

Translation from Finnish  
Legally binding only in Finnish and Swedish  
Ministry of the Environment, Finland

Government Decree  
on Packaging and Packaging Waste  
(518/2014)

Section 1  
*Objectives*

This Decree lays down requirements on the separate collection, reuse, recycling and other waste management of used packaging, and on the properties and labelling of packaging placed on the Finnish market.

Section 2  
*Limitations on the scope of application*

- (1) Sections 8–17 of this Decree do not apply to a producer of beverage containers who attends to the obligations related to the producer responsibility for beverage containers by establishing a return system for beverage containers, referred to in section 68(1) of the Waste Act (646/2011), or by joining such a system.
- (2) Section 9 of the Decree does not apply to hazardous waste specified in the list of waste entry 15 01 10, referred to in section 4 of the Government Decree on Waste (179/2012).
- (3) Provisions on the limitation of the scope of application concerning packaging producers with a turnover of less than EUR 1,000,000 are laid down in section 48(2) of the Waste Act.

Section 3  
*Definitions*

(1) For the purposes of this Decree:

- 1) *packaging* means a disposable or other product which is intended for containing or preserving a material or an item, facilitating its presentation or enabling its processing, or for its transfer from the producer to a consumer or to another user, and which meets the additional criteria in Annex 1 on sales, grouped or transport packaging, as well as other additional criteria;

- 2) *packaging waste* means packaging or packaging material referred to as waste in section 5(1) of the Waste Act, excluding waste generated by the manufacturing of the packaging;
- 3) *used packaging* means packaging and packaging waste submitted for reuse;
- 4) *urban settlement* means a cluster of buildings with at least 200 residents and where the distance between the buildings does not exceed 200 metres.

(2) In this Decree, waste recycling, referred to in section 6(1)(14) of the Waste Act, includes preparation for reuse and organic recycling, which means the aerobic or anaerobic treatment, under controlled conditions and using micro-organisms, of the biodegradable parts of packaging waste to produce stabilised organic residues or methane, excluding, however, the disposal of waste in a landfill.

#### Section 4

##### *Essential requirements for packaging*

- (1) Packaging placed on the market shall meet the essential requirements for the manufacturing, composition, reusability and recoverability of packaging laid down in Annex 2.
- (2) Packaging is considered to meet the essential requirements if it complies with a harmonised standard or a standard reported to the Commission in accordance with the European Parliament and Council Directive 94/62/EC on packaging and packaging waste, from here on referred to as the *Packaging and Packaging Waste Directive*, and if the standard reference number has been published in the Official Journal of the European Communities.

#### Section 5

##### *Concentration of heavy metals in packaging*

- (1) Packaging placed on the market or packaging components that can be detached manually or by simple physical means may not exceed in total 100 milligrams per kilogram of lead, cadmium, mercury and hexavalent chromium, as measured from the weight of the packaging or the packaging component.
- (2) Subsection 1 above does not apply to:
  - 1) packaging entirely made of crystal glass, referred to in Council Directive 69/493/EEC on the approximation of the laws of the Member States relating to crystal glass;
  - 2) plastic crates or plastic pallets introduced and kept in closed and monitored product loops in accordance with Commission Decision 2009/292/EC establishing the conditions for a derogation for plastic crates and plastic pallets in relation to the heavy metal concentration levels established in

Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste, and the use of which complies with the requirements laid down in the Commission decision;

- 3) glass packaging covered by the scope of application of Commission Decision 2001/171/EC establishing the conditions for a derogation for glass packaging in relation to the heavy metal concentration levels established in Directive 94/62/EC on packaging and packaging waste.

(3) The party placing the packaging on the market shall ensure that the following information is provided to the Finnish Safety and Chemicals Agency for the purpose of monitoring compliance with the requirements laid down in subsection 2:

- 1) an annual report on plastic crates or plastic pallets in accordance with the Commission decision referred to in subsection 2(2), by the end of March of each year;
- 2) a report on glass packaging in accordance with the Commission decision referred to in subsection 2(3), where necessary.

## Section 6

### *Labelling of the packaging*

Packaging placed on the market may be labelled to allow for the identification of its materials. The marking shall be made either on the packaging itself or on the label, in accordance with Annex 3. The marking shall be clearly visible and easily legible even after the packaging has been opened.

