

# Order on certain requirements concerning packaging, extended producer responsibility for packaging, and other waste collected with packaging waste<sup>1)</sup>

Pursuant to Section 7a(1), Section 9p(1), (2), (4), (6) to (8), 10 to 14, 16, 18 and 20, Section 9z(1) to (3) and (5) to (8), Section 9æ(1), (2), (4) and (5), Section 9ø(1), points (1) to (8) and (4), Section 9 å(2) and (3), Section 44(1), Section 45(10) and (11), Section 48d(2), Section 51(1), (5) and (6), Section 51b, Section 67, Section 79b(1) to (3) and (5), Section 79e, Section 80(1) and (2) and Section 110(3) of the Environmental Protection Act, cf. Consolidation Act No 1093 of 11 October 2024, as amended by Act No 1683 of 30 December 2024, Section 30, Section 30c(1), Section 38f(1), Section 43(1) to (3), Section 45(1), Section 46 and Section 59(4) of the Chemicals Act, cf. Consolidation Act No 6 of 4 January 2023, as amended by Act No 1469 of 10 December 2024, and Section 1(3) of the Public Administration Act, cf. Consolidation Act No 433 of 22 April 2014, and following negotiations with the Minister for Climate, Energy and Utilities and the Minister for Justice, are hereby determined:

## Part I

### General provisions

#### Chapter 1

#### *Scope of application and definitions*

##### *Scope of application*

**Section 1.** This Order shall apply to packaging, cf., however, Section 2.

(2) ‘Packaging’ means all articles of any kind and materials used for the packaging, protection, handling, delivery from the producer to the user or consumer and presentation of goods, be it raw materials or processed goods. Similarly, all single-use items used for the same purpose, as well as beverage containers and cups for beverages that are single-use plastic products, are to be considered as packaging. Annex 1 sets out additional criteria to be used for classifying objects as packaging.

**Section 2.** This Order shall not apply to packaging covered by the Order on deposits on and collection, etc. of packaging for certain beverages, unless the producer of the packaging has been granted dispensation from being subject to the deposit and return system in accordance with that Order.

(2) The Order does not limit other packaging requirements in other legislation, including requirements on safety, packaging for the transport of dangerous goods, and the protection of health and hygiene in connection with the packaged products.

##### *Definitions*

**Section 3.** The following definitions apply for the purposes of this Order:

- 1) Serious risk: A combination of the likelihood of a hazard causing damage and the severity of the damage is considered to require prompt intervention from the supervisory authority, including cases where the risk does not appear immediately.
- 2) Processing: As defined in the Waste Order.
- 3) Disposal: As defined in the Waste Order.
- 4) Distributor: Any natural or legal person in the supply chain, other than a manufacturer or an importer, who makes packaging or filled packaging available on the Danish market.
- 5) Packaging waste: Any packaging or any packaging material which is included by the definition of waste in the Waste Order, except waste products from production.

- 6) Disposable packaging: Packaging that is not reusable.
- 7) Single-use plastic products: As defined in the Order on banning the placing on the market of certain single-use plastic products, etc. and on requirements for certain other single-use plastic products.
- 8) Economic operator: The manufacturer, the authorised representative, the importer, the distributor, the provider of distribution services, or any other natural or legal person who has obligations in relation to the manufacture of products, the making available on the market, or their putting into service in accordance with the rules laid down in Chapters 3–5 of this Order.
- 9) Commercial packaging: Non-household packaging.
- 10) Established in Denmark: Established as an active Danish enterprise in the Central Business Register, CVR, with a Danish CVR number.
- 11) Manufacturer: Any natural or legal person who:
  - a) manufactures packaging or filled packaging;
  - b) has packaging or filled packaging designed or manufactured in their own name or under their own trademark, regardless of who manufactured the packaging or filled packaging and regardless of whether other trademarks are visible on the packaging or filled packaging; or
  - c) offers packaging or filled packaging to a micro-enterprise which has the packaging designed or manufactured in its own name or trademark, in the case of transport packaging, reusable packaging, primary production packaging, service packaging, sales packaging, or grouped packaging.
- 12) Distance selling: Any contract for the sale or purchase of packaging or filled packaging concluded between the manufacturer and the end user, without the simultaneous physical presence of the manufacturer and end user, and where, up to and including the time of conclusion of the contract, only distance communications are used, in one or more forms, including online sales.
- 13) Preparation for reuse: As defined in the Waste Order.
- 14) Intentional addition: Deliberate use of the regulated heavy metals as a component in packaging or packaging components with the purpose of giving the final product a specific property, a specific appearance or a specific quality. The use of recycled materials as raw materials for the manufacture of new packaging materials is not considered to be intentional addition, even where a proportion of the recycled material may contain the regulated heavy metals.
- 15) Reuse: As defined in the Waste Order.
- 16) Reuse: As defined in the Waste Order.
- 17) Reusable packaging: Packaging that was designed, constructed and put into circulation with a view to going through a number of rounds or cycles in its lifetime by being refilled or reused for the same purpose as that for which it was designed.
- 18) Household packaging: Packaging that a household is likely to be an end user of.
- 19) Importer: Any natural or legal person established in the EU who makes packaging or filled packaging from a third country available on the EU market.
- 20) Collection: As defined in the Waste Order.
- 21) Collection scheme: As defined in the Waste Order.
- 22) Collective scheme: A legal person that ensures the collective fulfilment of extended producer responsibility obligations on behalf of scheme members.
- 23) Combined collection: As defined in the Waste Order.
- 24) Municipal waste collection: Packaging waste from households and other waste collected in waste fractions containing packaging waste as well as waste from waste-producing enterprises, in cases where a municipal council mixes such together with household waste in connection with the collection.
- 25) Composite packaging: Packaging consisting of two or more layers of different materials which cannot be separated by hand and form a single integrated unit consisting of an inner container and an outer shell which is filled, stored, transported and emptied as such.
- 26) The Act: Environmental Protection Act.

