

(English version)

Question for written answer E-001796/25
to the Commission
Nikos Pappas (The Left)
(2 May 2025)

Subject: Request for clarification on the interpretation of Article 4(2) of Directive 2013/29/EU

Greece's current regulatory framework governing pyrotechnic articles, grounded in legislation dating back to Law 456/1976 and Presidential Decree 293/1977, is increasingly at odds with the harmonised provisions of Directive 2013/29/EU. While the directive clearly classifies categories F2 and F3 as suitable for the general public and F4 as exclusively for professionals, Greek enforcement authorities appear to conflate these distinctions, erroneously treating all three categories as restricted-use fireworks. This misinterpretation has led to a blanket prohibition on the use of pyrotechnics at private events — despite the fact that Article 4(2) of the directive permits Member States to impose restrictions solely on articles intended for the general public.

To ensure the correct application of Union law, safeguard the internal market's integrity and enable certified, licensed professionals in Greece to operate in line with EU norms, I ask the Commission to clarify the following:

1. Does Article 4(2) permit Member States to impose restrictions exclusively on the general public, or may these extend to certified professionals operating under national and EU authorisations?
2. Does the omission of Category F4 from Article 4(2) reflect the legislator's intention to exempt professional-use-only pyrotechnics from national restrictions?
3. Should the phrase 'to the general public' in Article 4(2) be interpreted as applying to possession, use and sale, or solely to the sale of pyrotechnic articles?

Submitted: 2.5.2025

Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(11 July 2025)

1. Article 4(2) of Directive 2013/29/EU ⁽¹⁾ enables Member States to take measures to prohibit or restrict the possession, use and/or the sale to the general public of category F2 and F3 fireworks, theatrical pyrotechnic articles and other pyrotechnic articles, which are justified on grounds of public order, security, health and safety, or environmental protection. The directive does not allow for national restrictions on the making available on the market of professional fireworks beyond the provisions of the directive. However, the directive does not prevent Member States from restricting professional firework displays to certain areas or time periods, as long as this does not restrict or hinder the making available on the market.
2. According to Articles 6 and 7 of the directive, category F4 fireworks are intended for use only by persons with specialist knowledge and may only be made available to such persons. The prohibition of access of the general public to fireworks of category F4 is therefore mandated by the directive.
3. Article 4(2) refers to the general public only and allows Member State to prohibit not only the sale to, but also the possession and use by the general public of the articles concerned.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013L0029>.