## Section 7

### *General targets for the reuse and recycling of used packaging*

Packaging producers and parties maintaining a return system for beverage containers shall ensure that the following annual targets are fulfilled starting at the latest on 1 January 2020:

- 1) at least 90 per cent by weight of the total volume of used packaging, equivalent to the volume of packaging placed on the market and delivered for reuse, is reused or recycled;
- 2) at least 65 per cent by weight of the packaging waste equivalent to the volume of packaging placed on the market is recycled;
- 3) the recycling rate of metal, fibre and wood packaging waste increases by at least 5 per cent by packaging material, that of glass packaging waste by at least 10 per cent, and that of plastic packaging waste by at least 20 per cent in relation to the volume of packaging placed on the market, compared to 2012.

## Section 8

*Recycling rate of packaging waste by producer*

- (1) The producer shall organise the separate collection and recycling of fibre and wood packaging waste so that the annual volume of packaging waste recycled by the producer in relation to the volume placed on the market by the producer (*recycling rate*) is as follows, starting from 1 January 2016:
  - 1) at least 80 per cent by weight for fibre packaging waste;
  - 2) at least 17 per cent by weight for wood packaging waste.
  
- (2) The producer shall organise the separate collection and recycling of glass, metal and plastic packaging waste so as to achieve the following annual recycling rate, excluding the volume of recycled packaging waste reported to the Centre for Economic Development, Transport and the Environment for Pirkanmaa in accordance with the Government Decree on a Return System for Beverage Containers (526/2013):
  - 1) from 1 January 2016:
    - a) at least 27 per cent by weight for glass packaging waste;
    - b) at least 75 per cent by weight for metal packaging waste;
    - c) at least 16 per cent by weight for plastic packaging waste;
  
  - 2) from 1 January 2020:
    - a) at least 40 per cent by weight for glass packaging waste;
    - b) at least 80 per cent by weight for metal packaging waste;
    - c) at least 22 per cent by weight for plastic packaging waste.
  
- (3) An assessment of the producer's compliance with the requirements laid down in subsections 1 and 2 shall include any changes in the producer's market share which have substantial effects on the producer's ability to achieve the intended recycling rates.

## Section 9

### *Organising the reception*

- (1) When organising the reception of packaging waste generated in dwellings in accordance with section 49(1) of the Waste Act, the producer shall ensure that the following minimum requirements for service level and availability are fulfilled:
  - 1) the network of reception points covers the entire country;
  - 2) the regional division of reception points is balanced, taking into account population density;
  - 3) reception points are located next to convenience stores or other widely used service facilities, or along commonly used routes;
  - 4) there are at least 1,850 reception points for the separate collection of glass, metal and fibre packaging waste, so that each urban settlement with over 500 residents has at least one reception point, and the number of reception points in other areas equals at least the number of trade centres; for the purposes of this Decree, trade centre means an area with at least one convenience store or several convenience stores where the distance between them does not exceed 500 metres;
  - 5) there are at least 500 reception points for the separate collection of plastic packaging waste, so that each urban settlement with over 10,000 residents has at least one reception point.
- (2) The producer shall, in addition, provide at least 30 reception points for the separate collection of packaging waste not generated in dwellings, and for the reception of separately collected packaging waste generated in dwellings, in accordance with sections 35(1), 41(3) and 47 of the Waste Act, in all parts of the country, ensuring that their regional division is balanced.
- (3) The minimum requirements laid down in subsections 1 and 2 above do not apply to producers, insofar as the packaging is not intended for domestic use, if the producer organises the separate collection and waste management of such packaging it has placed on the market from properties, in accordance with the requirements laid down in this Decree.
- (4) The placement of the reception points in accordance with subsection 1, paragraphs 2 and 3, shall take into account the separate collection of packaging waste from properties organised in the area, where possible.
- (5) General requirements concerning the establishment, maintenance and management of waste reception points are laid down in section 10 of the Government Decree on Waste.

## Section 10

### *Obligations to keep used packaging separate*

The separate collection of used packaging shall be organised so as to ensure that:

- 1) packaging submitted for separate collection is emptied and cleaned if necessary, so that it will not contain traces of foodstuff or other substances in significant amounts;
- 2) other wastes can be received at the separate collection only if the producer accepting the used packaging has given its approval for such reception.

## Section 11

### *Limitation on the obligation to keep plastic packaging waste separate*

In its decision on approval in the producer register, issued under section 103 of the Waste Act, the Centre for Economic Development, Transport and the Environment for Pirkanmaa can temporarily limit the reception of plastic packaging waste, referred to in section 9(1) and (2), to specific types of plastic, if the producer can convincingly show that such separate collection yields the best results in view of the promotion of recycling and the order of priority in other respects.

