



SUBJECT: MARKETING AND USE OF EXPLOSIVES PRECURSORS

With the release of Regulation (EU) 2019/1148, concerning
“marketing and use of explosives precursors”

European Union have settled new rules about the trade and use of some raw materials, including the sulfuric acid and hydrogen peroxide used in our formulations.

- The drain cleaners **DISSOL**, **DISSOL BL** contain indeed a concentration of sulfuric acid sufficient to fall within the parameters of the legislation, as well as the product **THERMOSAN** regarding the hydrogen peroxide and the product **DECANOX GEL** regarding nitric acid, therefore they are subject to the new regulation.
- The **DISSOL GEL** and **DISSOL PLUS CHLOR** drain cleaners are formulated with other raw materials instead, and do not fall within these parameters, consequently they are not subject to the new rules.

> **Effect on the market: it is forbidden to sell these substances to private individuals, while selling to professionals will be allowed as usual**

Specifically, not only the sale, but any supply, paid or free of charges, of these substances to private individuals will be prohibited.

Private individuals themselves will not be allowed to possess these substances, nor bring them into the territory of one of the member states of the European Union.

Member States may issue licenses to individuals who are able to demonstrate their legitimate interest in purchasing, holding or using the regulated substances, as specified in Article 6.

An economic operator who gives a regulated substance to another **economic operator or a professional user**, must:

- Demonstrate that the personnel carrying out the operation are aware of the presence of this substance inside the product.
- Demonstrate that **the personnel carrying** out the operation are trained in relation to articles 5 to 9.

We also consider useful to focus on the following regulation's aspects, quoted as written:

*An economic operator who makes a regulated substance available to another economic operator or **professional user** must request, for each transaction:*

- > *(a) proof of identity of the individual entitled to represent the prospective customer;*
- > *(b) the trade, business, or profession together with the company name, address and the value added tax identification number or any other relevant company registration number, if any, of the prospective customer;*
- > *(c) the intended use of the restricted explosives precursors by the prospective customer.*

Economic operators must report suspicious transactions in order to prevent the illicit manufacture of explosives (within 24 hours, including theft and disappearance, according to Article 9), and are responsible for providing their staff with information relating to Regulation (EU) 2019 / 1148.



The regulation is applied in the European territory, selling products outside of it does not require the procedure specified in this informative.

To purchase Facot Chemicals products that are subject to these restrictions (DISSOL, DISSOL BL, THERMOSAN and DECANOX GEL, but not DISSOL GEL and DISSOL PLUS CHLOR) it is necessary to provide the following completed and signed documentation to be sent to export@facot.it

- “Customer Declaration” form to be completed by a person authorized to represent the potential Customer.
- Copy of the Identity Document mentioned in the form.
- Declaration of the Legal Representative certifying the authorization of the person mentioned in the form to represent the potential Customer.
- Consent to the Processing of Personal Data by the authorized person mentioned in the form.

In addition to the products and substances mentioned above, there are also explosives precursors that are **“regulated, but NOT subject to restrictions”**, which correspond to the substances in Annex II of the Regulation. For them it is not necessary to fill in the aforementioned documentation, but it is necessary to inform customers of their nature as precursors and to report suspicious transactions. Our products that fall into this category are the following: THERMONET CALDAIE (potassium nitrate), DETERGIT (acetone), SOLVENT FOAM (acetone), ACTIV SEAL (acetone).

The full text of the Regulations can be downloaded at following link:

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2019.186.01.0001.01.ENG&toc=OJ%3AL%3A2019%3A186%3ATOC



This Information Note is not intended to replace the reading of Regulation (EU) 2019/1148, of which we recommend consulting the full text.

Our technicians and sales staff are at your complete disposal to advise you on the appropriate choices according to the market you are targeting.

Thanks for your attention, we greet you cordially

FACOT CHEMICALS S.r.l.
The commercial management