

## **British Fireworks Association response to 'Fireworks and pyrotechnics in the UK'**

*Consultation run by the Office for Product Safety and Standards and the Department for Business and Trade. Closes 11.59pm, Wednesday 7 October 2026.*

### **Opening Statement**

The British Fireworks Association (BFA) represents businesses in the UK's legal, regulated consumer fireworks industry. Its members import over 95 per cent of legal consumer fireworks and supply retailers and wholesalers nationwide. Businesses outside BFA membership must comply with the same applicable legislation. Members follow a Code of Conduct covering safety, quality and reliability, and the BFA works with Government and enforcement authorities to promote safe and responsible use.

The BFA shares the Government's aim of reducing firework-related harm, nuisance and distress. We welcome meaningful discussion and are willing to share product, sales and illegal-supply evidence to help establish what changes, if any, are needed. We are open to proportionate measures where reliable evidence demonstrates that they would improve outcomes without compromising safety.

Before deciding on further restrictions, the Government should establish how many reported incidents involve wilful misuse, accidental misuse, illegal products or compliant fireworks used as intended. It should also examine why existing legislation is not consistently enforced and whether better use of existing powers and resources would address the problems identified. Public concerns deserve investigation, but social media commentary, anecdotal reports and repeated campaign wording cannot substitute for evidence of the causes of harm or the effectiveness of proposed measures.

The Government should explain how it will analyse coordinated campaign submissions, including identical or substantially similar responses and representations forwarded through MPs following invitations to contact them. These are legitimate forms of participation, but repeated wording should not be treated as independent corroboration of factual claims. The consultation analysis should distinguish the number of respondents expressing a view from the evidence supporting that view, and assess both support for and opposition to restrictions consistently.

Safety must remain central to the assessment. Restrictions could displace demand towards illegal products and supply routes, with consequences for transport, storage, sales to children, and the number and severity of injuries. The Government should establish a reliable UK injury baseline and explain how these risks would be weighed against any anticipated reduction in disturbance. Safety should not be traded for appeasement.

Any justified changes must also account for their full practical and financial consequences: redesign, testing, sequential approvals, assessment capacity, existing stock, fair compensation and the viability of businesses and community fundraising displays. The length and structure of any transition should be discussed with Government; past industry experience indicates that it could take up to seven years, depending on the changes required.

The BFA's position is therefore clear: investigate the evidence, assess the alternatives and unintended consequences, and agree proportionate action where a need is demonstrated.

## Responses to consultation questions

### Question 1

*Are there any other particular F2 and F3 fireworks products that you think the general public should not be allowed to buy? Please state which products and give your reasons.*

**Answer: No. The evidence presented does not establish a case for adding further F2 or F3 products to the Regulation 33 list.**

Legal consumer fireworks already undergo safety testing and UKCA/CE conformity assessment, with controls on composition, labelling and supply. F2 and F3 products may only be sold to adults aged 18 and over.

Before restricting further products, the Government should establish the number and proportion of incidents involving wilful misuse, accidental misuse, illegal supply and compliant products used as intended. Product restrictions may not address deliberate unlawful behaviour and could divert demand towards unregulated supply.

The BFA would welcome discussion with OPSS on the evidence. Where a specific risk is demonstrated, we would consider proportionate measures, including changes to product standards, alongside enforcement and education. The response should address the cause of the problem and deliver an overall safety benefit.

### Question 2

*If more products are added to the regulation 33 banned list, what consequences might there be for consumers, industry, enforcement authorities, professional users, and others? Please give your reasons.*

**Consumers.** Further restrictions would reduce legal choice for the estimated 20 million people participating in fireworks activities at home each year, cited in the consultation. Continuing demand around Bonfire Night, New Year, Diwali and Lunar New Year could encourage purchases from unregulated online or other sellers, with fewer safeguards on product safety, instructions and age checks.

**Industry.** The consultation reports average annual imports worth GBP 27 million between 2021 and 2024, involving around 51 importing businesses. The BFA estimates annual retail activity of

almost GBP 250 million and more than 4,000 full-time and seasonal jobs, supporting businesses and associated tax revenues.

