
- 26<sup>th</sup> December to 31<sup>st</sup> December
- On the 1<sup>st</sup> day of the Chinese New Year and the 3 days immediately preceding it
- On the day of Diwali and the 3 days immediately preceding it

If you plan to sell outside of these periods then you will need a licence to comply with the Firework Regulations 2004. Please contact Staffordshire Trading Standards for more information.

### **Further business advice and information can be obtained from:**

Staffordshire County Council, Public Protection, Trading Standards

2 Staffordshire Place,

Tipping Street, Stafford, ST16 2DH

Tel: 0300 111 8000

Minicom: 01785 276207

Email: [businessadvice@staffordshire.gov.uk](mailto:businessadvice@staffordshire.gov.uk)

Or visit our website at: <http://www.staffordshire.gov.uk/business/tradingstandards/>

**All of our information leaflets are available in a range of formats and languages, including Braille and large print. If this would be useful to you or someone you know, please contact us.**