



En vanguardia de la Creatividad

Nº de Catálogo 1008-F4-69249471

RESOLUTION of the General Directorate of Energy Policy and Mining of Cataloging pyrotechnic article called “WHEEL 1-WHEEL ONE RISING y WHEEL 2-WHEEL DOUBLE RISING”, with CE marking.

Having regard to the request made by the representative of the entity FOCS D'ARTIFICI EUROPLÁ, S.L., for the cataloging of pyrotechnic articles, according to the following,

BACKGROUND

The representation of the entity FOCS D'ARTIFICI EUROPLÁ, S.L., presented, with date of entry in this Ministerial Department July 13, 2016, request for the artifice to be cataloged pyrotechnic, called "WHEEL 1-WHEEL ONE RISING and WHEEL 2-WHEEL DOUBLE RISING", with CE marking, following the procedure described in articles 12, 13 and 14 of the current Regulation of pyrotechnic articles and cartridges, enclosing the documentation provided for in Spanish legislation that transposes Directive 2013/29 / EU, on the entry into pyrotechnic articles market, and the necessary documentation by the legislation on transport of dangerous goods and safety instructions.

FOUNDATIONS OF LAW

Corresponds to this General Directorate the competence in the cataloging of products Pyrotechnic.

The first Section of Chapter III (Cataloging) of Title I of the current Regulations of pyrotechnic articles and cartridges, approved by Royal Decree 989/2015, of October 30, regulates the cataloging of pyrotechnic articles.

In the present file, the regulatory procedure has been followed.

In virtue of this, SEEN the aforementioned precepts and other general and pertinent applications.



En vanguardia de la Creatividad

This General Directorate of Energy Policy and Mines RESOLVES:

CATALOG the pyrotechnic article of category F4, included in the generic type "wheel "WHEEL 1-WHEEL ONE RISING and WHEEL 2-WHEEL DOUBLE RISING", whose description is as follows:

- These are tubes that contain propellant charges and pyrotechnic composition producing sparks, flame and / or noise, the tubes being fixed to a structure support, designed to rotate and ascend in the air.

Effects: Rotation and ascent, with emission of sparks and flames, producing an effect visual and / or sound in the air.

Whose general identification is indicated on the "CE" Type Examination Certificate, issued by the notified body No. 1008, TÜV RHEINLAND INTERCERT KFT No. **1008-F4-69249471**.

Manufactured by FOCS D'ARTIFICI EUROPLÁ, S.L. (Factory of Valencia), Spain, being subject, at production control established in "**Module D**" of the aforementioned Directive, certified by the notified body No. 1008, TÜV RHEINLAND INTERCERT KFT No. **PD 69251724 0001, Rev.1**.

Assigning **UN No. 0335**, with **risk classification 1.3 G**

In addition, they must meet the following requirements:

1. Any variation of the product must be the object of a new request.
2. Since this artifice is classified within Category F4, its availability and its Use is reserved exclusively for certified experts based on ET 8.01 of the Regulation of Pyrotechnic Articles and Cartridge.
3. Each unit will carry, at least in Spanish, what is indicated in article 114 of the regulation of pyrotechnic articles and cartridges. It will be taken as a reference for the label format that is determined in the harmonized standards in this regard. When its size is not possible, the information will be provided in the unit of the container.
4. The containers and packaging shall comply with the provisions of Title IV of the current Regulation. of pyrotechnic articles and cartridges, and in the current legislation for the Transport of Dangerous goods.

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En vanguardia de la Creatividad

5. This cataloging can be revoked at any time for security reasons or by variation of the current Legislation.

Against this resolution, which puts an end to the administrative procedure, in accordance with the provisions in article 114 of Law 39/2015, of October 1, of the Common Administrative Procedure of the Public Administrations may file a contentious-administrative appeal directly before the Contentious-Administrative Chamber of the Superior Court of Justice of Madrid within two months, counting from the day following the notification of the present resolution, in accordance with article 46.1 of Law 29/1998, of July 13, regulator of the Contentious-Administrative Jurisdiction.

Optional appeal may also be lodged with the owner. General of Energy Policy and Mines within a month, starting from the day after the of the notification of the present resolution, meaning that, in case of filing an appeal replenishment, a contentious-administrative appeal can not be filed until it is resolved the appeal for reconsideration or the presumptive dismissal of the same, in under the provisions of article 123.2 of the aforementioned law.

For the calculation of the terms by months, the provisions of article 30.4 of the aforementioned Law 39/2015, of October 1.