## Section 12

### *Provision of information on packaging and used packaging*

- (1) The producer shall, by public campaigns and other means of communication, ensure that the users of packaging and consumers receive the necessary information concerning:
  - 1) the separate collection obligations and instructions for used packaging, and the separate collection, reuse and recovery systems available;
  - 2) the importance of taking part in the separate collection, reuse, recycling and other recovery of used packaging;
  - 3) the labels referred to in section 6.
- (2) In addition to this, the producer shall provide the parties collecting the used packaging with the information necessary for the reception to be functional, concerning the separate collection, transport and handling of used packaging, and of quality assurance and other procedures at the reception.

## Section 13

### *Report on solvency and an action plan on organising reuse and waste management*

- (1) The producer corporation shall submit a report on its solvency and an action plan on organising reuse and waste management referred to in section 64(1) of the

Waste Act to the Centre for Economic Development, Transport and the Environment for Pirkanmaa by the end of September of each year.

- (2) The report on solvency shall include the confirmed financial statements of the latest financial period, the budget for the new financial period and, where necessary, interim financial statements or a financial statement forecast. If the documents mentioned above cannot be submitted, solvency shall be demonstrated reliably by other means.

#### Section 14

##### *Producer's application for approval in the producer register*

The producer's application for approval in the producer register shall contain:

- 1) the producer's name, contact information and business identity code;
- 2) the name and contact information of the contact person;
- 3) a copy of the extract from the Trade Register or Register of Associations;
- 4) a description of the packaging placed on the market by the producer, and an assessment of its volume in tonnes per year, itemised by packaging material;
- 5) a description of the separate collection and reception point network, transport, pre-treatment, reuse, recycling, other types of recovery and disposal of used packaging organised by the producer;
- 6) where necessary, a justified proposal to limit the reception of plastic packaging waste to specific types of plastic, referred to in section 11;
- 7) an assessment of the volume in tonnes of used packaging covered by the reuse and waste management system of the producer each year;
- 8) a description of the provision of information on packaging and used packaging;
- 9) information on the agreements concerning the organisation of reuse and waste management and the contractual parties' environmental permits and any environmental management systems;
- 10) the date on which the application was made;
- 11) a declaration stating that the information provided is true.

#### Section 15

##### *The producer corporation's application for approval in the producer register*

The producer corporation's application for approval in the producer register shall contain:

- 1) information on the producer corporation and its operations corresponding to the information referred to in section 14(1), paragraphs 1–3 and 5–11;

- 2) a description of the packaging placed on the market by producers in the producer corporation, and an assessment of its volume in tonnes per year, itemised by packaging material;
- 3) the name, business identity code and branch of industry of each founder in the producer corporation;
- 4) the names and business identity codes of producers within the producer corporation and the dates on which they joined the corporation;
- 5) a description of the division of responsibilities between the producers, and of how a new producer can reach agreement with the producer corporation on attending to producer responsibility;
- 6) a report on the producer corporation's solvency in accordance with section 13.

#### Section 16

##### *Notification of changes to operations*

- (1) The notification in accordance with section 106 of the Waste Act concerning substantial changes to operations and changes in the membership of the producer corporation shall be submitted within a month of the change.
- (2) Provisions on when to issue the report on solvency and the action plan on the securing of operations after substantial changes to the operations of the producer corporation are laid down in section 64 of the Waste Act.

#### Section 17

##### *Notification of monitoring data*

- (1) The producer or the producer corporation acting on behalf of its members shall notify the Centre for Economic Development, Transport and the Environment for Pirkanmaa by the end of September of each year of the following information on its operations during the previous year:
  - 1) the volume in tonnes of packaging placed on the Finnish market;
  - 2) the volume in tonnes of used packaging collected separately in Finland;
  - 3) the volume in tonnes of used packaging that is reused, recycled or recovered in other ways, itemised by treatment facility, together with the name and location of the treatment facility;
  - 4) the achieved reuse and recycling rates and the rate of other recovery, and the basis for the assessment and calculation of the data provided;
  - 5) where necessary, a description of the limited reception of plastic packaging waste to cover specific types of plastic, referred to in section 11;
  - 6) the provision of information on packaging and used packaging.



- (2) The information referred to in subsection 1, paragraphs 1–4, above shall be itemised by packaging material and treatment method. Provisions on the itemisation are laid down in Commission Decision 2005/270/EC establishing the formats relating to the database system pursuant to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste.

#### Section 18

##### *Compilation of monitoring data and reporting of data to the Commission*

- (1) In order to monitor compliance with the obligations laid down in this Decree, the Centre for Economic Development, Transport and the Environment for Pirkanmaa shall annually compile the monitoring data referred to in section 17 and shall assess the volume of used packaging generated in Finland, along with the achieved rates of reuse, recycling and recovery.
- (2) The Centre for Economic Development, Transport and the Environment for Pirkanmaa shall submit the data specified in section 17(2) to the European Commission within 18 months after the end of the calendar year in which the data was collected.