Stock can be ordered and funded up to 24 months ahead. Restrictions at short notice could leave legitimate businesses with unsaleable stock and licensed storage or specialist disposal costs. Small and seasonal businesses may be unable to absorb these losses. Inadequate transition arrangements or compensation could increase the risk of stranded stock being diverted into unlawful sales. Where restrictions cause legitimate losses, the Government should provide fair compensation alongside suitable transitional arrangements.

**Enforcement authorities.** Additional restrictions would increase monitoring duties while illegal supply may remain harder to detect. The Government should identify gaps in existing powers, resources or operational priorities and explain how any new requirements would be enforced. The fuller enforcement considerations are set out in Question 10.

**Professional users and community organisations.** Products added to Regulation 33 would remain available to persons with specialist knowledge, so established professional users may retain access. However, restrictions could increase demand for professional services and create incentives for unlawful supply of F4 products to consumers. The Government should examine supplier checks and diversion risks, rather than assume access controls would prevent displacement.

Increased demand could also encourage more people to seek specialist status. Appropriate training must be supported by sufficient practical experience and competence for the products used; newly qualified users should not automatically be equated with experienced display operators.

Community, charity, school and sports club displays often rely on consumer fireworks and may lack access or funds for professional operators. Higher costs or lost events could reduce charitable income and support for local services, potentially increasing demands on public funding. These effects, alongside lost legitimate sales and tax revenues, should be assessed.

### Question 3

*Do you agree that regulation 33(1)(g) should be amended to make explicit that a firework comprising more than one shot tube is banned from sale to the general public?*

**Answer: Disagree with the amendment as currently worded.**

The consultation does not make sufficiently clear whether the proposal would codify the existing interpretation or prohibit all multi-shot consumer fireworks, including cakes, barrages and compound fireworks.

Regulation 33(1)(g) prohibits shot tubes whose principal effect is a report or whose inside diameter exceeds 30mm. OPSS guidance already extends the prohibition to batteries or combinations containing prohibited shot tubes. The BFA would not oppose precise wording confirming that interpretation, provided it does not ban otherwise compliant multi-shot products.

BFA industry data indicate that multi-shot products account for over 70 per cent of F2 and F3 retail sales. A blanket ban on otherwise compliant multi-shot consumer fireworks would remove most of the legal consumer market, and the BFA would strongly oppose it. These products also offer safety advantages: stable bases, ground securing, vertical firing and a pre-engineered sequence from a single ignition can reduce repeated approaches to lit fireworks.

The Government should publish the proposed wording for discussion and assess the safety of likely alternatives before deciding whether any amendment is necessary.

#### Question 4

*Do you agree that the age limit for purchasing Christmas crackers should be removed?*

**Answer: Agree.**

Very few BFA members, if any, import Christmas crackers, so our direct commercial experience of this product is limited. However, the consultation recognises their low risk and small pyrotechnic content. Removing the current age limit of 12 could reduce retailers' age-checking burden and allow enforcement to focus on higher-risk activity, including sales of F2 and F3 fireworks to under-18s.

Any change should be accompanied by clear guidance on the position in Northern Ireland and the responsibilities of retailers operating across the UK.

#### Question 5

*Are there any other specific F1 and P1 pyrotechnics that should have their regulatory requirements increased or decreased? Please state which products, what regulatory requirements you think they should have and give your reasons.*

**Answer: The evidence presented does not justify increasing requirements across other F1 or P1 products.**

These products already face requirements on conformity assessment, labelling, safety information and supply. F1 fireworks generally cannot be sold to under-16s, and P1 articles cannot be sold to under-18s.

Concerns about smoke bombs and indoor pyrotechnics should be investigated by product, source and circumstances of use. Existing offences concerning pyrotechnics at designated sporting and qualifying musical events are relevant. A product safety defect calls for a different response from wilful misuse or inadequate enforcement.

The BFA would consider targeted changes to standards, labelling or sales information where evidence demonstrates a need. We would also welcome discussion of whether requirements for particular low-risk F1 products could safely be simplified.

