
STATUTORY INSTRUMENTS

2015 No. 1553

The Pyrotechnic Articles (Safety) Regulations 2015

PART 2

Obligations of economic operators

Chapter 3

Manufacturers and importers

Traceability

20.—(1) Where a manufacturer or importer places a pyrotechnic article on the market before 17th October 2016, the manufacturer or importer must—

- (a) maintain a record of the registration number of the pyrotechnic article for a period of at least 10 years beginning on the day on which it is placed on the market; and
- (b) upon request, make this information available to an enforcing authority.

(2) Where a manufacturer or importer places a pyrotechnic article on the market after 16th October 2016, the manufacturer or importer must—

- (a) keep a record of the required information for the pyrotechnic article for a period of at least 10 years beginning on the day on which it is placed on the market;
- (b) transfer the record referred to in sub-paragraph (a) to the Secretary of State if the manufacturer or importer is ceasing to trade; and
- (c) upon a reasoned request, provide an enforcing authority with the required information.

(3) The Secretary of State may appoint a person to receive, hold and manage the record referred to in paragraph (2) on the Secretary of State's behalf.

(4) In this regulation, “required information” means the following information about a pyrotechnic article—

- (a) the registration number;
- (b) the trade name;
- (c) the generic type and sub-type (where applicable); and
- (d) the site of manufacture.

Monitoring

21.—(1) When an enforcing authority deems it appropriate, with regard to the risks to the health and safety of consumers presented by a pyrotechnic article, a manufacturer or importer must, upon a duly justified request of the authority and within such period as the authority may specify—

- (a) carry out sample testing of pyrotechnic articles made available on the market;
- (b) investigate complaints that pyrotechnic articles are not in conformity with Part 2; and

- (c) keep distributors informed of any monitoring carried out under sub-paragraphs (a) and (b).
- (2) A manufacturer or importer must keep a register and must promptly make entries in that register of any—
 - (a) complaints that pyrotechnic articles are not in conformity with Part 2;
 - (b) pyrotechnic articles which are found not to be in conformity with Part 2; and
 - (c) pyrotechnic article recalls.
- (3) A manufacturer or importer must keep an entry made in the register for a period of at least 10 years beginning on the day on which the obligation to make the entry arose.

Duty to take action in respect of pyrotechnic articles placed on the market which are considered not to be in conformity

- 22.**—(1) A manufacturer or importer who considers, or has reason to believe, that a pyrotechnic article which they have placed on the market is not in conformity with Part 2 must immediately take the corrective measures necessary to—
- (a) bring the pyrotechnic article into conformity;
 - (b) withdraw the pyrotechnic article; or
 - (c) recall the pyrotechnic article.
- (2) Where the pyrotechnic article presents a risk, the manufacturer or importer must immediately inform the market surveillance authority, and the competent national authorities of any other member State in which the manufacturer or importer made the pyrotechnic article available on the market, of the risk, giving details of—
- (a) the respect in which the pyrotechnic article is considered not to be in conformity with Part 2; and
 - (b) any corrective measures taken.

Provision of information and cooperation

- 23.**—(1) A manufacturer or importer must, further to a reasoned request from an enforcing authority and within such period as the enforcing authority may specify, provide the authority with the information and documentation necessary to demonstrate that the pyrotechnic article is in conformity with Part 2—
- (a) in paper or electronic form; and
 - (b) in a language which can be easily understood by the enforcing authority.
- (2) A manufacturer or importer must, at the request of the enforcing authority, cooperate with the authority on any action taken to—
- (a) evaluate a pyrotechnic article in accordance with regulation 56 (evaluation of pyrotechnic articles presenting a risk); or
 - (b) eliminate the risks posed by a pyrotechnic article which the manufacturer or importer has placed on the market.