- 27) Placing on the market: The first time a product is made available on the Danish market.
- 28) Micro-enterprise: Any natural or legal person who employs fewer than ten persons and has an annual turnover, understood as the amount earned during a specified period, or an annual balance sheet, understood as a statement of the company's assets and liabilities, not exceeding DKK 15 million.
- 29) Multipack or secondary packaging: Packaging designed in such a way that, at the point of sale, it constitutes a grouping of a certain number of sales units, regardless of whether it is sold as such to the final user or consumer, or whether it is used only to fill shelves at the point of sale; That is, it can be removed from the product without changing the characteristics of the product.
- 30) Recovery: As defined in the Waste Order.
- 31) Online interface: Any software within the meaning of Chapters 3–5 of this Order, including a website, parts of a website or an application, operated by or on behalf of an economic operator, which gives end users access to the economic operator's products.
- 32) Operational costs: Costs of collection, transport and processing of packaging waste. Pure administrative costs are not included.
- 33) P number: The unique identification number assigned to a production unit in accordance with the Danish Central Business Register (CVR) Act.
- 34) Plastics: As defined in the Order on banning the placing on the market of certain single-use plastic products, etc. and on requirements for certain other single-use plastic products.
- 35) Primary production packaging: An article designed and intended for use as packaging for unprocessed products of primary production as defined in Regulation (EC) 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures regarding food safety.
- 36) Manufacturer: Any manufacturer, importer or distributor, irrespective of the selling method used, including distance selling, that is:
  - a) established in Denmark and makes transport packaging, reusable packaging, primary production packaging or service packaging available on the Danish market for the first time;
  - b) established in Denmark and makes filled packaging or packaging, not specified in (a), available on the Danish market for the first time; or
  - c) established in another EU Member State or in a third country and by distance selling, makes transport packaging, reusable packaging, primary production packaging, service packaging, or filled packaging available on the Danish market for the first time directly to end users.
- 37) Product cycle within a closed and controlled chain: A loop system in which the packaging is reused and distributed in a controlled and closed system, in which the used packaging is used as raw materials for the manufacture of new packaging which can only be used in that system. The addition of raw materials from outside of the loop system is kept to the minimum technically possible.
- 38) Actual recycling: As defined in the Waste Order.
- 39) Representative: Any natural or legal person who is established in Denmark and authorised to represent a producer who is not established in Denmark but who makes packaging or filled packaging available on the Danish market for the first time cf. Section 9y(1) and (2) of the Act.
- 40) Reverse engineering: A process of examining a product to find out how it works and is put together to determine whether it complies with the applicable rules.
- 41) Sales packaging or primary packaging: Sales packaging or primary packaging designed in such a way that at the point of sale it constitutes a sales unit for the final user or consumer.
- 42) Service packaging: Packaging designed and intended to be filled at the point of sale to the end user. For the purposes of this Order, service packaging is understood also to include beverage containers and cups for beverages that are single-use plastic products sold empty and which are not designed and intended to be filled at the point of sale.
- 43) End user: Any natural or legal person residing or established in Denmark: to whom a packaging or filled packaging has been made available either as a consumer or as a professional end user in the

course of their industrial or professional activities and who does not further make the packaging or filled packaging available on the market in the form it has been supplied.

- 44) Making available: The supply of packaging or filled packaging for distribution, consumption or use on the Danish market in the course of a commercial activity, whether in return for payment or free of charge.
- 45) Transport packaging or tertiary packaging: Packaging designed in such a way that facilitates the handling and transport of a number of sales units or multi-pack packaging in order to avoid damage caused by physical handling or transport. Transport packaging does not include road, rail, sea and air transport containers.
- 46) Separate collection: As defined in the Waste Order.

## Chapter 2

### *Requirements for certain packaging*

#### *Composition of packaging, etc.*

**Section 4.** Packaging may only be marketed in Denmark if it complies with the essential requirements laid down in Annex 2, cf., however, (2).

(2) Packaging shall be presumed to comply with the essential requirements set out in Annex 2 where it is manufactured in accordance with:

- 1) harmonised standards which have been announced in the Official Journal of the European Union, or
- 2) national standards of an EU Member State which have been notified to the Commission and forwarded to the other Member States in the absence of harmonised standards in this area.

#### *Heavy metal content of packaging*

**Section 5.** Packaging and packaging components must only be marketed in this country if the sum total of the concentrations of lead, cadmium, mercury and hexavalent chromium does not exceed 100 ppm by weight, cf., however, (2) Sections 6 and 8.

(2) The provision in (1) does not apply to packaging which is solely manufactured of lead crystal glass, as defined in Order No 122 of 6 March 1973 on crystal glass goods.

#### *Requirements relating to glass packaging*

**Section 6.** Glass packaging can, notwithstanding Section 5(1), be placed on the market if

- 1) the sum total of the concentrations of lead, cadmium, mercury and hexavalent chromium does not exceed 250 ppm by weight,
- 2) lead, cadmium, mercury or hexavalent chromium are not intentionally added during the production process and where the limit value specified in Section 5(1) is only exceeded due to the addition of recycled materials, and
- 3) there is proof of compliance with Section 7.

**Section 7.** An economic operator producing glass packaging cf. Section 6 shall, on a monthly basis, arrange for sampling of each glass furnace and analysis of the concentration of total lead, cadmium, mercury and hexavalent chromium. The samples shall be representative of normal and regular production activity.

(2) If, over a consecutive period of twelve months, the monthly sampling from each individual glass furnace shows average concentrations of the total of the heavy metals identified in (1) exceeding 200 ppm by weight, the producer shall provide the Danish Environmental Protection Agency with a report, cf. (3).

(3) The report referred to in (2) shall contain the following information:

- 1) Measured values.
- 2) Description of measurement methods used.
- 3) Suspected sources of the heavy metals specified in (1).

- 4) Detailed description of the measures taken to reduce the concentration levels of the heavy metals specified in (1).

*Requirements relating to plastic crates and plastic pallets*

**Section 8.** Plastic crates and plastic pallets may, notwithstanding Section 5(1), be introduced to and remain in product cycles within a closed and controlled chain, if the conditions in Section 9 on manufacturing and repair, Section 10 on requirements for the closed and controlled chain, and Section 11 on reporting are met.

**Section 9.** Plastic crates and plastic pallets covered by Section 8 are to be manufactured and repaired in the following way:

- 1) The manufacture and repair of the plastic crates and plastic pallets is to be carried out as a stage in a closed and controlled chain, where the addition of raw materials from outside comprises a technical minimum, but no more than 20 per cent by weight.
- 2) During manufacturing or repair processes, no intentional addition of lead, cadmium, quicksilver or hexavalent chromium may be made and the limit value in Section 5(1) may only be exceeded due to the addition of recycled materials.

**Section 10.** Plastic crates and plastic pallets covered by Section 8 can be included in and remain in product cycles within a closed and controlled chain if in compliance with the following conditions:

- 1) Plastic crates and plastic pallets can be visually and permanently identified.
- 2) The proportion of plastic crates and plastic pallets which are returned to those who have introduced the plastic crates or plastic pallets into a closed and controlled chain, must be at least 90% of the plastic crates and plastic pallets introduced into the closed and controlled chain, calculated in relation to plastic crate or plastic pallet lifetime.
- 3) A storage management and registration system is set up, which can document
  - a) the proportion returned cf. No 2,
  - b) the number of packaging units put into service which are discarded from the closed and controlled chain; and
  - c) compliance with the conditions set out in Nos 1 and 4 and Section 9.
    - 4) Packaging that is no longer reusable shall
      - a) be recycled in accordance with Section 9, where the recycled material consists of plastic crates or plastic pallets from the same packaging loop system, or
      - b) be incinerated at plants approved for the incineration of waste.

**Section 11.** An economic operator who produces or imports plastic crates and plastic pallets covered by Section 8 shall report each year before 1 April to the Danish Environmental Protection Agency

- 1) a written declaration that the conditions stipulated in Sections 9 and 10 are complied with,
- 2) an annual report showing how the conditions laid down in Sections 9 and 10 have been complied with, and
- 3) specification of any changes to the storage management and registration system specified in Section 10, No 3.

(2) An economic operator who manufactures or imports plastic crates and plastic pallets covered by Section 8 shall keep the technical documentation for the information referred to in (1) for 4 years after the report.