### Question 6

*Do you agree the decibel level of fireworks consumers use should be lowered?*

**Answer: No, on the evidence currently presented. The existing maximum of 120 dB (A,imp) should be retained unless further investigation establishes that a change is necessary and would improve overall safety.**

The BFA is open to meaningful consultation on proportionate changes supported by robust evidence. Investigation should address the sources of disturbance, testing methodology, enforcement and the risk of displacement towards illegal or higher-hazard products. Our assessment of potential benefits and adverse consequences follows in Questions 7 and 8.

### Question 7

*What might be the positive impacts of reducing the maximum decibel level of fireworks available to the general public? Please explain your answer, providing evidence where possible.*

A lower maximum could reduce the measured peak noise of some legal consumer fireworks and provide benefits for people and animals sensitive to sudden or loud sounds. It could also encourage development of quieter products. The BFA recognises these potential benefits and supports their investigation.

Their extent would depend on the products affected and the proportion of disturbance arising from lawful consumer use. F4 products would remain available to persons with specialist knowledge under these proposals. Reducing the consumer limit would therefore not remove all louder fireworks from lawful use, or address noise from illegally supplied products.

The HSE's 2023 programme tested 72 fireworks across nine types and found substantial variation in measured noise. Maximum decibel readings alone do not describe disturbance: frequency characteristics, duration, repetition and the type of sound also matter. A crackling fountain can produce a reading similar to a rocket, while creating a different sound.

The Government should distinguish lawful use from wilful misuse, accidental misuse, illegal products and breaches of existing use restrictions when assessing the likely benefit. Enforcement of the current curfew, clearer information about quieter products and a national safety and considerate-use campaign should also be assessed. The curfew normally ends use at 11pm, with later cut-offs for specified celebrations.

### Question 8

*What might be the negative impacts of reducing the maximum decibel level of fireworks available to the general public? Please explain your answer, providing evidence where possible.*

The scale of adverse effects would depend on the threshold selected. The Government should assess each option against the market and likely consumer behaviour, rather than assume that costs or benefits increase in a simple linear relationship.

### **1. Reduced choice and disproportionate effects on sales**

The consultation estimates that 110 dB (A,imp) would affect around one-third of consumer fireworks. That product count does not establish the share of sales affected. Multi-shot products account for over 70 per cent of F2 and F3 retail sales according to BFA data; restrictions on them could therefore have a disproportionate commercial impact.

In the HSE sample, F3 rockets produced readings between 107 and 115 dB, and all F3 batteries of shot tubes tested produced readings above 110 dB. Batteries were the only type recording readings above 120 dB. Lower thresholds of 100 or 90 dB would affect more products. A representative assessment should establish both the products and sales affected at each threshold.

### **2. Displacement towards illegal supply and F4 products**

Continuing demand for particular effects could encourage illegal imports, non-compliant products or unlawful diversion of F4 fireworks. Such supply may bypass conformity assessment, labelling and age checks, as well as safe transport and storage controls. The consequences could include greater injury numbers or severity and risks to handlers, neighbouring premises and the wider public.

Transport concerns include undeclared fireworks on commercial aircraft. Seizures associated with Coventry and Birmingham airports, of which the BFA is aware, illustrate why investigation must cover transport and storage as well as eventual use. The Government's consultation itself acknowledges concerns about the emergence of a black market. Border controls, online enforcement and checks on supply to persons with specialist knowledge should form part of the assessment.

### **3. Costs and consequences throughout the supply chain**

Restrictions could strand stock ordered well in advance and impose storage, disposal, redesign and assessment costs, particularly on small or seasonal businesses.

Any proposed change should be assessed against the cost of obtaining new or revised type approvals across potentially thousands of products. These costs could include additional testing, technical documentation, application and assessment fees, and any necessary reassessment of explosives classification. The Government should establish which existing approvals could remain valid and which products would require further assessment before estimating the financial impact on businesses. The scale of these costs means that businesses would need to spread them over several years. Any transition discussed with the Government should therefore reflect both the time required to complete approvals and businesses' ability to absorb the associated expenditure without undermining their viability.

