



Explosives Licensing

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The Manager,
Legal and Compliance Section,
Group HQ.

Ref: 65/521/23/CC1-2021

27th January 2021

**Changes Required to the Labelling of Christmas Crackers
as a result of Brexit**

Dear Sir/Madam,

This is to inform any economic operator who places Christmas Crackers¹ on the EU market² about the possible changes to their legal obligations as a consequence of the United Kingdom leaving the EU and becoming a "third country"³.

Since the 1st January 2021 the EU Pyrotechnic Directive 2013/29/EU⁴ on the making available on the market of pyrotechnic articles no longer applies to the United Kingdom (UK). However the Protocol on Ireland/Northern Ireland ("IE/NI Protocol") does apply and this provides that the Directive 2013/29/EU applies to and in the United Kingdom in respect of Northern Ireland. Any further reference to the UK in this letter excludes Northern Ireland.

This has direct implications for economic operators who source Christmas Crackers from economic operators in the UK who either manufacture the crackers themselves or import them from another "third country". The full implications are detailed in the EU Commission "Notice to Stakeholders – Withdrawal of the United Kingdom and EU Rules in the Field of

¹ Christmas Crackers are categorised as Category F1 fireworks under Directive 2013/29/EU. The legal obligations outlined here also apply to all other fireworks and pyrotechnic articles subject to this Directive.

² "Placing on the market" is the first supply (making available) of a good for distribution, consumption or use on the EU market.

³ A third country is a country which is not a member of the EU.

⁴ Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles (recast). OJ L 178/27, 28.06.2013

Pyrotechnic Articles” which is attached. I now wish to highlight some of these implications which may affect an economic operator who places Christmas Crackers on the EU market:

Consequences for the Identification of Economic Operators and Labelling of Christmas Crackers:

Economic operators established in the UK are no longer considered as economic operators established in the EU. Consequently an economic operator established in Ireland who places Christmas Crackers on the market which have been sourced from an economic operator in the UK and where that UK operator has either manufactured the crackers themselves or imported them from another “third country” will now become an EU importer.

The specific obligations for EU importers are detailed in Directive 2013/29/EU and include the requirement to label the Christmas Crackers with the information about the importer. Article 12(3) of the Directive states that:

“Importers shall indicate on the pyrotechnic article their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where that is not possible, on its packaging or in a document accompanying the pyrotechnic article. The contact details shall be in a language easily understood by end-users and market surveillance authorities.”

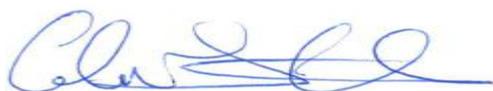
Only Christmas Crackers which are in compliance with this EU Directive can be placed on the market in Ireland.

Placing on the Market:

Christmas Crackers which have been placed on the market in the EU or the UK including Northern Ireland prior to 1st January 2021 may be further made available on the EU market until they reach their end-user.

If you have any queries or specific questions as to how this relates to your business including the labelling and sale of Christmas Crackers do not hesitate to contact this Department at explosives@justice.ie

Yours Sincerely,



Colm Farrell,
Government Inspector of Explosives,
Department of Justice.

Distribution: Legal and Compliance Section, all consumer Wholesale and Retail Outlets.