



Notification Number: 2005/570/E

Draft Ministerial Decree updating Supplementary Technical Instructions Nos. 8, 15, 19 and 23 of the Regulation on Explosives

Date received : 07/12/2005
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Issue of comments by : Commission

Message

Message 002

Communication from the Commission - SG(2005) D/52465
Directive 98/34/EC
Translation of the message 001
Notification: 2005/0570/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200502465.EN)

1. Structured Information Line

MSG 002 IND 2005 0570 E EN 20-01-2006 19-10-2005 E NOTIF 20-01-2006

2. Member State

Spain

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias

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3. Originating Department

Subdirección General de Minas
Dirección General de Política Energética y Minas
Ministerio de Industria, Turismo y Comercio
Vicesecretaría General Técnica
Ministerio del Interior

4. Notification Number

2005/0570/E - C10C

5. Title

Draft Ministerial Decree updating Supplementary Technical Instructions Nos. 8, 15, 19 and 23 of the Regulation on Explosives

6. Products Concerned

The amendments affect fireworks as regards classification, cataloguing and marketing procedures, and explosive substances, cartridges and fireworks as regards identification labels on packaging and packages.

7. Notification Under Another Act

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8. Main Content

Proposed key words: EXPLOSIVES, CARTRIDGES AND FIREWORKS.

The content of the draft is to amend the Supplementary Technical Instruction of the current Regulation on Explosives in order to:

- Define technical criteria and safety requirements by means of the cataloguing procedure.
- Clarify aspects which include sufficient safety guarantees to prevent accidents from taking place, on the labelling of regulated materials and in batches and assortments.
- Establish usage and sale age restrictions for the various classes and adopt conditions which permit the marketing of batches and assortments.
- Amend downwards the thresholds for the quantity of regulated material for fireworks for sale to the general public and define each one of these.

9. Brief Statement of Grounds

With a view to adapting the technical content generated by the technical working group of the European Standardisation Committee CEN/TC 212, on the standardisation of fireworks, requirements that could affect current manufacturing are amended and incorporated.

Furthermore, and as a result of several accidents in the use of recreational fireworks for sale to the general public, the Ombudsman has requested that the Directorate-General of Energy Policy and Mining consider a regulatory amendment that will result in a stricter regulation and, in particular, reduce the explosive charges in fireworks.



10. Reference Documents - Basic Texts

Regulation on Explosives adopted by Royal Decree No 230 of 16 February 1998 and amended by Royal Decree No 277 of 11 March 2005.

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

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13. Confidentiality

NO

14. Fiscal measures

NO

15. Impact assessment

Not carried out

16. TBT and SPS aspects

TBT Agreement

a) NO

b) NO

iii) The draft shall have no noticeable effect on international trade.

SPS Agreement

a) NO

b) NO

1) This draft is not a sanitary or phytosanitary measure pursuant to Annex A of the SPS agreement.

iii) The draft shall have no noticeable effect on international trade.

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European Commission

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