The Government should assess manufacturers' testing facilities' and conformity assessment bodies' capacity, together with the specialist resources HSE would need as the competent authority for explosives classification in Great Britain. Some effects may be difficult to retain at

lower noise levels without altering size, composition, duration or height. Question 9 addresses development and approval times.

#### **4. Testing consistency and treatment of uncertainty**

The HSE report identifies wind, humidity, sound reflection and firework effects as influences on measured noise. Any proposed limit needs a repeatable testing method and clear rules for products close to the threshold, covering conformity assessment and market surveillance.

The BFA requests clarification of the 6.5 dB figure referred to as a testing tolerance, including its source, technical basis and application. The Government should distinguish measurement uncertainty, variation between products and any permitted compliance tolerance, and explain how these would affect pass or fail decisions under each proposed limit.

#### **5. Community events and overall safety**

Restrictions could increase costs or reduce the viability of family, cultural and community displays, including fundraising events relying on consumer fireworks. The loss of charitable proceeds and local activities should be included in the assessment, alongside the effects described in Question 2.

Reducing disturbance must not come at the cost of increased injuries or greater injury severity. The Government should establish a reliable UK injury baseline, distinguishing wilful misuse, accidental misuse, illegal products and compliant products used as intended, and assess how each proposal could affect those outcomes. If the Government considers that a reduction in disturbance could justify an increase in injuries, it should state explicitly what increase in number or severity it would regard as acceptable, on what evidence and why. Safety should not be traded for appeasement: the full consequences, including displacement towards illegal supply, must be examined before any decision is taken.

#### **Question 9**

*How much lead in time would businesses need to prepare for the changes proposed in this consultation and why? Please state a lead in time in months or years, and explain your answer, providing evidence where possible.*

If investigation establishes that changes are justified, the length and structure of any transition should be discussed and agreed with Government. Past industry experience indicates that a transition could take up to seven years, depending on the nature and extent of the changes required, including product redesign, testing, sequential approvals and replacement of existing stock. Those discussions should establish appropriate arrangements for each stage of the supply chain, when any periods would begin and how existing orders and stock would be treated.

Any agreed arrangements should distinguish the time needed to develop and approve replacement products from the time needed to sell through existing compliant stock. Removing the Christmas cracker age limit would not require a comparable stock transition.

### **Existing stock and ordering cycles**

Orders are commonly placed 12 to 18 months ahead because of production times in China and shipping pressures; some stock is ordered and funded up to 24 months ahead. Products may already be in production or committed to future seasons when requirements are confirmed. Six months may offer little opportunity to clear stock in a market with short seasonal selling windows.

A workable transition should cover committed orders and provide meaningful opportunities to sell existing compliant stock lawfully, reducing unnecessary losses, storage and specialist disposal. Its timing should reflect complete selling seasons, as discussed in Question 10.

### **Product development and approvals**

Where redesign is needed, the BFA estimates that development, stability testing and UKCA/CE conformity assessment can require at least 18 to 24 months per product line. Changes may also require reassessment of explosives classification for transport. Businesses must have sufficient time to establish whether redesigned products can meet any new requirement without compromising safety or their intended characteristics.

Timescales must also allow the relevant conformity assessment bodies to interpret any amended requirements, establish consistent testing and assessment procedures, and prepare to process applications. Businesses need clarity on those procedures before committing to redesign and testing.

Assessments and approvals may involve sequential stages, while applications across potentially thousands of products could place substantial demand on a small number of approved bodies. Testing and applications can depend on completed development and final specifications; delays can therefore affect subsequent approvals, manufacture and shipping. The Government should establish their available specialist capacity and likely processing times rather than assume that existing capacity could accommodate this additional workload.

Any transition discussed with Government must reflect these dependencies, the associated costs and the resources available to assessment bodies and HSE. Businesses would also need sufficient time to spread the resulting expenditure over several years.

### **International supply chain and lasting effects**

The BFA is not aware of any UK manufacturer of consumer fireworks. Government evidence has previously estimated that more than 95 per cent are imported, almost all from China. UK businesses therefore depend on overseas development and production, followed by assessment, classification where required, shipping and licensed UK storage.

