

# Open Public Consultation in view of a possible revision of Regulation (EU) No 98/2013 on the marketing and use of explosives precursors

Fields marked with \* are mandatory.

## About you

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\* Language of your contribution

English

\* You are responding:

- As an independent expert
- On behalf of a business/private company
- On behalf of a non-profit organisation
- On behalf of a public authority
- On behalf of an academic/research institution
- On behalf of a pan-European interest group
- As an EU citizen
- Other

\* Name of the organisation you represent

*Text of 3 to 50 characters will be accepted*

EuCheMS Chemical Society (EuChemS)

\* First name:

*Text of 3 to 50 characters will be accepted*

Nineta

\* Last name:

*Text of 3 to 50 characters will be accepted*

Hrastelj

\* Email

*Text of 10 to 50 characters will be accepted*

nineta@euchems.eu

\* Please indicate your Country of residence or establishment

Belgium

Is your organisation included in the Transparency Register?

Yes  No

Please indicate your Register ID-number

*Text of 2 to 15 characters will be accepted*

03492856440-03

\* Your contribution:

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N° 1049/2001

can be published with your personal information

*(I consent the publication of all information in my contribution in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)*

can be published provided that you remain anonymous

*(I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.)*

## Questions

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How are you involved with restricted chemical substances (i.e. explosives precursors as per Regulation 98 /2013)?

- |  |   |
|--|---|
| <input type="checkbox"/> I produce them    | <input checked="" type="checkbox"/> I use them for my professional activities |
| <input type="checkbox"/> I distribute them | <input type="checkbox"/> I use them for my non-professional activities        |
| <input type="checkbox"/> I sell them       | <input type="checkbox"/> I do no deal with restricted chemical substances     |

Please specify what type of explosives precursor(s) you are involved with, and in what type of activity do you use the substance(s)?

|   | Name of the substance | Related activity    |
|---|-----------------------|---------------------|
| 1 | TNT                   | research            |
| 2 | mixed acid            | nitration reactions |
| 3 | hydrogen peroxide     | hypergolic systems  |
| 4 | sodium chlorate       | pyrotechnics        |
| 5 | sodium azide          | primary research    |

In your view, to what extent does the current system of controls and restrictions on the marketing and use of explosives precursors ensure security of the general public against the misuse of explosives precursors?

- Not at all
- Low extent
- Moderate extent
- High extent
- Completely
- I do not know

Based on your experience, to what extent does the current system of controls and restrictions on explosives precursors contribute to the following results?

|   | Not at all            | Low extent            | Moderate extent                  | High extent           | Completely            | I do not know                    |
|---|-----------------------|-----------------------|----------------------------------|-----------------------|-----------------------|----------------------------------|
| Raise awareness of the supply chain concerning risks related to the misuse of explosives precursors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Harmonise controls and penalties across Member States   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Improve the traceability of sales and transactions concerning explosives precursors                 | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Ensure the functioning of the internal market   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Other results   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

Please specify:

To what extent do the following elements pose security concerns?

|   | Not at all            | Low extent            | Moderate extent                  | High extent                      | Completely            | I do not know                    |
|---|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|----------------------------------|
| Storage of explosives precursor substances  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Means of transportation of explosives precursor substances                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Intra-EU movement of explosives precursors substances                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Lack of restrictions and controls applied to legal persons (including professional users) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| EU import and export of explosives precursors substances                                  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| Internet sales of explosives precursor substances   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

|   |                       |                       |                                  |                                  |                       |                       |
|---|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|
| Existence of non-regulated, but potentially dangerous precursor substances freely available on the market | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National enforcement capacity   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Awareness along the supply chain concerning the restrictions and controls required by the Regulation      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Capacity to distinguish professional users from the members of the general public                         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Procedures for registering transactions involving members of the general public                           | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Labelling obligations   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |

Please provide examples on issues related to the elements listed above

*Text of 20 to 1500 characters will be accepted*

Based on your experience, to what extent does the current system of controls and restrictions on explosives precursors entail the following costs?

|   | Not at all            | Low extent            | Moderate extent                  | High extent           | I do not know         |
|---|-----------------------|-----------------------|----------------------------------|-----------------------|-----------------------|
| Costs entailed by the licensing /registration procedures                                  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Costs incurred to circulate/get information on regulated substances                       | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Costs incurred to carry out monitoring, inspections, compliance and reporting activities  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Losses due to the unavailability of explosives precursor substances to the general public | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other costs   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Please specify the answers provided above