*Minimum price for certain types of carrier bags*

**Section 12.** Points of sale of goods or products not covered by Section 51a (5) of the Act, which provide carrier bags with handles of material other than plastic or carrier bags of plastic with and without handles with a wall thickness exceeding 30 micrometres in accordance with Section 51 a, (1) and (2), shall charge a minimum price of 4 DKK per bag.

## Chapter 3

### *Documentation and information on the composition, etc. of packaging*

#### *Requirements relating to documentation and examinations*

**Section 13.** Anyone who places packaging on the market shall, at the request of the Danish Environmental Protection Agency, provide documentation to show that the packaging fulfils the requirements in Section 4 and Annex 2.

**Section 14.** An economic operator manufacturing or importing packaging shall hold and, at the request of the Danish Environmental Protection Agency, provide the information set out in Annex 3. The economic operator must keep the information for 5 years.

(2) The economic operator manufacturing or importing packaging shall, at the request of the Danish Environmental Protection Agency, provide documentation that the sum of the concentrations of lead, cadmium, mercury and hexavalent chromium in the packaging does not exceed the limit value laid down in Section 5(1).

**Section 15.** The Danish Environmental Protection Agency may order any person marketing packaging to assist in obtaining the information referred to in Section 14 from the person to whom the obligation under Section 14 applies, and to provide the information and documentation to the Danish Environmental Protection Agency.

**Section 16.** If the Danish Environmental Protection Agency does not find that information or documentation submitted to the Agency in accordance with Sections 13, 14 or 15 demonstrates that the packaging complies with the requirements of Section 4 cf. Annex 2, or Section 5(1), the Agency may order the economic operator producing or importing the packaging to carry out an examination of whether the packaging complies with the requirements of Section 4, cf. Annex 2, or Section 5(1).

The costs of the examinations shall be borne by the person against whom the order is addressed.

**Section 17.** The Danish Environmental Protection Agency may decide that examinations under Section 16 shall be carried out by a laboratory accredited by the Danish Accreditation Fund or by an equivalent accreditation body that is a signatory to the European Accreditation multilateral agreement on mutual recognition.

#### *Marking and identification system*

**Section 18.** Packaging marketed in Denmark may bear a label indicating the nature of the packaging materials. If packaging is labelled, the following conditions must be met:

- 1) The labelling shall be in accordance with Annex 4 and shall include abbreviations and numerical codes.
- 2) The marking is to be on the packaging itself or on a label which is affixed to the packaging,
- 3) The labelling must be immediately visible and easy to read.
- 4) The marking is to have a suitable degree of permanence and durability, including after the packaging has been opened.

(2) Packaging carried by certain single-use plastic products must comply with labelling requirements laid down in the Order on banning the placing on the market of certain single-use plastic products, etc. and laying down requirements for certain other single-use plastic products.

#### *Statistical information on the composition of packaging, etc.*

**Section 19.** Without prejudice to (3) and (4), the economic operator exporting or importing packaging shall be in possession of the following information for 5 years:

- 1) The total annual number of packages produced, exported or imported.
- 2) Materials used in the packaging.

(2) The economic operator covered by (1) shall, at the request of the Danish Environmental Protection

Agency, provide the information referred to in (1).

(3) Any person who puts reusable packaging into circulation shall be in possession of the following information for a period of 5 years:

- 1) Number of packages put into circulation.
- 2) Materials and substances used in the packaging.
- 3) Weight of the individual materials and substances in the packaging.
- 4) A general description of the packaging.

(4) Any person who puts reusable packaging into circulation shall, at the request of the Danish Environmental Protection Agency, provide the information referred to in (3).

## **Part II**

### **Producer register for extended producer responsibility**

#### **Chapter 4**

##### *Producer register of producers of packaging and their representatives*

**Section 20.** Data Centre for Circular Economy, as controller, maintains a digital producer register of

- 1) producers who make packaging available, cf. Sections 21 and 22,
- 2) representatives of producers covered by No 1, and
- 3) collective schemes, cf. Section 85.

(2) All registrations in the register must be made digitally and in accordance with the instructions of the Data Centre for Circular Economy.

(3) The Data Centre for Circular Economy must ensure that the producer register is available publicly and free of charge on the website, [www.producentansvar.dk](http://www.producentansvar.dk). The Data Centre for Circular Economy shall refer to the national producer registers of the other EU Member States on its website.

##### *Registration in the producer register*

**Section 21.** A producer who makes packaging available shall register itself or a representative cf. Section 9y(1) of the Act, in the producer register, cf. Section 20, no later than 14 days before making it available.

(2) A producer that makes reusable packaging available shall register itself or a representative cf. Section 9y(1) of the Act in the producer register cf. Section 20 no later than 1 February 2025 and no later than 14 days before the start of making the reusable packaging available.

**Section 22.** Registration in the producer register cf. Section 20 shall contain the information specified in Annex 5, Nos 1–10, cf., however, (2).

(2) Registration of reusable packaging in the producer register shall contain the information specified in Annex 5, Nos 1–9 and No 11.

(3) The requirement is regarded as fulfilled when:

- 1) all information referred to in (1) or (2) has been reported comprehensively;
- 2) the registration fee has been paid, cf. Section 93; and
- 3) the producer's representative has confirmed its registration as representative, cf. Section 23(3).

(4) The producer may at any time register a representative in the producer register, cf. (1)-(3), including a change of representative or the termination of the authorisation to be represented.

(5) The representative may register the termination of the authorisation at any time.

**Section 23.** The Data Centre for Circular Economy must confirm the registration in the producer register cf. Section 21 to the producer and their representative, if any, within 14 days after the registration has been made, cf., however, (4).

(2) The Data Centre for Circular Economy confirms within 7 days the registration of the termination of

authorisation cf. Section 22(4) and (5) to both the producer and the previously registered representative.

(3) The Data Centre for Circular Economy requests the natural or legal person registered by the producer as a representative, cf. Section 22(4), to confirm or deny the registration as a representative within 7 days, including that the registered information about the representative is correct and that the representative has become aware of its obligations under this Order.

(4) The Data Centre for Circular Economy shall notify the producer in writing that registration has not been completed if the natural or legal person registered by the producer as representative denies the registration or if the deadline of 7 days, cf. (3), is exceeded.

**Section 24.** Producers or their representatives shall register changes in the information already registered, cf. Section 22(1) and (2), to the Data Centre for Circular Economy no later than one month after the changes have taken place.

(2) The Data Centre for Circular Economy shall confirm the changes of registration in the producer register cf.(1) to the producer and or their representative, if any, within 14 days after the registration has been made.

**Section 25.** Where a producer ceases to make packaging available, they or their representative shall register such in the producer register within one month after ceasing to make packaging available. The Data Centre for Circular Economy [Dansk Productansvar] is then obliged to ensure deregistration of the producer.

**Section 26.** At the request of an enterprise which may be subject to the obligation to register in the producer register, cf. Section 21, the Data Centre for Circular Economy shall decide whether:

- 1) the enterprise is subject to the obligation to register in the producer register, cf. Section 21;
- 2) a representative, cf. Section 22(4), meets the requirements of Section 9y to be registered.
- 3) An object constitutes a packaging.
- 4) A packaging constitutes a single use packaging or reusable packaging.
- 5) Packaging falls under household or commercial packaging and under which material category the packaging belongs to, cf. Annex 6.

