



UNION EUROPÉENNE DES PRODUCTEURS DE GRANULATS
EUROPÄISCHER GESTEINSVERBAND
EUROPEAN AGGREGATES ASSOCIATION

'Track and Trace' Directive

Report on the Mapping of the implementation of the Directive by the Task Force

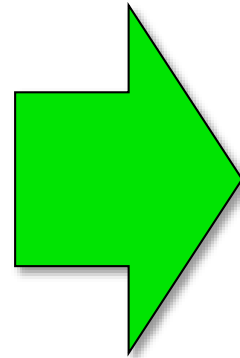
*Miette Dechelle on behalf of César Luaces Frades
(UEPG) – on behalf of the Explosives for civil uses TF*



European Commission Explosives WG – 26 October 2015 – Brussels

Main goals of the Directive

- Ensuring the safe and secure circulation of explosives on the community market
- Preventing misuse and theft and to assisting law enforcement authorities in the tracing of the origin of lost or stolen explosives



It is only possible if **all** the 28 MS are applying the Directive in the same way

Explosives supply chain

Authorities / Police

Authorities / Police

Manufacturers and importers of explosives

Distributors

Users
Mining,
Quarrying
and Civil
Works
Companies

Sellers

Transport

Few

Hundreds

Thousands

> 40.000

Key role

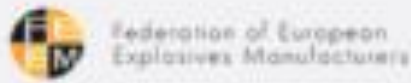
Millions of units / year

SMEs



Explosives for civil uses Task Force

Manufacturers and distributors of explosives + Industries using explosives + Blasting Associations + Engineers of explosives + Software developpers



With the support of



Software developer



With the support of
working in collaboration with



ACTIONS

Actions - Manufacturers

▪ Huge investments already done for:

- Implementing the identification and T&T systems in their production plants and developing T&T internal systems
- Marking and labelling their new products and those old ones unsold as the Directive stated
- Improvement of the quality systems to better control explosives supply and avoid practical problems
- Developing software to send information to the supply chain (Xml files)
- Improvement customer systems and Help Desks

Very good work!

Important increases in their costs

Actions - Users

■ Investments to:

- Fulfill the requirements of the T&T Directive
- Implementation of T&T systems (manual record is almost impossible)
- Record and double check the explosive materials and the information received
 - Software
 - Hardware
- Training of concerned workers

Still a little bit
hesitant

Need Administration
Guidance/control

Need **official information** on how to demonstrate they are complying with

Postponed decisions till the last minute leading to some technical problems

Actions - Associations

- **Disseminate the information and advise companies**

- The use of TF Explosives documents is recommended
- Technical and Workshops meetings all over Europe
- Difficulties to reach all the end users not Members

- **Analyse if any redundancy with previous legal national requirement be modified**

- Adaptation of communication, authorisation and ordering formats

- **Contact the national Administration to solve the main issues and problems**

Very challenging

Not always receptive



Actions – Explosives for civil uses TF (1)

- Dissemination to the whole supply chain
- Use of FEEM voluntary code
- Small articles guidance document
- Operational Procedures, marketing and labeling
- Safety and Legal requirements for Hardware and Software
- IT System, Installations, Software companies in line with National and EU legislations applicable in other countries and users
- Training Documents – Campaign - Action

Actions – Explosives for civil uses TF (2)

- Set an ongoing **action plan**
- **Identify any challenges** raised during the first and second phase of the implementation +
- **Actions** to solve challenges
- Create and disseminate a first **Guidance document for the whole supply chain**

Actions - Explosives for civil uses TF (3)

- Create Guidance documents for **end users in leaflet format** translated in **9 languages** and **Questions&Answers**
- Set up a TF **Website:** **<http://www.explosives-for-civil-uses.eu/>**



With the support of:



Identification and traceability of explosives for civil uses
Guidance for end users¹

Why?

- The Commission Directive 2008/43/EC of 4 April 2008 setting up, pursuant to Council Directive 93/15/EEC, a system for the identification and traceability of explosives for civil uses, amended by [Directive 2012/4/EU](#) sets up a harmonised system for the unique identification and traceability of explosives for civil uses:
 - To ensure the safe and secure circulation of explosives on the community market, undertakings in the explosives sector possess a system for keeping track of explosives in order to be able to identify those holding the explosives at any time.



Who?

- The end user would be the last undertaking to take possession or custody and to use the explosive, for example operating blasting on site. In certain cases this could be the sub-contracting company undertaking the blasting.
- Those responsible for the last place of storage on a site prior to use should keep records from the time they take possession or custody of the explosive until it is used.
- It should not however normally be necessary for records to be kept on the individual person, such as the individual shot-firer, to whom the explosive is given to use.