*Text of 20 to 1500 characters will be accepted*

If you are a user of restricted explosives precursor substances, are you requested to demonstrate that you are buying them for professional purposes?

|  |       |        |           |       |        |                |
|--|-------|--------|-----------|-------|--------|----------------|
|  | Never | Rarely | Sometimes | Often | Always | Not applicable |
|--|-------|--------|-----------|-------|--------|----------------|

|                     |                       |                       |                       |                       |                                  |                       |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| Physical stores     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Online marketplaces | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

What types of documents are requested in order to prove the use of the substance for professional purposes (e.g. business licence or other professional credentials)?

*Text of 20 to 1500 characters will be accepted*

In your opinion, what would be the impact of the application of a ban in all Member States for the acquisition, possession and use of restricted explosives precursors by members of the general public?

|  | Strongly disagree     | Disagree              | Neither agree nor disagree | Agree                 | Strongly agree                   |
|--|-----------------------|-----------------------|----------------------------|-----------------------|----------------------------------|
| Increase the level of security in the Union against the misuse of explosives precursors by terrorists        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> |
| Increase awareness and controls over transactions, disappearances and thefts of listed explosives precursors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> |
| Improve traceability of sales and transactions   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> |



|  |                       |                       |                                  |                       |                                  |
|--|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| Further harmonising rules concerning the making available, introduction, possession and use of explosives precursors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Smoother functioning of the internal market for chemical substances  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

What type of positive and negative effects might this option have on your daily activity?

*Text of 1 to 1500 characters will be accepted*

Based on your experience, to what extent can the following restricted substances be effectively substituted with other non-restricted substances or concentrations?

|                       | Not at all                       | Low extent                       | Moderate extent                  | High extent           | Completely            |
|-----------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|
| Hydrogen peroxide     | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Nitromethane          | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Nitric acid           | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Potassium chlorate    | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Potassium perchlorate | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Sodium chlorate       | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Sodium perchlorate    | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |

Would you consider using inhibited substances instead of restricted substances provided that their properties remain the same and the additional costs remain marginal?

*Text of 1 to 1500 characters will be accepted*

Inhibited substances: chemicals that can no longer be used as explosives precursors because of the addition of an inhibitor which decreases or prevents a chemical reaction

What would be the impact of introducing a requirement for economic operators to register transactions with professional users?

|  | Strongly disagree     | Disagree              | Neither agree nor disagree | Agree                            | Strongly agree                   | I do not know         |
|--|-----------------------|-----------------------|----------------------------|----------------------------------|----------------------------------|-----------------------|
| Increase the level of security in the Union against the misuse of explosives precursors by terrorists                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| Increase awareness and controls over transactions, disappearances and thefts of listed explosives precursors         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| Improve traceability of sales and transactions   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| Further harmonising rules concerning the making available, introduction, possession and use of explosives precursors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |

|   |                       |                       |                       |                       |                                  |                       |
|---|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| Smoother functioning of the internal market for chemical substances | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
|---|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|

What type of positive and negative effects might this option have on your daily activity?

*Text of 1 to 1500 characters will be accepted*

What would be the impact of extending the obligation to report disappearances and thefts of explosives precursors to members of the general public?

|  | Strongly disagree     | Disagree              | Neither agree nor disagree | Agree                 | Strongly agree                   | I do not know         |
|--|-----------------------|-----------------------|----------------------------|-----------------------|----------------------------------|-----------------------|
| Increase the level of security in the Union against the misuse of explosives precursors by terrorists        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Increase awareness and controls over transactions, disappearances and thefts of listed explosives precursors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Improve traceability of sales and transactions   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

|  |                       |                       |                       |                                  |                       |                                  |
|--|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| Further harmonising rules concerning the making available, introduction, possession and use of explosives precursors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Smoother functioning of the internal market for chemical substances  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

What type of positive and negative effects might this option have on your daily activity?

*Text of 1 to 1500 characters will be accepted*

Do you have any suggestions on how to improve the current system of restrictions and controls on explosives precursors?

*Text of 1 to 2500 characters will be accepted*

## Contact

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