

General Guidance on Fireworks



Issued by the Office of the
Government Inspector of Explosives

GD 7/2010

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General Guidance - Fireworks in Ireland

What is a firework?

Fireworks include items which burn and explode to give a loud noise and a visual effect.

Examples include sparklers, bangers, fountains and rockets. An actual definition of fireworks¹ (and other pyrotechnic articles²) may be found in the relevant legislation, S.I. No. 174 of 2015.

Why are they dangerous?

Fireworks are generally classified as explosives and the most common constituent is black powder (gunpowder). Some fireworks contain even more dangerous substances. All fireworks are designed either to explode (bangers, rockets, roman candles, shells) or burn at high temperature emitting sparks and other effects (sparklers, fountains) etc.

What is the law regarding fireworks in Ireland?

Fireworks, because they are explosives, are regulated under the Explosives Act 1875, (as amended by the Criminal Justice Act 2006), which requires that fireworks, (except Christmas crackers³), can only be imported into

the country under licence, and stored and sold in accordance with the explosives law.

Fireworks are now also subject to new EU legislation.

What is the EU law on Fireworks?

The original EU Directive on the Placing on the Market of Pyrotechnics articles has now been replaced by recast Directive 2013/29/EU⁴ which came into effect on 1 July 2015. The Irish Regulation - S.I. No. 174 of 2015- gives effect to this Directive in Ireland and revokes all previous pyrotechnic regulations⁵ - a copy of which may be accessed at www.justice.ie. This Directive provides important new measures to increase safety to the consumers, while regularising how all fireworks are categorised and made available on the market.

What are the new safety measures which apply to fireworks under the new Directive?

Under the Directive, the EU has many stringent rules for manufacturers, importers and distributors that are designed to ensure that individuals buy safe fireworks. All permissible fireworks in Ireland have to meet a number of essential safety requirements and relevant standards. These rules also state that any fireworks made available on the market in the EU must carry a CE mark to show that it conforms to these safety requirements.

¹ Fireworks means a pyrotechnic article intended for entertainment purposes.

²Pyrotechnic article means any article containing explosive substances or an explosive mixture of substances designed to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions, which includes fireworks, marine flares, air bag cartridges, and many others.

³ Note that Christmas crackers in their retail packaging are NOT considered to be explosives under the Explosives Act 1875 due to the nature of the article, packaging and the

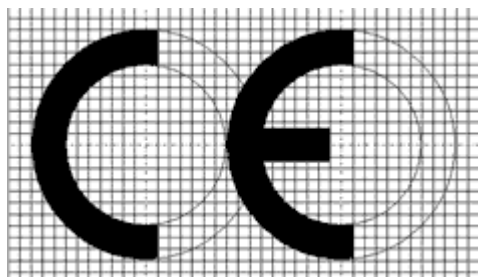
very small amount of pyrotechnic material in each.

However bulk packages of the Cracker Snaps themselves (e.g. for manufacture of the crackers) are held to be explosives and require an import license and storage in a registered or licensed premises

⁴ Directive 2013/29/EU of 12 June on making available on the market of pyrotechnic articles

⁵ S.I. 1 of 2010, S.I. 416 of 2010 and S.I. 373 of 2013.

What is a CE mark?



The European Union CE Mark is an indication that the product conforms to the essential safety requirements as assessed under the relevant European standards of safety in design. For example, the noise level of a firework must not exceed certain levels, a firework must have certain safety features to prevent against inadvertent ignition, etc.

What are the Categories of Fireworks?

Under the EU Directive, fireworks are categorised into four categories, depending on their hazard and whether they require specialist knowledge to use them. The least hazardous is Category F1 and the most hazardous is Category F4, (which can only be used by professional operators). Under the Directive, the sale of what is known as Category F1 fireworks to the general public is regularised.

What is a Category F1 firework?

A category F1 firework is one which presents a very low hazard and negligible noise level and which is intended for use in confined areas, including indoors. A list of typical fireworks considered to be Category F1 is attached at Appendix 1 – however the more common examples include party poppers, certain sparklers, throw-downs and Christmas crackers.



Bangers are **not** Category F1 fireworks and furthermore they are specifically banned under explosives legislation, so their importation/possession/use by the general public remains illegal⁶.

What about Category F2, F3 and F4 Fireworks?

Category F2, F3 and F4 fireworks present a much greater hazard and noise level than those of Category F1. Examples include bangers, rockets, fountains, roman candles, shells and aerial wheels. These items **remain restricted** in the State in terms of the sale to and use by the general public, and are only available for use in organised displays by professional operators.

What are the dangers of fireworks?

All fireworks are or contain explosives. It goes without saying that great care should be taken when using them. Many people are however under the impression that Category F1 fireworks, in particular, are completely harmless. This is not true. In fact, a burning sparkler can get up to six times as hot as a hot pan of cooking oil, and the metal wire used for holding the sparkler can get red hot at the

⁶ Bangers are banned since the Criminal Justice Act 2006 amended the Explosives Act 1875.

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burning end. The misuse of sparklers are to blame for a great deal of hand burn injuries to children.