(2) The Data Centre for Circular Economy shall also take a decision in accordance with (1), if the Danish Environmental Protection Agency so requests.

## Chapter 5

### *Reporting to the Data Centre for Circular Economy*

#### *Reports on quantities of packaging made available*

**Section 27.** Producers shall report to the Data Centre for Circular Economy before 1 June each year on the amount of packaging made available by the producer in the previous calendar year, cf. (2).

(2) Producers of reusable packaging shall report annually, before 1 June, information on the amount of reusable packaging, made available for the first time by the producer for the purpose of undergoing a number of trips or cycles by being refilled or reused for the same purpose for which it was conceived, during the previous calendar year.

(3) Producers who start making packaging available after the reporting deadline referred to in (1) shall, in connection with registration, cf. Section 21, report information on the expected amount of packaging made available for the current calendar year.

(4) If producers make packaging available without the quantities being reported to the Data Centre for Circular Economy pursuant to (1) and (2), the producer shall report information on quantities of packaging made available for the period during which the producer has made packaging available but has not complied with the reporting obligation in accordance with (1) and (2).

(5) Reporting of packaging quantities in accordance with (1)-(3) shall be indicated as follows:

- 1) in kilograms;
- 2) broken down by material category referred to in Annex 6, specifying whether it is household



- packaging or commercial packaging; and
- 3) broken down between single-use packaging or reusable packaging, and
  - 4) if the packaging is to be sorted as hazardous or residual waste according to the sorting criteria set out in the Order on waste, this shall be stated, cf., however, (7).

(6) For packaging that consists of several materials not easily separated and not falling under one of the material categories specified in Annex 6, information on the total weight of the main material of the packaging shall be reported in accordance with (1) or (2).

(7) Producers making available less than 8 tonnes of packaging in a calendar year, and their representatives, if any, may choose to report only information on the weight of the total amount of packaging made available in that calendar year, broken down into household packaging and commercial packaging, respectively.

**Section 28.** A producer may make changes in quantities reported under Section 27, (1) and (2), under the following conditions:

- 1) Changes in reported quantities of packaging must be reported together for the previous calendar year together with the reports cf. Section 27(1) and (2), for the new calendar year.
- 2) The changes may only be made for the calendar year preceding the reporting year pursuant to Section 27(1) and (2).
- 3) The changes shall result from a need resulting from errors in the quantities of packaging reported for the previous calendar year or from reported quantities of packaging made available outside Denmark, cf., however, (2).
- 4) Changes must be made in accordance with Section 27.

(2) If a reported quantity of packaging is transferred to be made available outside Denmark by someone other than the producer, it is a prerequisite for making the change in accordance with (1) that the producer sends a digital declaration to the Data Centre for Circular Economy accordingly. The declaration shall be drawn up by the economic operator who has made available the quantity of packaging outside Denmark that the producer wishes to deduct.

#### *Reporting on take-back schemes*

**Section 29.** Before 1 June each year, and for the first time in 2026, producers shall report to the Data Centre for Circular Economy information on quantities of packaging waste collected by the producer in their own take-back scheme, cf. Section 70.

(2) The reporting of quantities of packaging waste in accordance with (1) shall be indicated

- 1) in kilograms;
- 2) broken down by waste fractions listed in Annex 7, specifying whether it is household packaging waste or commercial packaging waste; and
- 3) Whether it is packaging waste from end-of-life single-use or reusable packaging, cf., however, (3).

(3) For packaging waste collected in combination or together with other waste, only quantities of packaging waste shall be reported.

#### *Other reporting*

**Section 30.** A producer who has handed over municipally collected packaging waste, cf. Section 35, once a year before 1 June, for the first time in 2026, shall report to the Data Centre for Circular Economy the amount of packaging waste from the previous year which the producer has received from the municipal council in accordance with its allocation.

(2) A producer who has been given payment obligations for municipally collected packaging waste, cf. Section 36(1) and (5), shall report to the Data Centre for Circular Economy once a year and no later than 1 June the amount of packaging waste from the previous year for which the producer has incurred costs in connection with the municipal council's collection, transport and waste processing.

(3) Reporting of information in accordance with (1) and (2) shall be indicated in kilograms, divided into the waste fractions referred to in Annex 7, and per municipality. Where packaging waste is collected in

combination or together with other waste, the allocation keys in Annex 8 shall be used to calculate amounts of packaging waste.

**Section 31.** A producer of commercial packaging waste who has been given payment obligations for packaging waste from waste-producing enterprises, cf. Section 60(1), shall report to the Data Centre for Circular Economy once a year and no later than 1 June, for the first time in 2026, the amount of packaging waste from the previous year for which the producer has incurred costs in connection with the waste-producing enterprises' collection, transport and waste processing.

(2) Reporting of information in accordance with (1) shall be indicated per municipality and in kg divided by the waste fractions in Annex 7.

**Section 32.** The municipal council shall annually before 1 June, for the first time in 2026, inform the Data Centre for Circular Economy about collection schemes and any planned changes to the collection schemes established by the municipal council, cf. the Order on waste, for the subsequent allocation period, in accordance with the instructions of the Data Centre for Circular Economy.

(2) The municipal council shall, before 1 June each year, inform the Data Centre for Circular Economy about collection schemes, cf. (1), which are established jointly with one or more municipal councils and where the municipally collected waste from the relevant municipal councils is mixed together during the collection.

*The Data Centre for Circular Economy's transmission of data to the Danish Environmental Protection Agency*

**Section 33.** The Data Centre for Circular Economy checks the quality and transmits – after the reporting deadline pursuant to Section 27(1) to (3), Section 29, Section 30(1) and (2), and Section 31(1), has expired and no later than 15 August, the following data to the Danish Environmental Protection Agency:

- 1) The total amount of packaging made available by the producer in the previous calendar year and reported to the Data Centre for Circular Economy, cf. Section 27(1) and (2). The quantities shall be expressed in kilograms and broken down into the material categories referred to in Annex 6, household packaging and commercial packaging, including whether they are single-use packaging or reusable packaging.
- 2) The total amount of packaging waste disposed of to the producer in the previous calendar year, cf. Section 43, and taken back in the producer's own take-back scheme, cf. Section 70. The quantities shall be expressed in kilograms and broken down into the material categories referred to in Annex 7, household packaging and commercial packaging, including whether they are single-use packaging or reusable packaging.
- 3) The total amount of packaging waste for which the producer has incurred costs in connection with the waste-producing enterprises' collection, transport and waste processing, cf. Section 59(1).

(2) The Data Centre for Circular Economy quality assures and transmits changes in reported data, cf. Section 28(1), to the Danish Environmental Protection Agency after the reporting deadline in accordance with Section 27(1) and (2) has expired and no later than 15 August.

*General reporting requirements*

**Section 34.** Reports pursuant to Sections 27-31 shall be made digitally and in accordance with the instructions of the Data Centre for Circular Economy.