The BFA considers that the requirements and costs associated with the transition from BS 7114 to EN 15947 contributed to the loss of remaining UK consumer fireworks manufacturing. That experience highlights the need to examine lasting effects on business viability, employment, specialist skills and supply resilience, as well as immediate compliance costs. Lost capacity cannot readily be restored.

The BFA welcomes discussion with Government and the relevant assessment bodies to establish practical arrangements without assuming that further restrictions are required.

#### Question 10

*What other things should we consider when setting a lead in time? You may wish to reference the impact on people who buy fireworks, enforcement bodies, police or the general public.*

**Seasonal selling periods.** Unlike products sold daily throughout the year, fireworks are principally sold during short periods around Bonfire Night, New Year, Diwali and Chinese New Year. Any justified change should take effect outside a selling season and allow complete selling seasons for existing stock, with sufficient certainty before subsequent orders are placed. Existing licensing arrangements recognise these distinct periods.

**Business stock and products already owned by consumers.** The Government should distinguish restrictions on future sale from restrictions on possession or use. It must explain the position for products lawfully manufactured, imported or bought under existing rules, including fireworks already held by consumers.

If surrender or disposal were proposed, arrangements would need accessible collection, safe transport, appropriate storage and specialist disposal. Fireworks cannot safely enter ordinary household or commercial waste. The Government should assess available capacity, costs, responsibilities and compensation, including the effect of substantial quantities becoming unsaleable together. Uncertainty or inadequate arrangements could encourage unsafe disposal, unsuitable storage or illegal sales.

**Enforcement capacity and existing powers.** Trading Standards enforces the product safety requirements for F1, F2 and F3 fireworks, while HSE is responsible for F4 and P1/P2 articles in Great Britain. The Government should identify who would enforce any new requirements, the powers and resources needed, and how outcomes would be measured.

Where existing laws are not adequately enforced or available powers are not fully used, the Government should explain why additional legislation would be more effective. If extra staff, training or funding would be needed, why are equivalent resources not being directed towards existing offences now? That alternative should be assessed before further product restrictions.

Police Scotland reported increased specialist support through Operation Moonbeam in 2025. Separately, COPFS reported a custodial sentence for firework-related disorder following guilty pleas to culpable and reckless conduct and mobbing and rioting. These examples warrant examination of targeted resources and established offences as ways to address wilful misuse and wider antisocial behaviour.

**Border controls and consistency across the UK.** Importers need clear specifications before committing to orders. Border and market surveillance authorities need the capability to identify illegal and non-compliant products. The Government should also explain any differences in requirements or dates across Great Britain and Northern Ireland, including the implications of relevant EU rules under the Windsor Framework and devolved legislation.

**Consumer information and small businesses.** If changes were agreed, consumers and retailers would need clear information on affected products, dates and any provisions for existing stock. Retailers need time to adapt product information, stock management and sales processes. Small, independent and seasonal businesses may have limited capacity to absorb losses or compliance costs; predictable arrangements should support safe stock management and cash flow.

### **Additional evidence**

The BFA's ten-point plan proposes practical measures for discussion with Government. We would welcome examination of their effectiveness, proportionality and potential consequences alongside other evidence-led options:

- An annual national safety awareness campaign, agreed and funded jointly by industry and Government.
- Additional seasonal funding to tackle illegal fireworks.
- Better training for enforcement agencies in identifying illegal products, developed with industry.
- Raising the minimum purchase age for fireworks from 18 to 21.
- Immediate takedown of social media accounts and listings selling illegal fireworks.
- Higher fines and minimum sentences for selling, possessing or using illegal fireworks.
- A central contact point for reporting firework-related misuse.
- Standardised reporting of injury numbers and severity, product compliance and source, and whether incidents involve wilful misuse, accidental misuse or use as intended.
- Better resources for Border Force to intercept illegal fireworks.
- Tougher sentencing for fireworks used in public places or as weapons, especially against emergency workers, drawing on relevant Scottish measures.

## Sources

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