When?

- The deadline is the **5 April 2015**. From this date, each end user will need to have a proper system to be in place.
 - Existing explosives in each site must be marked, identified and controlled according with the provisions of the Directive, to avoid any infringement to the laws and legal responsibilities.

5 April 2015

Explosives for civil uses Task Force - June 2014 - <http://www.explosives-for-civil-uses.eu>

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THE SURVEY

■ What?

- Survey on the identification and mapping of the implementation process of the 'Track and Trace' Directive and latest challenges faced up by the whole supply chain for a good directive's implementation in Europe.

■ Why?

- Evaluate the implementation of T&T Directives
- Present the results to EC WG on Explosives on 26 October 2015.

■ When?

- Decided at the Explosives for civil uses Task Force Meeting on 9 June 2015
- Launched in September 2015 – Deadline October 2015

The survey (1)

- Country
- Organisation

- Is the Identification and Traceability of Explosives for civil uses Directive in your country...
 - A. Fully implemented?
 - B. Partially implemented?
 - C. Not yet implemented?
- If so, any reasons:
- Other Comments:

The survey (2)

- What are the **latest challenges** you are facing up in your country regarding the good implementation of the Identification and Traceability Explosives for civil uses Directive? Highlight current challenge(s) in your country (please mark one or more answers)
 - A. No request for compliance by the Members States authorities
 - B. No or little Members States' information / support
 - C. No request from the Members States authorities
 - D. There is an official delay for compliance
 - E. Delay in the implementation process
 - F. Redundancy with current National legislation, creating administrative cost and burden's duplication
 - G. Unmarked explosive products
 - H. SMEs resources' barriers (e.g. financial, human, methodology)
 - I. Mistakes in the Xml file, which leading one or several of the stakeholders of the supply chain to be responsible for an item that was not received
 - J. Non readable explosives. Some stickers on detonators, cartridges and other items are not always readable and still difficult to scan. It is a question of ink, format of the items, quality of the devices and software...



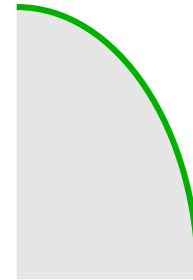
The survey (3)

- What are the **latest challenges** you are facing up in your country regarding the good implementation of the Identification and Traceability Explosives for civil uses Directive? Highlight current challenge(s) in your country (please mark one or more answers)
 - ...
 - K. Availability of hardware (hand held scanners)
 - L. Availability of software
 - M. Cost of devices and/or software
 - N. Companies security features
 - O. No or little support for the devices, e.g. scanners and software
 - P. Difficulties with the interoperability of companies (e.g. between the supply of data from one explosives provider to another)
 - Q. Intermittent issues/connection with the software/hardware solution
 - R. XML files not compatible or used by company
 - S. Lack of training of workers on track & trace systems
- Any Comments on the above mentioned challenges and their reasons
- Suggest other challenges in your country not yet listed