**Part III Municipal Waste**

Chapter 6

*Allocation of municipally collected waste*

*Decisions on allocation of physical organisational responsibility for municipally collected waste*

**Section 35.** On the basis of the quantities of packaging reported under Sections 27(1) and 28(1) on 1

October 2026, and every two years thereafter, Data Centre for Circular Economy shall take decisions on the allocation of producers' responsibility for taking over the waste fractions referred to in Annex 7, Nos 1 to 6, which are to be transferred under Section 43, cf., however, (2) and Section 36, including payment obligations for the municipal council's collection of packaging waste, and payment obligations for the municipal council's transport of packaging waste in cases where the municipal council does not reload the waste, cf. Section 45.

(2) The Data Centre for Circular Economy shall, when the municipal council does not transfer the total municipal waste, cf. Section 49 or Section 50, on the basis of the quantities of packaging reported under Section 27(1) and 28(1), decide on the allocation of producers' payment obligations for packaging waste fractions, as referred to in Annex 7, Nos 1-6, for the municipal council's collection, transport and processing of the packaging waste.

(3) The Data Centre for Circular Economy shall calculate allocations of obligations for municipally collected waste, cf. (1) and (2), in accordance with the guidelines set out in Annex 9, and shall, when calculating allocations, use data reported before 1 June, cf. Section 27(1).

#### *Decisions on the allocation of payment obligation for municipally collected packaging waste*

**Section 36.** On the basis of the quantities of packaging notified pursuant to Section 27(1) and (6) and Section 28(1) on 1 October 2026, and every two years thereafter, the Data Centre for Circular Economy shall take decisions on the allocation of producers' payment obligations for wood packaging waste and packaging waste correctly sorted as residual waste, cf. Annex 7, Nos 7 and 8, for the collection, transport and treatment of packaging waste by the municipal council.

(2) On the basis of the quantities of packaging reported under Section 27(1) and (6) and Section 28(1) on 1 October 2026, and every two years thereafter, the Data Centre for Circular Economy shall take decisions on the allocation of producers' payment obligations for packaging waste in hazardous waste, cf. Annex 7, No 9, for the municipal council's collection, transport and treatment of packaging waste when hazardous waste is collected through a recycling centre.

(3) On the basis of the quantities reported under Section 27(1) and Section 28(1) for the first time on 1 October 2026 and thereafter on 1 October every two years, the Data Centre for Circular Economy shall make decisions on allocation of producers' payment obligations for the municipal council's collection, transport and processing of paper packaging waste that is not collected together with cardboard waste in accordance with Section 40.

(4) On the basis of the quantities of packaging reported under Sections 27(1) and 28(1) on 1 October 2026, and every two years thereafter, the Data Centre for Circular Economy shall take decisions on the allocation of producers' payment obligations for the collection, transport and treatment of metal packaging waste by the municipal council, including ferrous metal packaging waste and aluminium packaging waste, collected through a recycling centre and not collected as in a collection scheme for metal waste from private households, cf. the Order on waste.

(5) On the basis of the quantities of packaging reported under Sections 27(1) and 28(1) on 1 October 2026, and every two years thereafter, the Data Centre for Circular Economy shall take decisions on the allocation of producers' payment obligations for the collection, transport and treatment of plastic packaging waste by the municipal council, collected through a recycling centre and not collected as in a collection scheme for plastic waste from private households, cf. the Order on waste.

(6) The Data Centre for Circular Economy shall calculate allocations, cf. (1) to (5), in accordance with the guidelines set out in Annex 9, and shall use data on quantities of packaging made available that are reported before 1 June, cf. Section 27.

#### *Other provisions on the allocation of municipally-collected waste*

**Section 37.** The first allocation period shall run from 1 October 2025 to 31 December 2026. Subsequent allocation periods shall then run for a two-year period from 1 January to 31 December of the following calendar year, subject to Section 39(2) and (3).

**Section 38.** The Data Centre for Circular Economy shall notify producers and municipal councils of decisions on allocations for the first allocation period, cf. Sections 35 and 36, by no later than 1 April 2025. The Data Centre for Circular Economy shall notify producers and municipal councils of decisions on allocation for the subsequent allocation periods every two years on 1 October, cf., however, Section 39(2) and (3).

(2) The Data Centre for Circular Economy publishes the allocation decisions on the Data Centre for Circular Economy website, [www.producentansvar.dk](http://www.producentansvar.dk).

**Section 39.** When calculating the allocation of obligations pursuant to Sections 35 and 36, the Data Centre for Circular Economy shall make a retrospective adjustment taking into account that the quantities allocated to the producer in the previous allocation period corresponded to the actual quantities of packaging waste that the producer took over or paid for in the previous allocation period.

(2) When calculating the allocation of obligations in accordance with Sections 35 and 36, the Data Centre for Circular Economy shall make a retroactive adjustment that takes into account any errors in the allocation for the applicable allocation period. This applies in the case of inadequate reporting, non-reporting, or other errors in the calculation of the applicable allocation in the current allocation period, and which have not resulted in a new decision on allocation in accordance with (3) or (4).

(3) The Data Centre for Circular Economy may amend a decision on allocation after the time deadline laid down in Sections 35 and 36 if errors are found in the allocation after the allocation period has begun, but before the end of the allocation period, and if the Data Centre for Circular Economy considers that the error has significant economic significance for one or more producers. The obligation to take over the waste, cf. Section 51, and to pay, cf. Sections 35 and 36, shall arise three months after the decision under the first sentence has been made.

(4) The Data Centre for Circular Economy amends a decision on allocation after the deadline laid down in Sections 35 and 36 when a collective scheme that performs obligations on behalf of one or more producers, see Section 81, Nos 6 and 10, ceases operations during a current allocation period. An amendment to a decision on allocation in accordance with point 1 must be made no later than 4 weeks after the collective scheme has ended. The obligation to take over the waste, cf. Section 51, or to pay, cf. Sections 35 and 36, including to pay any outstanding payment obligations to the municipal council from the previous allocation, takes effect two months after the decision under point 1 has been made.

(5) The Data Centre for Circular Economy amends a decision on allocation when a collective scheme that performs obligations on behalf of one or more producers, see Section 81, Nos 6 and 10, ceases operations during a current allocation period and until a new decision in accordance with (4) is taken, no later than 7 days after the collective scheme has ceased. The obligation to take over the waste, cf. Section 51, in connection with the emergency allocation shall arise 7 days after the decision in accordance with point 1 has been taken.

(6) The Data Centre for Circular Economy shall notify decisions on allocation in accordance with (3) to (5) to producers and municipal councils no later than when the decision is taken, and shall publish the decisions on the Data Centre for Circular Economy website, [www.producentansvar.dk](http://www.producentansvar.dk).

## Chapter 7

### *Waste collection and processing*

#### *Collection, transport or treatment of packaging waste by the municipal council*

**Section 40.** The municipal council shall organise separate collection, transport and processing of packaging waste, cf. the Waste Order, and the Order on waste regulations, fees, and actors, etc. cf., however, Section 43.

(2) However, the municipal council does not collect packaging waste covered by a take-back scheme, cf. Section 70.

