

Firework Safety and age restricted sales

Trading Standards Information

www.southwark.gov.uk

1. Introduction

Fireworks are explosives. On average fireworks injure 1000 people every year. Nearly half the injuries are to under 17 year olds even though the law prohibits the sale of fireworks to persons under 18. This leaflet explains the safety regulations introduced to try and reduce these figures.

Firework retailers must also be registered with the Council and regulations on safe storage, continue to be in force. Please refer to our separate leaflet on this subject.

2. Main legal requirements

- Sparkler packets must be labelled with the statement '**Warning: not to be given to children under 5 years of age**'
- Selling fireworks to anyone under the age of **18** is illegal. (Except for Caps, cracker snaps, novelty matches, party poppers, serpents, or throwdowns where the minimum age is 16.)
- A warning sign must be displayed in all premises selling adult fireworks. See section 4.
- Fireworks pre-packed in selection boxes or multi-packs must not be split up and sold separately.
- All fireworks intended for use by the general public must comply with British Standard 7114:1988. Do not stock fireworks unless they are labelled with a statement saying they do.
- No person under 18 may possess fireworks in a public place.

3. Fireworks now banned from sale to the general public

- Air Bombs ▪ Mini-rockets ▪ Bangers of any kind
- Aerial maroons, aerial shells, shell-in-mortars and maroon-in-mortars
- Any fireworks with erratic flight, for example squibs, jumping crackers and helicopters
- Combinations containing any type of banger such as Chinese Crackers and other batteries. (These are designed for use in large open spaces and are classified as Category 3 fireworks).
- Excessively loud Category 3 fireworks (sound pressure level exceeding 120 decibels).

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4. New warning sign to be displayed

A notice must be displayed at all premises that supply or expose for supply adult fireworks. The notice shall be at least 420mm x 297mm (A3 size), with letters at least 16 mm high. The notice must contain the information shown. Free notices are available from this Service.



5 Who does the law apply to?

The law applies to any trader who supplies fireworks in the course of his business. The business owner will be liable for any illegal sales by employees. It does not matter if it was believed that an underage purchase was being made on behalf of an adult or if the person looked like they were over 18.

6. What can I do to avoid underage sales?

Please refer to our separate leaflet entitled *Age restricted sales – best practice guidance*. Make sure all your sales staff read this leaflet and the associated guidance on proof of age and saying no.

7. What happens if I don't comply with the requirements?

These requirements are contained in the Fireworks Regulations 2004 which are made under the Fireworks Act 2003 and safety regulations made under the Consumer Protection Act 1987. Failure to comply could result in goods being seized and prosecution.

On conviction the Courts may impose a fine of up to £5000, or up to 6 months imprisonment, or both.

8. Further information

If you require further assistance on these regulations, or would like additional information leaflets, please contact our Business Help Desk at the address given. Details on firework licensing and storage requirements are contained in our information leaflet entitled 'Fireworks - registration and storage requirements'.