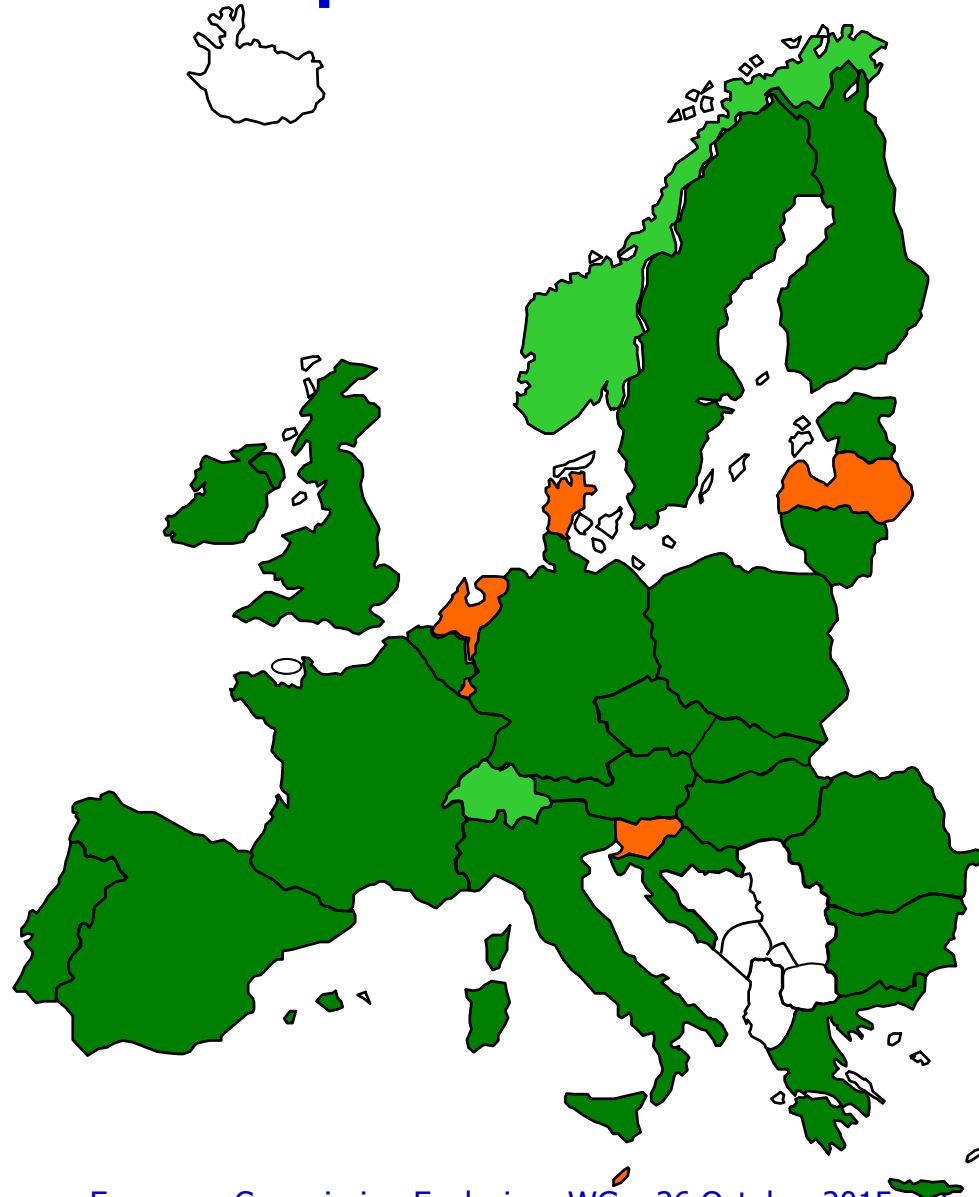
Who replied?

- Users
 - 17 replies
- Explosives manufacturers
 - 34 replies
- TTE (software company)
 - 7 replies

