

GUIDE TO STORAGE AND SALE OF FIREWORKS

This leaflet has been prepared for the guidance of traders by the Trading Standards and Licensing Unit. It is not an authoritative document on the law and is only intended for guidance. For further advice, please contact your local Trading Standards department.

STORING FIREWORKS

A guide to the Manufacture and Storage of Explosives Regulations 2005

You can store fireworks up to the amount indicated on your registration or certificate of licence at any one time.

Storing fireworks in the sales area

- The fireworks must be stored in a metal, wood or other substantial cabinet. These cabinets must
 - be positioned to prevent unauthorised access to the fireworks, or locked shut
 - be positioned away from any combustible and flammable materials.
 - be placed in a location that will allow the shop customers and staff to evacuate easily and quickly.
 - 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.
 - be kept dry and clean. Any loose powder spilled from the fireworks should be swept out on a regular basis.
 - not contain any other items. For example, the cabinets must be emptied of all materials likely to catch fire, and contain no flammable material.
 - each cabinet must not contain more than 12.5kg (net weight) of fireworks, or 50kg gross weight (including packaging).
 - the maximum amount that can be stored in the sales area is based on the floor area and is detailed in the table below:

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

- The shop area must:
 - be kept clean and free of any dirt or spilt explosives powder
 - be cleared of unwanted empty packaging and other combustible materials such as cardboard, wood etc.
 - be a no smoking area. It is suggested that you display "No smoking notices" in store.
- You must not
 - expose live fireworks to the air for any longer than necessary, i.e. showing a customer the content of a pack.
 - 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

- Any store must be separated from the shop area by a substantial partition i.e. breeze block, stud wall etc.
- Where fireworks are kept in a store used exclusively for this purpose i.e. the store contains no other items, the fireworks can be kept in the transport packaging providing the following safety measures are met:
 - transport packaging must not be left open
 - the packaging should only be opened when needed, or if the contents are to be transferred to a storage cupboard or cabinet
 - after opening the transport packaging, the boxes must be closed if fireworks remain in the packaging
 - do not transfer fireworks from one transport package to another
 - where goods are stored in the transport packaging, the store must not be located near any route of escape for staff or customers
- Any store must
 - be kept clean and dry
 - 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.
 - 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
- It is recommended that access to the store is restricted to only those members of staff who need to be there
- 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
 - be positioned to prevent unauthorised access to the fireworks, or locked shut
 - be positioned away from any combustible and flammable materials.
 - be placed in a location that will allow the shop customers and staff to evacuate easily and quickly.
 - 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.
 - be kept dry and clean. Any loose powder spilled from the fireworks should be swept out on a regular basis.
 - not contain any other items. For example, the cabinets must be emptied of all materials likely to catch fire, and contain no flammable material.
 - each cabinet must not contain more than 12.5kg (net weight) of fireworks, or 50kg gross weight (including packaging).
 - it is recommended that you mark the cabinet(s) with a warning such as "Fireworks – Highly Flammable".
- Do not allow smoking anywhere near fireworks store. You should display "No smoking signs"
- 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:
 - have a fire detection system installed
 - 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.

- there must be suitable fire protection between the store and the domestic accommodation i.e. doors and floors/ceilings offering 30 minutes fire resistance
 - the store must be closed off and secured from the domestic part of the property.
 - a risk assessment should be carried out by a competent person, to assess the risk of the storage methods to be utilised.
- Where you choose to use an ISO container to store fireworks, the container must, along with the general precautions outlined above:
 - be, where possible, located well-away from public access
 - 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.
 - 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. It is our recommendation that you only expose up to 2kg net weight (8kg gross weight) at any one time.
- Any fireworks that are exposed should not be left unattended.
- 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 REGISTRATION/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 Fireworks (Safety) Regulations 1997 has been amended by the Fireworks (Safety) (Amendment) Regulations 2004 and restricts the type of fireworks that may be supplied and to whom they may be supplied.

The main provisions of these Regulations are detailed below:-

1. All fireworks suitable for sale to the public must comply with all relevant requirements of BS 7144:1988, and therefore must be labelled as such.
2. The splitting of retail boxes of fireworks intended for sale as a unit is prohibited.
3. 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).
4. Packets of sparklers to carry the warning - "Not to be given to children under 5 years of age".
 5. 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". (For advice on the supply of fireworks to professional display organisers, please contact Trading Standards).
 6. The supply of fireworks to anyone under the age of 18 is prohibited.

SELLERS ARE STRONGLY ADVISED TO SEEK OF PROOF OF AGE WHERE THE BUYER LOOKS UNDER 21.
RECOMMENDED PROOF OF AGE INCLUDES:
PASSPORT, NEW STYLE DRIVING LICENCE WITH PHOTOGRAPH, CONNEXIONS CARD, CITIZENCARD,
VALIDATE CARD, PORTMAN 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, 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.

Important notes

It is your responsibility to ensure you are aware of, and complying with the regulations of manufacture and storage of explosives.

Licence Fees

Type of Application	First Application	Renewal	Max NEQ (Net Explosives Quantity) allowed for storage
Storage	£178	£83	2000 kg
Registration	£105	£52	250 kg

If you are planning to sell fireworks outside the following periods of the year:

- 15th October to 10th November
- 26th December to 31st December
- On the 1st 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

You will also need a £500 licence under the Fireworks Regulations 2004.

Fees for The London Borough of Barnet are valid for the period: 01 October 2011 to 30 September 2012.

Please make cheques payable to London Borough of Barnet.