#### Section 19

##### *Implementation report*

Once every three years, the Centre for Economic Development, Transport and the Environment for Pirkanmaa shall draft a report on the implementation of the Packaging and Packaging Waste Directive in Finland, in accordance with Article 5 of Council Directive 91/692/EEC standardizing and rationalizing reports on the implementation of certain Directives relating to the environment. The report shall be drawn up on the basis of a questionnaire approved by the European Commission.

#### Section 20

##### *Inclusion of exporting in the calculation of the recycling rate*

In accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste, packaging waste exported from the European Union is included in the recycling rates referred to in sections 7 and 8 only if proof exists of the packaging waste being recycled in the country of destination under conditions that are broadly equivalent to the requirements laid down in European Union legislation.

Section 21

*Market surveillance authority*

The Finnish Safety and Chemicals Agency monitors compliance with sections 4–6 of this Decree.

Section 22

*Entry into force*

- (1) This Decree enters into force on 10 July 2014. However, sections 9–18 of this Decree apply from 1 May 2015, and section 5(3) and section 21 from 1 August 2014.
- (2) This Decree repeals the Government Decision on Packaging and Packaging Waste (962/1997). However, sections 4–9, section 12 and sections 16–19 of the Decree apply until 30 April 2015.
- (3) The producer shall meet its obligations concerning the number of reception points as laid down in section 9(1) by 1 January 2016 at the latest.

Helsinki, 3 July 2014

*Ville Niinistö*, Minister of the Environment

Riitta Levinen, Senior Environmental Adviser

*Annex 1*

## ADDITIONAL CRITERIA RELATED TO THE DEFINITION OF PACKAGING

Sales packaging is packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase.

Grouped packaging is packaging used in addition to sales packaging, conceived so as to constitute at the point of purchase a grouping of a certain number of sales units, whether the grouping is sold as such to the final user or consumer or whether it is used only at the point of sale, and which can be removed from the sales unit without affecting its characteristics.

Transport packaging is packaging used in addition to sales or group packaging, conceived so as to facilitate handling and transport of a number of sales units in order to prevent physical handling and transport damage. Transport packaging does not, however, include road, rail, ship and air containers.

The following additional criteria shall also be taken into account when defining packaging:

## Additional criterion 1

Items shall be considered to be packaging if they fulfil the definition of packaging referred to in section 3(1), without prejudice to other functions which the packaging might also perform, unless the item is an integral part of a product and it is necessary to contain, support or preserve that product throughout its lifetime and all elements are intended to be used, consumed or disposed of together.

*Examples of packaging that meet additional criterion 1:*

- sweet boxes;
- film overwrap around a CD case;
- mailing pouches for catalogues and magazines (with a magazine inside);
- cake doilies sold with a cake;
- rolls, tubes and cylinders around which flexible material (such as plastic film, aluminium, paper) is wound, except rolls, tubes and cylinders intended as parts of production machinery and not used to present a product as a sales unit;
- flower pots intended to be used only for the selling and transporting of plants and not intended to stay with the plant throughout its life time;
- glass bottles for injection solutions;
- CD spindles (sold with CDs, not intended to be used as storage);

- clothes hangers (sold with a clothing item);
- matchboxes;
- sterile barrier systems (pouches, trays and materials necessary to preserve the sterility of the product);
- beverage system capsules (e.g. coffee, hot chocolate, milk) which are left empty after use;
- refillable steel cylinders used for various kinds of gas, excluding fire extinguishers;

*Examples of packaging that do not meet additional criterion 1:*

- flower pots intended to stay with the plant throughout its life time;
- tool boxes;
- tea bags;
- wax layers around cheese;
- sausage skins;
- clothes hangers (sold separately);
- beverage system coffee capsules, coffee foil pouches, and filter paper coffee pods disposed of together with the used coffee product;
- cartridges for printers;
- CD, DVD and video cases (sold together with a CD, DVD or video inside);
- CD spindles (sold empty, intended to be used as storage);
- soluble bags for detergents;
- grave side lights (containers for candles);
- mechanical quern (integrated in a refillable recipient, e.g. refillable pepper mill).

## Additional criterion 2

An item designed and intended to be filled at the point of sale and a disposable item sold, filled or designed and intended to be filled at the point of sale shall be considered to be packaging, provided it fulfils a packaging function.