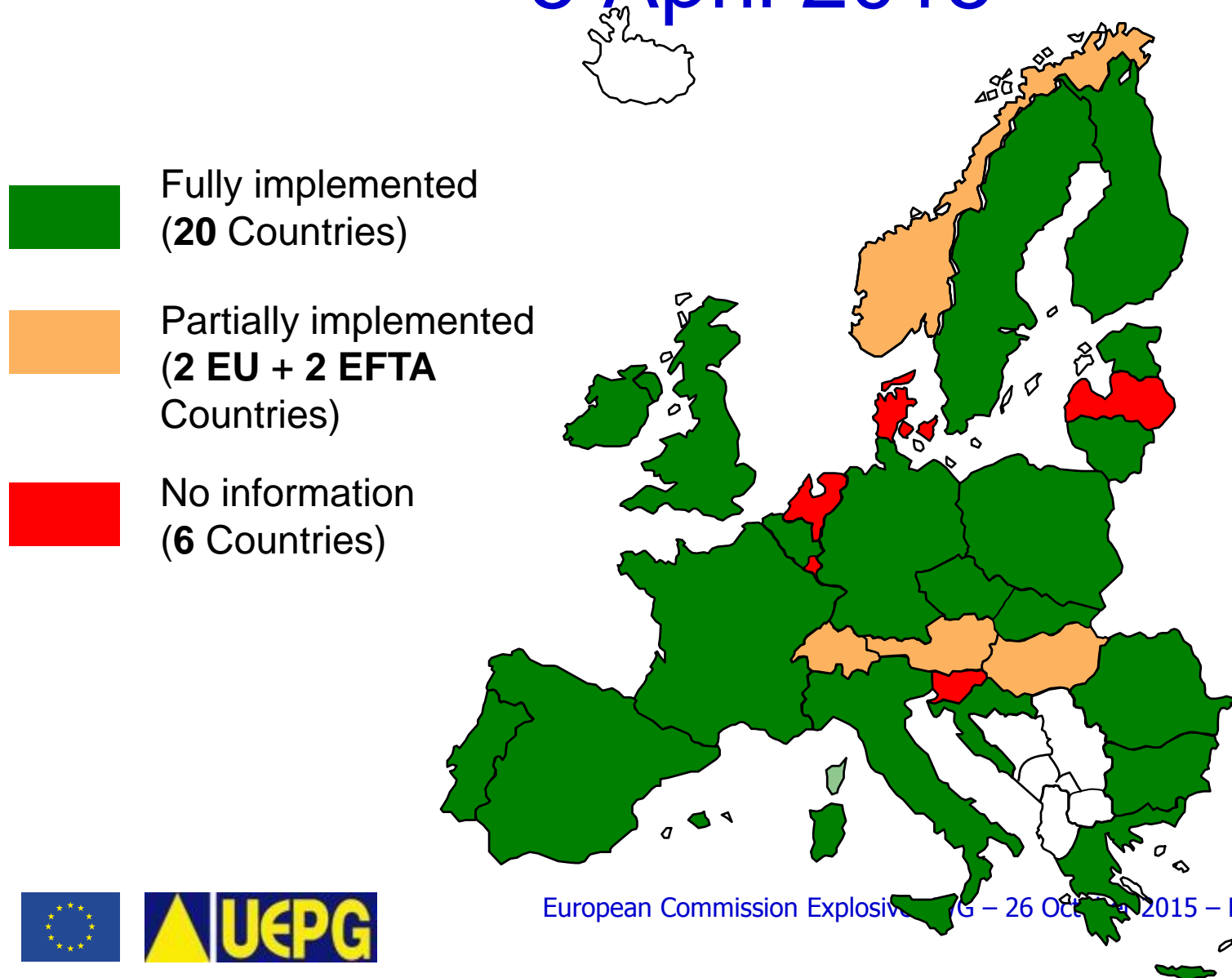


Replies

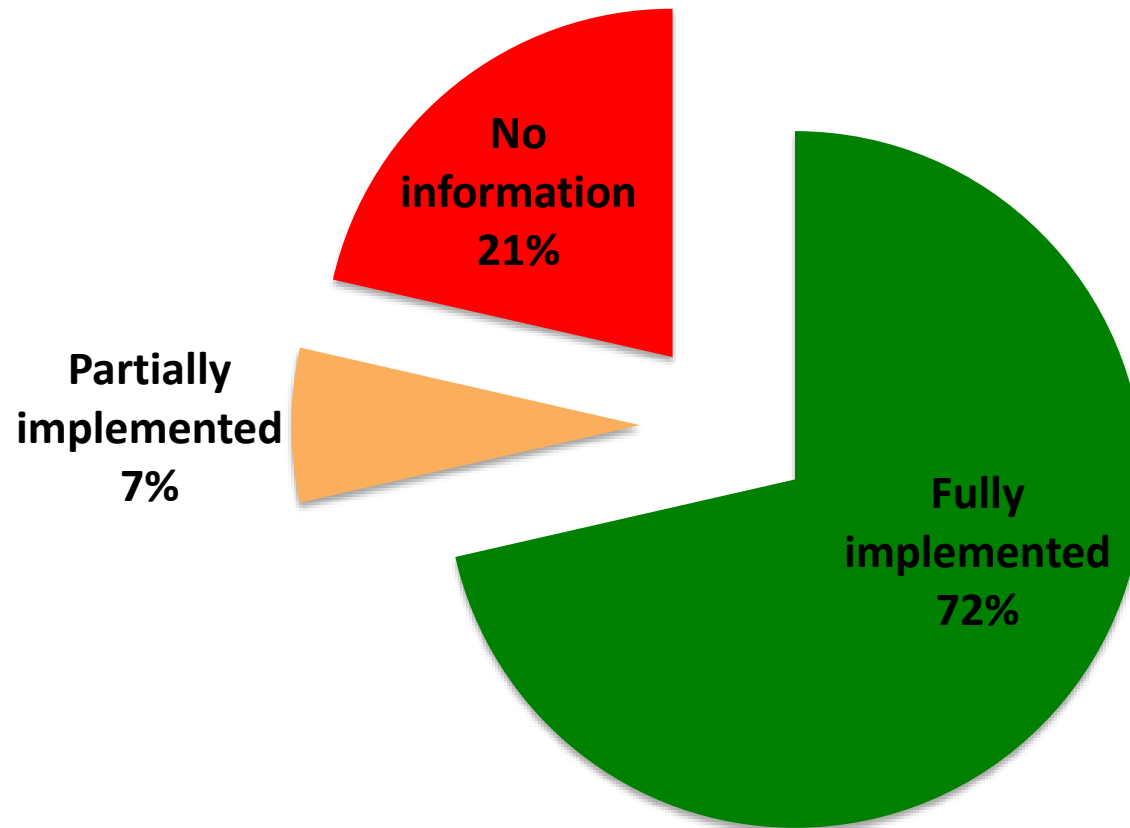
-  22 EU Members
-  2 EFTA
-  6 EU Members
Not replying



Should be fully implemented since the 5 April 2015



Degree of implementation

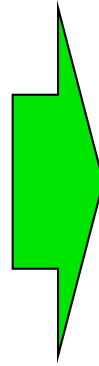


But ...