### *Introduction of combined collection in an allocation period*

**Section 41.** During an existing allocation period, cf. Section 37, the municipal council may not introduce the combined collection of waste fractions allocated to two or more producers, cf. Section 35, where the producers are not registered under the same collective scheme.

(2) However, during an existing allocation period, cf. Section 37, the municipal council may introduce a combined collection of waste fractions, cf. Section 35, and after the municipal council has given notice to the producer concerned no later than 12 months before the change in the collection scheme, cf. however Section 32.

### *Obligation to achieve a high level of effective recycling*

**Section 42.** The municipal council must ensure that waste, cf. Section 43, is collected and transferred in a way that supports a high level of effective recycling.

## **Chapter 8**

### *The municipal council's transfer of municipally collected waste and transitional arrangements*

#### *The municipal council's duty to transfer waste*

**Section 43.** The municipal council must transfer the following waste fractions which are collected via a collection scheme

cf. the Order on waste, to the producer(s) to which the waste fractions have been allocated, cf., however, Sections 49 and 50:

- 1) Cardboard waste.
- 2) Paper waste when collected in combination with cardboard waste.
- 3) Metal packaging waste, including ferrous metal packaging waste and aluminium packaging waste
- 4) Glass waste.
- 5) Plastic waste.
- 6) Food and beverage carton waste.

(2) The municipal council shall transfer the following waste fractions collected through a recycling centre, cf. the Order on waste, to the producer or producers who have been allocated the waste fractions, cf., however, Sections 49 and 50:

- 1) Cardboard waste.
- 2) Paper waste when collected in combination with cardboard waste.
- 3) Glass waste.
- 4) Plastic waste collected in the same way as collection schemes for plastic waste from private households, cf. the Order on waste.
- 5) Metal waste collected in the same way as collection schemes for private households, cf. the Order on waste.
- 6) Food and beverage carton waste collected in the same way as collection schemes for private households, cf. the Waste Order.

(3) Transfer of waste fractions in accordance with (1) and (2) shall take place in accordance with the guidelines in Annex 13.

#### *Transfer of waste by the municipal council*

**Section 44.** The municipal council shall designate, when the municipal council reloads municipal waste collected, a site for reloading the waste where the municipal council transfers the collected waste fraction in question, cf. Section 43, to the producer or producers to which the waste fraction has been allocated, cf., however, Sections 49 and

50. The site shall be easily accessible for vehicles capable of loading and unloading the waste.

(2) The transfer, in accordance with (1), shall be made in compliance with Chapter 10 of the Order on waste regulations, fees and actors, etc. on the municipal council's reloading of waste.

(3) The municipal council shall inform the producer of the information listed in Annex 13 concerning the site designated in accordance with (1).

(4) The municipal council may, with 12 months' notice, designate a new place for the transfer of waste, in accordance with (1).

**Section 45.** When the municipal council does not reload the waste prior to waste treatment, the municipal council shall hand over the collected waste fraction in question, cf. Section 43, at the waste treatment facility or site designated by the producer, cf. Section 48.

(2) The municipal council may, when textile waste is collected using combined collection of cardboard and paper waste, transfer the cardboard and paper waste to the waste treatment facility or the site designated by the producer, cf. Section 48.

**Section 46.** The municipal council shall ensure that gross sorting errors are manually sorted before the transfer of municipally collected waste fractions, pursuant to section 43, to a producer who has been allocated obligations under Section 35.

**Section 47.** The municipal council requests the collection of municipally collected waste, which is handed over to producers, pursuant to Section 43, in accordance with the guidelines in Annex 13.

(2) Any cancellation of a request for waste collection pursuant to (1) shall be made in accordance with the guidelines set out in Annex 13.

(3) The municipal council may, in the event of failure to collect, and when the municipal council has requested in accordance with (1), arrange for emergency collection in accordance with the guidelines in Annex 13. The municipal council shall inform the Data Centre for Circular Economy accordingly in accordance with the instructions of the Data Centre for Circular Economy.

(4) The municipal council may, in the event of termination of a collective scheme in an applicable allocation period, when the collective scheme carries out obligations on behalf of a producer who is assigned to municipally collected waste in that municipality, arrange for emergency collection or treatment in accordance with the guidelines in Annex 13.

**Section 48.** The producer shall designate a waste management facility or a location where the municipal council transfers waste not covered by Section 44. The facility or site must be easily accessible for vehicles capable of unloading the waste.

(2) The producer shall inform the municipal council of the information listed in Annex 13 concerning the waste treatment facility or the site designated by the producer in accordance with (1).

(3) The producer may, with 12 months' notice, designate a new waste treatment facility or a new site the transfer of waste, in accordance with (1).

#### *Transitional arrangements for the transfer of waste*

**Section 49.** The municipal council may refrain from transferring waste, in accordance with Sections 43 or 44, in one of the following cases, but at the latest until the end of the contractual obligation:

- 1) If the municipal council has concluded a contract for waste treatment that was concluded before 7 November 2024 and expires after 1 October 2025.
- 2) If the municipal council has entered into a waste treatment contract concluded before 7 November 2024, which contains a contractual obligation to exercise an option and which expires after 1 October 2025.
- 3) If, before 7 November 2024, the municipal council has exercised an option to renew a contract for waste treatment and which expires after 1 October 2025.

(2) If the municipal council has concluded a contract, cf. (1) Nos 1-3, and therefore fails to transfer waste from 1 October 2025, the municipal council shall submit documentation to the Environmental Protection Agency in accordance with (3) by 1 February 2025 at the latest.

- (3) The documentation for the Danish Environmental Protection Agency referred to in (2) shall contain:
- 1) Documentation of the conclusion of the contract.
  - 2) Information on the duration of the contract.
  - 3) Information on any options on extension, including conditions thereof.

**Section 50.** The municipal council may refrain from transferring waste in accordance with Sections 43 or 44 if the municipal council has received dispensation to process certain waste fractions suitable for material recovery at processing facilities, cf. the Order on waste, Chapter 10, but no later than until the expiry of the dispensation.

## **Part IV**

### **The producer's obligation to take over municipal waste and the calculation of payments, etc.**

#### **Chapter 9**

##### *Acceptance by the producer of municipal waste and provision of information*

##### *Obligation by the producer to take over waste*

**Section 51.** A producer who has been allocated a waste fraction from a municipality, cf. Section 35, shall take over and ensure waste processing of the municipally collected waste that the municipal council transfers to the producer pursuant to Section 44.

(2) The producer shall take over the waste covered under (1) in accordance with the guidelines in Annex 13.

(3) Responsibility for the waste referred to in (1) shall pass to the producer when the producer has either collected the waste at the location designated by the municipal council, cf. Section 44(1) or when the municipal council has delivered the waste at the processing facility designated by the producer, cf. Section 48(2).

##### *Provision of information on waste taken over*

**Section 52.** The municipal council may request a producer assigned to the municipality in question to provide information on the waste that the municipal council has transferred to the producer, cf. Section 44 including

- 1) the quantity of waste transferred per waste fraction, cf. Sections 43 and 44;
- 2) the amount of waste, after processing, actually recycled per waste fraction, cf. Section 78; and
- 3) the facilities used for the processing of the waste transferred.