Party poppers can also cause eye injuries if discharged at close proximity towards a person's face. That is why it is essential that all fireworks are properly supervised and used strictly in accordance with manufacturer's instructions and warnings to be found on the label or package.

Buying Category F1 Fireworks

Is there an Age Limit for buying fireworks?

You must be 12 before you can purchase Category F1 fireworks. Always buy from a reputable store. It is an offence for a retailer to sell to someone under 12 years of age.

What are the Labelling requirements for Category F1 fireworks?

The following minimum labelling (in English or English and Irish), is required to be on any fireworks (or their packaging) offered for sale:

Fireworks which are fully CE Compliant

- CE mark (Reg 19)
- Name of manufacturer and/or importer

- Name and type of article
- Minimum age limit applicable (12 for Category F1): (e.g. "Must not be sold to persons under 12 years of age")
- Category of article (e.g. Category F1 firework)
- Instructions for use
- Minimum safety distance (where appropriate)
- NEQ (explosive content) of active explosive material.
- Where appropriate "For outdoor use only" and a minimum safety distance

What are the Importation requirements for importers of fireworks intended for sale to the general public?

Under existing explosives legislation, an importation licence from the Department of Justice is required for all fireworks (except Christmas crackers). For more information see 'GD 8/2010 -Guidance on Legal Obligations for Importers, Retailers and Distributors of fireworks intended for sale to the general public on www.justice.ie where the relevant application form may also be found.

What about importation of fireworks for firework displays?

Import licenses are also issued by the Department of Justice for fireworks for display purposes (i.e. those required for use in

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organised firework displays conducted by professional operators). Such displays are held each year in Ireland in conjunction with public festivals and events, and also for weddings and local festivals. The Department of Justice does **not** issue a licence for the firework display or event.



To import fireworks into the country for a professional fireworks display see "Guidance Document on Organised Pyrotechnic Displays" at www.justice.ie for further information, and the relevant application form.

What are the penalties for the illegal possession or misuse of fireworks?

The only fireworks which can currently be legally bought and used in the State by the general public are the **very** low hazard Category F1 fireworks. All other fireworks imported, held, sold or used in this country (apart from those imported under licence e.g. for professional displays), are **illegal**. These include the more powerful fireworks such as bangers, flash-bangers, rockets, roman candles, wheels, combinations, shot tubes batteries/cakes shells etc.

The Criminal Justice Act 2006 introduced new offences and penalties relating to illegal possession or misuse of fireworks:

- It is an offence to throw an ignited firework at any person or property, and with the exception of low hazard fireworks;
- It is an offence for any person to possess an unlicensed⁷ firework,
- It is an offence for any person to possess an unlicensed firework with intent to sell or supply,
- It is an offence to light unlicensed fireworks.

The penalty for these offences is a fine of up to €10,000 or 5 years imprisonment or both. A number of further offences are also created under the new Pyrotechnic Regulations, including that of :

- Selling Fireworks to anyone aged under 12
- Distributors not acting with due care, or distributing articles not compliant with the regulations.
- Persons making available articles on the market which are not properly labelled or which when properly stored and used for its intended purpose endangers the health and safety of persons.

⁷ "Unlicensed firework" means a firework which has been imported without an import license issued by DJE under the Explosives Act.

Appendix 1

Typical Category F1 fireworks⁸

Bengal flames

Bengal matches

Bengal sticks

Christmas Crackers

Crackling granules

Flash pellets

Fountains

Ground spinners

Hand Held sparklers

Novelty Matches

Party Poppers

Serpents

Snaps

Table bombs

Throw downs

Additional Information - for Importers, Distributors & Retailers:

GD 8/2010 - Guidance on Legal Obligations for Importers, Distributors and Retailers of fireworks intended for sale to the general public

⁸ Provided they meet the requirements of the relevant standards, including net explosive content (NEC). Note that similar types of fireworks under transitional arrangements may be imported under license provided the NEC is comparable to Cat F1 and the relevant standards are met.

for Fire Officers, Distributors and Retailers etc:

GD 9/2010 - Guidance on Storage of Pyrotechnic Articles in Retail & Distribution Centres

for Professional Operators :

GD 1/2006 - Guidance document on Organised Pyrotechnic Displays

European Union(Making Available on Market of Pyrotechnic Articles) Regs 2015 - S.I. No 174 of 2015 and to download other Acts and Statutory Instruments: [See www.irishstatutebook.ie](http://www.irishstatutebook.ie).

For general information on import, manufacture, storage, transport or sale of fireworks:

**Firearms, Explosives and Criminal Justice
Compensation Schemes
Department of Justice
51 St Stephen's Green
Dublin 2
D02 HK52
Tel; +353 (0)1 859 2279
Email: explosives@justice.ie**

For General Consumer Product Safety Information:

i.e. for information on European
Communities (General Product Safety)
Regulations 2004 - (S.I. No. 199 of 2004).

Competition and Consumer Protection Commission

Competition and Consumer Protection
Commission
Bloom House
Railway Street
Dublin 1
D01 C576

E-mail: productsafety@ccpc.ie
Phone: **01 402 5555**

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