*Packaging meets additional criterion 2, if it is designed and intended to be filled at the point of sale, for example:*

- paper or plastic carrier bags;
- disposable plates and cups;
- cling film;
- sandwich bags;
- aluminium foil;
- plastic foil for cleaned clothes in laundries;

*Examples of packaging that do not meet additional criterion 2:*

- stirrer;
- disposable cutlery;
- wrapping paper (sold separately);
- paper baking cases (sold empty);
- cake doilies sold without a cake.

### Additional criterion 3

A packaging component and ancillary elements integrated into packaging are considered to be part of the packaging. An ancillary element hung directly on or attached to a product that fulfils a packaging function is regarded as packaging, unless the item is part of the product and all elements are intended to be used or disposed of together.

*Examples of packaging that meet additional criterion 3:*

- labels hung directly on or attached to a product

*Examples of products integrated into packaging that meet additional criterion 3:*

- mascara brush which forms part of the container closure;
- sticky labels attached to another packaging item;
- staples;
- plastic sleeves;
- device for measuring dosage which forms part of the container closure for detergents;
- mechanical quern (integrated in a non-refillable recipient, filled with a product, such as pepper mill filled with pepper).

*Examples of packaging that do not meet additional criterion 3:*

- radio frequency identification (RFID) tags

---

*Annex 2***ESSENTIAL REQUIREMENTS FOR THE MANUFACTURING, COMPOSITION, REUSABILITY AND RECOVERABILITY OF PACKAGING****1) Requirements specific to the manufacturing and composition of packaging**

Packaging shall be so manufactured that the packaging volume and weight are limited to the minimum adequate amount. However, the manufacturing shall maintain the necessary level of safety, hygiene and acceptance for the packaged product and for the consumer.

Packaging shall be designed, produced and commercialised in such a way as to permit its reuse or recovery, including recycling, and to minimise the detrimental impacts on the environment when packaging waste or residues from packaging waste are disposed of.

Packaging shall be manufactured so that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimised, in order to prevent detrimental environmental impacts when packaging waste or residues from its treatment are landfilled or incinerated.

**2) Requirements specific to the reusable nature of packaging**

Packaging shall meet the following requirements simultaneously:

- the physical properties and characteristics of the packaging shall enable a number of trips and rotations in normally predictable conditions of use;
- possibility of processing the used packaging in order to meet health and safety requirements for the workforce; and
- fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.

**3) Requirements specific to the recoverable nature of packaging****a) Recyclable packaging**

Packaging shall be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials it is composed of and their use as raw material in products to be placed on the market, in accordance with the standards referred to in section 4(2). The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.

**b) Packaging recoverable as energy**

Packaging recoverable as energy shall have a minimum inferior calorific value to allow optimisation of energy recovery.

**c) Compostable packaging**

Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it should not hinder the separate collection, the composting process or activity into which it is introduced.

d) Biodegradable packaging

Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water.



## Annex 3

## LABELLING ON THE PACKAGING

This Annex sets out the numbering and abbreviations used in the identification system for packaging materials, for the purpose of specifying the packaging material type, and identifies the materials the identification system applies to.

## Numbering and abbreviations in the identification system

Material	Abbreviation <sup>(*)</sup>	Numbering
<b>1. Plastic</b>		
Polyethylene terephthalate	PET	1
High-density polyethylene	HDPE	2
Polyvinyl chloride	PVC	3
Low-density polyethylene	LDPE	4
Polypropylene	PP	5
Polystyrene	PS	6
<b>2. Paper and cardboard</b>		
Corrugated cardboard	PAP	20
Other cardboard	PAP	21
Paper	PAP	22
<b>3. Metal</b>		
Steel	FE	40
Aluminium	ALU	41
<b>4. Wood</b>		
Wood	FOR	50
Cork	FOR	51
<b>5. Textile</b>		
Cotton	TEX	60
Jute	TEX	61
<b>6. Glass</b>		
Clear glass	GL	70
Green glass	GL	71
Brown glass	GL	72
<b>7. Composites</b>		
Paper and cardboard/specific metals	(**)	80
Paper and cardboard plastic		81
Paper and cardboard/aluminium		82
Paper and cardboard/tinplate		83

Material	Abbreviation <sup>(*)</sup>	Numbering
Paper and cardboard/plastic/aluminium		84
Paper and cardboard/plastic/aluminium/tinplate		85
Plastic/aluminium		90
Plastic/tinplate		91
Plastic/specific metals		92
Glass/plastic		95
Glass/aluminium		96
Glass/tinplate		97
Glass/specific metal		98

(\*) Written only in capital letters

(\*\*) C and the abbreviation of the main material (C/ )