#### **Chapter 10**

##### *Payment for the further management of municipally collected non-packaging waste*

##### *The municipal council's obligation to pay for non-packaging waste*

**Section 53.** The municipal council must pay the producer for its transport and handling costs, collection of the part of the transferred municipal waste, cf. Section 51, which does not constitute packaging waste, cf., however, (2).

(2) The municipal council shall receive a payment from the producer if the producer achieves an overall profit from the further transport and processing of the part of the transferred municipally collected waste, cf. Section 51, which does not constitute packaging waste.

##### *Calculation, collection and payment for non-packaging waste*

**Section 54.** The producer shall calculate the amount per waste fraction, cf. Section 43, to be paid by the municipal council or the producer, cf. Section 53, in accordance with the guidelines, including the key figures in Annex 11, and using the allocation keys in Annex 8.

(2) The producer must, within a reasonable time, send the calculation in accordance with (1) to the municipal council for use in the collection of the producer's receivables from the municipal council or the municipal council's receivables from the producer.

(3) The producer shall, at the request of the municipal council or the supervisory authority, provide further documentation necessary to assess whether the total amount has been calculated in accordance with Annex 11.

**Section 55.** The producer shall charge the calculated amount, cf. Section 54, if the calculation shows that the producer has a receivable from the municipal council, cf., however, (2). The producer may carry out a total collection for a period of up to three consecutive months, but no later than six months after the waste is handed over for treatment, cf. the Order on waste.

(2) The municipal council shall charge the calculated amount, cf. Section 54, if the calculation shows that the municipal council has a receivable from the producer. The municipal council may make a total collection for a period of up to three consecutive months, though no later than six months after the calculation under Section 54 has been received.

**Section 56.** The municipal council must pay the amount that the producer charges, cf. Section 55(1), in accordance with the producer's instructions.

(2) The producer must pay the amount that the municipal council charges, cf. Section 55(2), in accordance with the municipal council's instructions.

#### *The municipal council's accounting records*

**Section 57.** In the municipal budget and accounting system, the municipal council must record the expenditures or revenues separately for payment that the municipal council has made or received pursuant to Section 54.

#### *The Danish Environmental Protection Agency's determination of ratios for municipally collected non-packaging waste*

**Section 58.** The Danish Environmental Protection Agency shall establish key figures to be used for the producer's calculation of the amount to be paid for the further transport and processing of the part of the transferred municipally collected waste, cf. Section 52, which does not constitute packaging waste.

(2) The Danish Environmental Protection Agency shall index the key figures referred to in (1) by price at least once a year and publish them on its website, [www.mst.dk](http://www.mst.dk), cf. Annex 11.

(3) The Danish Environmental Protection Agency shall revise a key figure if, for a longer period of time, it is deemed to have deviated from the actual market price, by adjusting the key figure prospectively for a limited defined period of time, cf. Annex 11.

#### *Producer's annual statement of payments, collections and actual costs*

**Section 59.** Each year, for the first time in 2026, the producer shall draw up a statement for the preceding calendar year of payments made and collections made in accordance with Section 53, as well as the producer's actual costs and income for the transport and processing of the part of the transferred waste, cf. Section 52, which does not constitute packaging waste. The calculation shall be drawn up in accordance with the guidelines set out in Annex 11.

(2) The producer shall submit the statement referred to in (1) to the Danish Environmental Protection Agency for the first time no later than 1 April 2026 and thereafter each year no later than 1 April.



**Part V**  
**Packaging waste from waste-producing enterprises**

Chapter 11

*Allocation of commercial packaging waste*

*Decisions on allocation of payment obligations for commercial packaging waste*

**Section 60.** The Data Centre for Circular Economy shall, on the basis of the quantities of packaging reported under Section 27(1) and (6) and Section 28(1) on 1 October 2026, and then every two years thereafter, decide on the allocation of payment obligations for commercial packaging waste fractions referred to in Annex 7, Nos 1 to 8, which are handled in accordance with Section 64, to producers of commercial packaging. The Data Centre for Circular Economy calculates the allocations in accordance with the guidelines set out in Annex 10.

(2) When calculating the allocations referred to in (1), the Data Centre for Circular Economy shall use data on quantities of packaging made available which have been reported before 1 June of the calendar year in which the allocation decision is taken in accordance with (1).

*Other provisions on allocation of payment obligations for commercial packaging waste*

**Section 61.** The first allocation period shall run from 1 October 2025 to 31 December 2026. Subsequent allocation periods shall then run for a two-year period from 1 January to 31 December of the following calendar year.

**Section 62.** The Data Centre for Circular Economy shall notify producers of commercial packaging of decisions on allocation for the subsequent allocation periods every two years on 1 October.

(2) The Data Centre for Circular Economy publishes the allocation decisions on the Data Centre for Circular Economy website, [www.producentansvar.dk](http://www.producentansvar.dk).

**Section 63.** When calculating the allocation of obligations pursuant to Section 60, the Data Centre for Circular Economy shall make a retrospective adjustment taking into account that the quantities allocated to the producer in the previous allocation period correspond to the actual quantities of packaging waste paid for by the producer in the previous allocation period.

(2) When calculating the allocation of obligations, pursuant to Section 60, the The Data Centre for Circular Economy shall draw up an adjustment which takes into account any errors in reports of quantities of packaging made available which form the basis for the current allocation period. This applies in the case of inadequate reporting, non-reporting, or other errors in the calculation of the applicable allocation in the current allocation period, and which have not resulted in a new decision on allocation cf. (3).

(3) The Data Centre for Circular Economy may amend a decision on allocation after the time deadline laid down in Section 60 if errors are found in reports on available quantities of packaging after the allocation period has begun, but before the end of the allocation period, and if the Data Centre for Circular Economy considers that the error has significant economic significance for one or more commercial packaging producers. The obligation to pay, cf. Section 60, in the event of the new allocation, shall arise three months after the decision pursuant (1) has been made.

(4) The Data Centre for Circular Economy amends a decision on allocation after the deadline laid down in Section 60 when a collective scheme that performs obligations on behalf of one or more producers, cf. Section 81, No 10, ceases operations during a current allocation period. An amendment to a decision on allocation in accordance with No 1 must be made no later than 4 weeks after the collective scheme has ended. The obligation to pay, cf. Section 60, including paying any outstanding payment obligations to a waste-producing undertaking from the previous allocation, occurs two months after the decision under No 1 has been taken.

(5) Data Centre for Circular Economy shall notify decisions on allocation in accordance with (3) and (4) to producers at the latest when the decision is taken, and shall publish the decisions on the Data Centre for Circular Economy website, [www.producentansvar.dk](http://www.producentansvar.dk).

## Chapter 12

### *Collection and waste treatment, as well as payment for commercial packaging waste*

#### *Collection and waste treatment of commercial waste*

**Section 64.** Waste-producing enterprises shall organise separate collection, transport and waste processing of packaging waste that they create, cf. the Waste Order, and the Order on waste regulations, fees, and actors, etc.

