



Brussels, 25 September 2018

## NOTICE TO STAKEHOLDERS

### WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES IN THE FIELD OF PYROTECHNIC ARTICLES

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that unless a ratified withdrawal agreement<sup>1</sup> establishes another date or the period is extended by the European Council in accordance with Article 50(3) of the Treaty on European Union, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) ('the withdrawal date'). The United Kingdom will then become a 'third country'.<sup>2</sup>

Preparing for the withdrawal is not just a matter for EU and national authorities but also for private parties.

In view of the considerable uncertainties, in particular concerning the content of a possible withdrawal agreement, economic operators in the field of pyrotechnic articles are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to any transitional arrangement that may be contained in a possible withdrawal agreement, as of the withdrawal date, the EU rules in the field of pyrotechnic articles, and in particular 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<sup>3</sup>, no longer apply to the United Kingdom. This has in particular the following consequences for pyrotechnic articles placed on the EU market as of the withdrawal date:<sup>4</sup>

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<sup>1</sup> Negotiations are ongoing with the United Kingdom with a view to reaching a withdrawal agreement.

<sup>2</sup> A third country is a country not member of the EU.

<sup>3</sup> OJ L 178, 28.6.2013, p. 27.

<sup>4</sup> In the context of the negotiations of the EU-UK withdrawal agreement, the EU is trying to agree solutions with the United Kingdom concerning goods placed on the EU market *before* the end of the transition period. See, in particular, the latest text of the draft withdrawal agreement agreed at negotiator's level, which is available here: [https://ec.europa.eu/commission/sites/beta-political/files/draft\\_agreement\\_coloured.pdf](https://ec.europa.eu/commission/sites/beta-political/files/draft_agreement_coloured.pdf).

## 1. OBLIGATIONS OF IMPORTERS; CONFORMITY ASSESSMENT PROCEDURES AND NOTIFIED BODIES

The *Notice to stakeholders – Withdrawal of the United Kingdom and EU rules in the field of industrial products*<sup>5</sup> is also relevant for the EU rules on pyrotechnic articles. This holds in particular for the identification of economic operators (an economic operator established in the EU-27 who, prior to the withdrawal date, was considered as an EU distributor will become an importer for the purpose of Directive 2013/29/EU), and the requirement to hold a certificate issued by an EU-27 notified body as of the withdrawal date.

## 2. LABELLING OF PYROTECHNIC ARTICLES

According to Article 1 of Commission Implementing Directive 2014/58/EU setting up a system for the traceability of pyrotechnic articles<sup>6</sup>, pyrotechnic products have to be labelled with a registration number comprising, *inter alia*, the identification number of the notified body, as well as the processing number used by the notified body for the pyrotechnic article. The registration number is assigned by the notified body.<sup>7</sup>

As of the withdrawal date, pyrotechnic articles placed on the EU market can no longer be labelled with a registration number assigned by a notified body established in the United Kingdom.

The website of the Commission on the EU legislation on pyrotechnic articles ([https://ec.europa.eu/growth/sectors/chemicals/legislation\\_en#pyrotechnics](https://ec.europa.eu/growth/sectors/chemicals/legislation_en#pyrotechnics)) provide for general information concerning pyrotechnic articles. These pages will be updated with further information, where necessary.

European Commission  
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

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<sup>5</sup> [https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notice\\_en#grow](https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notice_en#grow)

<sup>6</sup> OJ L 115, 17.4.2014, p. 28.

<sup>7</sup> See recital 2 of Commission Implementing Directive 2014/58/EU.