

NB: Unofficial translation; legally binding texts are those in Finnish and Swedish

Ministry of the Environment, Finland

No. 569

MINISTRY OF THE ENVIRONMENT DECISION ON THE APPROVAL OF A RECYCLING SYSTEM FOR RETAIL PACKAGING OF SOFT DRINKS AND ALCOHOLIC BEVERAGES

June 28, 1994

Section 1

These regulations concern the packer and importer of the soft drink referred to in [the act (870/1979) on the soft drink tax and of the alcoholic beverage] referred to in [the act (532/1994) on the alcoholic beverage tax].*

An additional tax, as stipulated in paragraph 1 of the acts mentioned, shall be paid on a soft drink or alcoholic beverage packed in retail packaging included in the deposit-based recycling system approved by the Ministry of the Environment.

* Act 870/1979 is replaced by the Act on excise duty on sweets and soft drinks; Act 532/1994 is replaced by the Act on excise duty on alcohol and alcoholic beverages

Section 2

Applications for approval of a deposit-based recycling system for retail packaging referred to in section 6 of the Act on the soft drink tax and in section 8 of the Act on the alcoholic beverage tax shall be filed with the Ministry of the Environment.

The application must explain the following information about the retail packaging:

- 1) whether the packaging is intended for refilling or other recycling;
- 2) the amount of the deposit;
- 3) the rated volume, weight and material;
- 4) an estimate of the annual amount of packaging in circulation and of new packaging introduced;
- 5) how recovery and recycling are arranged;
- 6) the recovery target and a schedule for reaching it;
- 7) which products in the product groups to which the Act on the soft drink tax and the Act on the alcoholic beverage tax apply are packed in the packaging or imported in it;
- 8) how recovery and recycling are monitored; and
- 9) other facts necessary for assessing the effectiveness of the system.

Section 3

The Ministry of the Environment approves the recycling system for retail packaging, provided that

- 1) sufficiently effective and comprehensive recovery of the packaging is arranged, and it is sufficiently recycled;
- 2) packaging for soft drinks and alcoholic beverages can in general be returned to the retail outlet where the beverages packed in the packaging are sold, with the exception of kiosks;
- 3) the recovered packagings are either refilled or, if this is not possible, used as raw material, in which case the applicant engages to arrange their reuse and furnish proof thereof;
- 4) the deposit on packaging is at least 50 pennies;
- 5) the recycling system for non-reusable packaging does not reduce the effectiveness of the recycling system for reusable packaging; and
- 6) the effectiveness of the recycling system for packaging is monitored.

Section 4

The Ministry of the Environment can include in its approval concerning the recycling system for retail packaging provisions on the recovery, the recovery target and the schedule for it, recycling, a deposit, the effectiveness of the system, security and other terms concerning the recovery and recycling system.

The Ministry of the Environment can reverse a decision concerning approval if the conditions for approval or conditions affecting the terms for approval have changed essentially.

Section 5

To obtain an exemption from payment of the additional tax or a reduction in it, the packer or importer must present, if required, the approval referred to in this decision to the appropriate district customs office.

Section 6

If the recycling system for retail packaging has been implemented in a manner essentially different from that stipulated when the decision was made, or if the Ministry of the Environment is not provided with the required monitoring data, the Ministry of the Environment can cancel its approval concerning the recycling system for retail packaging or decide that approval will cease. The National Board of Customs shall be notified of the decision.

Section 7

This decision takes effect on July 1, 1994.

This decision supersedes the decision of the Ministry of the Environment issued on February 7, 1990, on the approval of a deposit-based system for soft drinks and beer (122/90).

The approval decision of the Ministry of the Environment issued before this decision took effect will remain in effect for the period for which it was issued.