- Problems identified in **all** the countries
- All problems were anticipated by the Explosives for civil uses TF

Problems related with MS actions

- A. No request for compliance by the Members States authorities and
- B. No or little Members States' information / support and
- C. No request from the Members States authorities



- D. There is an official or unofficial delay for compliance

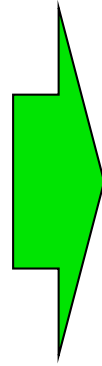


- Since there are normally 2 involved authorities at MS level (Industry + police), sometimes it is not clear who is taking the leadership and / or who is controlling
- **Proposal:** MS Authorities to actively support better compliance, especially for SMEs
- This likely not imaginable but it is known that some MS have delayed the implementation to adapt to their national legislation



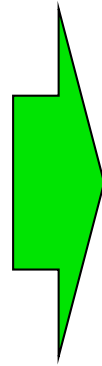
Problems related with MS actions

- E. Delay in the implementation process



- This happens because user companies waited till the very last moment – 5 April 2015

- F. Redundancy with current National legislation, creating administrative cost and burden's duplication



- **Proposal:** Speed-up National legislative process to solve any duplication and administrative burden, and promote the implementation of e-administration instead paper documents

Problems related with MS actions

- Misinterpretations of the Directive
 - Some countries are applying the T&T Directive till the gate of the user's site
 - Interpretation of the EC end users definition and Directive
 - Create distortions of the market and unfair competition between companies from the different surrounding countries
 - **Need of clarification**
- No clear procedures to:
 - Demonstrate that a single company is already complying with the Directive & on Sanctions for non compliance
- Not only different approaches at national level but also, in some countries, regions have their own interpretation causing some confusion



Other MS issues

- A protocol should be in place to request for information to undertakings in the supply chain.
- The problem is the contact points - how to verify that the contact person asking for T&T information is from the Police or from the competent Authorities?




Hardware and software technical problems

- K. Availability of hardware (hand held scanners)
- L. Availability of software
- M. Cost of devices and/or software
- N. Companies security features
- O. No or little support for the devices, e.g. scanners and software
- Q. Intermittent issues/connection with the software/hardware solution



- Not very relevant
- Related to a late start of a number of users companies
- Problems already solved technically in all cases, but that can occur in a timely manner
- Its resolution is a matter of time
- No specific actions are required from EC neither MS
- **Proposal:** Recommended action of information for Users Associations

User's specific problems

- H. SMEs resources' barriers (e.g. financial, human, methodology)
 - S. Lack of training of workers on track & trace systems
- 
- Not very relevant
 - Related to a late start of some users companies
 - Its resolution is a matter of time
 - **No specific actions are required from EC neither MS**



XML files problems

- I. Mistakes in the xml file, which leading one or several of the stakeholders of the supply chain to be responsible for an item that was not received
- R. XML files not compatible or used by company
- P. Difficulties with the interoperability of companies (e.g. between the supply of data from one explosives provider to another)



- Differences between the xml content and the explosives received
- Legal problem for the end user
- Quality
- systems are solving itself

- On going solution

- Since the FEEM Code is voluntary, different structure of data from different suppliers (for the non mandatory part of the codes)

- On going solution

Explosives problems

- G. Unmarked explosive products on the hands of users and distributors
- J. Non readable explosives. Some stickers on detonators, cartridges and other items are not always readable and still difficult to scan. It is a question of ink, format of the items, quality of the devices and software...



- Not a problem for manufacturers but for distributors and users
- Could be old products or products where the label was lost due to handling operations
- Usability problem not a legal or security problem
- Sometimes can be solved by reading the human readable code, but not always possible
- On going solution by new printing methods



Important problem with unreadable explosives

- Sometimes, the labels become unreadable due to different causes like: water, handling for blasting, ...
- What to do with them?
- **Proposal:**
 - The safest and most economical way would be to allow end-users to destroy them in the quarry according to the Swedish derogation:
 - *"Products without marking may not be assigned by manufacturers and importers. However, consumers / users are allowed to consume unlabelled products. So you are free to use and consume the unlabeled products when you are loading and blasting yourselves."*
- **Note:** Distributors/blasting service companies/end-users (unlike manufacturers) are not entitled to re-label unmarked products.



Thank you very much

