

# Fireworks:

## A guide for Retailers

### Selling Fireworks?

If you sell fireworks you have certain obligations to the public and your staff.

This guide offers helpful advice but for more information contact your Trading Standards department.

### Remember:

- You must register.
- Store fireworks safely.
- Don't sell to under 18s.
- Know your fire drill.

### 1. Do I have to register my premises for keeping fireworks for sale?

Yes. You should apply to your local Trading Standards department or Fire Authority.

### 2. Are there different sorts of fireworks?

Yes. There are two sorts of fireworks.

The Fireworks (Safety) Regulations 1997 specify those which may be supplied to the general public.

All other fireworks may only be supplied to a restricted range of persons and organisations which are specified in the 1997 Regulations.

The following information only applies to retail sale of fireworks.

### 3. When can I sell fireworks?

Under a voluntary code of practice, the fireworks industry has agreed that fireworks should only be on general sale to the public for the three weeks leading up to November 5th and a few days afterwards.

The DTI has also held discussions with the British Pyrotechnists' Association to determine the best advice for retailers in relation to firework sales in the run up to the Millennium celebrations. It agreed that the Association will advise retailers that supplies of fireworks can be displayed for sale from December 27th, thus ensuring that fireworks are not available in the run up to Christmas.

### 4. How should I sell fireworks?

Only some sparklers and some larger individual devices can be sold unpacked. All other fireworks should be sold in manufacturers' packed sets. The contents of these must not be taken out of their packs and sold separately.

### 5. How should fireworks be stored and displayed?

There are two 'Modes' - sets of rules - for keeping fireworks for sale at registered premises.

Mode A requires a safe and secure building or room not attached to a dwelling and used only for storing fireworks, up to a maximum weight of 1000kg.

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Mode B allows the storage of up to 250kg of fireworks in a building which is also used for other purposes, with strict regulations about how they are contained. The following details come under Mode B.

- The maximum amount of fireworks that can be kept in a room where the public might go is 50kg. You can keep fireworks in glass showcases, metal containers, wooden boxes, cupboards or drawers, but these must be locked shut or positioned so that no unauthorised person can reach them. You must not put glass showcases containing fireworks in your shop window.
- Fireworks over that 50kg limit (up to a further 200kg) can be stored elsewhere in the building but must be kept in closed metal containers. Each container must hold not more than 50kg.
- Any container being used for storing fireworks must not contain other items. For instance, Bengal Matches must be stored separately.
- When fireworks are actually being sold, keep them exposed for as little time as possible. In any case, the maximum amount of fireworks that can be exposed at one time is 2kg.
- You (and any employees) must take due care to prevent unauthorised access to any fireworks and avoid accidents by fire.
- You must keep anything flammable (or likely to cause a fire or explosion) a safe distance away from any fireworks, however they are being stored.

## 6. What else should I do?

- Keep all fireworks in a dry place.
- Label all containers 'Fireworks - Highly Flammable' (and always keep these containers closed).
- Don't allow any smoking anywhere near fireworks being displayed or sold. Put up 'No Smoking' notices.

- Unplug any electrical fitting that is inside a display case containing fireworks.
- Never let customers handle any fireworks while they are choosing.

## 7. What special fire precautions are needed?

Your premises should already meet various fire regulations, so what follows is extra advice for the period while you are selling fireworks and is not a complete statement of your obligations.

Don't store fireworks in passageways or under stairs and keep these clear at all times. Don't obstruct any doors.

Keep water-type fire extinguishers handy and make sure they are properly maintained. Buckets of water or sand are useful as a standby.

Make sure you (and any employees) know how to call the Fire Brigade quickly. Have a display notice that tells everyone what to do if there is a fire.

If someone suspects a fire, get everyone out of your shop and call the fire brigade immediately. As soon as the Fire Officer arrives, tell him or her that fireworks are involved and explain where and how the fireworks are stored.

## 8. Encouraging safety with fireworks

As a responsible retailer, you should display safety leaflets featuring the Firework Code - available from the DTI, Trading Standards departments and manufacturers, free of charge - alongside the fireworks, ensuring consumers have essential safety advice.

Watch the age limit for buying fireworks - don't sell to young persons - hooliganism with fireworks can be a problem.

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## 9. Summary of the law on fireworks

### The Fireworks (Safety) Regulations 1997

#### Age of purchase

- Fireworks (except those listed below) must not be supplied to persons under 18. Note that caps, cracker snaps, novelty matches, party-poppers, serpents and throwdowns can only be supplied to persons over 16.

#### The following fireworks must not be supplied to the general public.

- Aerial shells, aerial maroons, shells-in-mortar and maroons-in-mortar
- All bangers (including 'batteries' containing bangers, such as Chinese Crackers)
- Mini-rockets
- Fireworks with erratic flight (eg ground spinners, jumping crackers, squibs).
- Some category 2 and 3 fireworks (as classified by BS 7114) which exceed size limits specified in the 1997 Regulations.
- All Category 4 fireworks

#### Other measures

- Packets of sparklers to carry additional warning - "Warning: not to be given to children under five years of age".
- Retail boxes of fireworks must not be split
- All fireworks intended for use by the general public must comply with British Standard BS 7114  
Part 2: 1988
- All fireworks not suitable (as determined by the Regulations) for use by the general public to bear the warning - "This device must not be sold to, or used by, a member of the general public".

#### Penalties

Failure to comply with these requirements can result in prosecution and a fine of up to £5000 or a prison sentence of up to six months, or both.

### The Explosives Act 1875 (as amended)

#### Storage of fireworks

- It is an offence to keep fireworks (except those for private use) on premises which have not been registered or licensed for that purpose.

#### Throwing fireworks

- It is an offence to throw or discharge a firework in a street or public place.

#### Penalties

Failure to comply with these requirements can result in prosecution and a fine of up to £5000.

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