#### *Payment for collection, transport and processing of commercial packaging waste*

**Section 65.** A waste-producing undertaking may request producers to pay costs for the collection, transport and treatment of commercial packaging waste which has been treated by the undertaking itself or which has been transferred to a collection undertaking or waste treatment facility pursuant to the Order on waste regulations, fees and actors, etc. A request shall be addressed to the producer to whom the payment obligation for commercial packaging waste has been assigned by the waste fraction in question, cf. Section 60(1) and Annex 7, Nos 1 to 8, in the municipality where the waste-producing undertaking is physically located according to its P number.

(2) The municipal council takes over the right to request payment, cf. (1), from the producer who has been assigned obligations under Section 60, when the municipal council collects commercial waste from waste producing companies in the municipality, cf. the Order on waste regulations, fees and actors, etc., in such a way that it is not mixed with household waste.

**Section 66.** The producer shall indicate how a request for payment, cf. Section 65, is to be addressed to the producer. However, the producer shall ensure that the request can be made in an easily accessible manner through commonly used means of communication.

(2) A waste producing enterprise that requests payment, cf. Section 65(1), can request payment for a continuous period of up to three months, though no later than 12 months after the waste has been waste-treated by the enterprise itself or has been handed over to a collection entity or a waste treatment facility in accordance with the Order on waste regulations, fees and actors, etc.

(3) The request shall contain the following information:

- 1) The enterprise name, address, P number, Central Business Register (CVR) number and industry group, cf. Annex 8.
- 2) Information on the quantity of waste for which payment is requested under Section 65(1). The amount of waste is specified in kg per waste fraction, cf. Annex 7, which contains packaging waste.
- 3) Documentation for No 2 in the form of invoice, weighing slip or the like for the treatment of the waste.
- 4) Information on the waste processor, cf. Section 65, or the waste collector that has assumed responsibility for the waste in accordance with the Order on waste regulations, fees, and actors, etc.

(4) The municipal council which takes over the right to request payment, cf. Section 65(2), may request payment for a continuous period of up to three months, but no later than 12 months after the waste is transferred for processing, cf. the Order on waste. A request from the municipal council shall contain the information specified in (3), Nos 1-4.

**Section 67.** The producer shall calculate the amount per waste fraction to be paid to the waste-producing enterprise or the municipal council pursuant to Sections 65 and 66(3) when the waste-producing enterprise or the municipal council has so requested, in accordance with Section 66(2) and (3). The producer shall carry out the calculation in accordance with the guidelines, including the key figures, set out in Annex 12.

(2) The producer shall, no later than 30 days after the request under Section 66 is received, send the statement, cf. (1), and pay the calculated amount to the waste-producing enterprise or to the local authority.

#### *Key figures for commercial packaging waste*

**Section 68.** The Danish Environmental Protection Agency shall establish key figures to be used to calculate the amount the producer shall pay to cover the waste-producing enterprise's costs for the collection, transport and waste processing of commercial packaging waste, cf. Section 65.

(2) The Danish Environmental Protection Agency shall index the key figures referred to in (1) by price at least once a year and publish them on its website, [www.mst.dk](http://www.mst.dk), cf. Annex 12.

(3) The Danish Environmental Protection Agency shall revise a key figure if, for a longer period of time, it is deemed to have deviated more than 25% from the actual market price, by adjusting the key figure prospectively for a limited, defined period of time, cf. Annex 12.

## **Part VI**

### **Reusable packaging and take-back schemes**

#### **Chapter 13**

##### *Reusable packaging and take-back schemes*

##### *Reusable packaging*

**Section 69.** Producers of reusable packaging shall, when the reusable packaging ceases to be reused and becomes packaging waste, arrange for the take-back of the packaging waste in accordance with Section 70.

##### *Take-back schemes by producers*

**Section 70.** A producer may, at its own expense, arrange for the take-back of packaging waste originating from its own packaging made available and from similar packaging, and ensure that it is waste processed in accordance with Section 78.

(2) A producer's take-back in accordance with (1) may take place in one of the following ways, cf., however (3):

- 1) The producer collects the packaging waste from the end user.
- 2) The end user delivers the packaging waste to the producer or to a location or area designated by the producer.

(3) Producers of single-use packaging who establish a take-back scheme may retrieve packaging waste covered by a take-back scheme from households when done in conjunction with the delivery of a new product.

(4) A producer who takes back packaging waste as referred to in (1) may only take back quantities of packaging waste corresponding to the quantities made available by the producer for the calendar year concerned.

(5) A producer who has taken back packaging waste cannot apply for payment for collection, transport and processing of commercial packaging waste originating from the producer's own packaging that is made available.

**Section 71.** A producer who has established a take-back scheme, cf. Section 70, shall ensure that end users of the producer's packaging are informed, in sales and information material, including instructions for use or at the point of sale, of where and how the end user can dispose of packaging waste in the take-back scheme.

## Part VII

### Security for financing transport and treatment of municipally collected packaging waste

#### Chapter 14

##### *Collateral*

##### *Obligation of producers to provide collateral*

**Section 72.** A producer who is allocated obligations for packaging waste, cf. Sections 35 and 36, shall, no later than 4 weeks before an allocation period begins, provide security to ensure funding for the processing of packaging waste. The security shall be lodged throughout the allocation period in question, cf. Section 37.

##### *Decisions on provision of security*

**Section 73.** The Data Centre for Circular Economy shall decide on the amount of the security, cf. Section 72. The security must correspond to the costs known or expected for a period of three months for the transport and treatment of the municipally collected packaging waste, which the producer must take over or pay for, cf. Sections 35 and 36.

(2) The obligation to provide security under Section 72 shall end with the expiry of an allocation period, cf. Section 37, when a producer has demonstrated that the packaging reduction granted for the allocation period in question has been handled, cf. Section 51, or that the payment obligation granted for that period has been met, cf. Sections 56(2) and 106.

**Section 74.** The Data Centre for Circular Economy shall decide when the security referred to in Section 73 is to be provided, cf., however, Section 72.

(2) The producer must provide the security in accordance with the Data Centre for Circular Economy's instructions and submit documentation that the security has been provided correctly.

##### *Release of the provided security*

**Section 75.** The municipal council may recover its actual, documented costs for emergency collection and treatment of the municipal packaging waste when a collective scheme, which has been allocated municipal packaging waste on behalf of a producer, cf. Section 81(6), does not collect waste from the transfer site designated by the municipal council, cf. Section 44, or does not ensure that the municipal council can transfer waste in a waste treatment facility designated by the producer, cf. Section 48(2), by applying a claim for payment directly to the collective scheme.

(2) The municipal council may request the Data Centre for Circular Economy to release the security when the collective scheme does not pay, cf. (1). Data Centre for Circular Economy releases proportionately, in accordance with the costs documented in (1), the security to the municipal council, at the municipal council's request, and when the collective scheme one month after the original invoice's due date, has not fulfilled the payment obligation in accordance with (1).

**Section 76.** The municipal council may recover its actual, documented costs for the transport and treatment of municipally collected packaging waste until an emergency allocation occurs, cf. Section 39(5), when a collective scheme that carries out obligations on behalf of a producer who has been allocated municipally collected waste from the municipality concerned, ceases in an applicable allocation period, by requesting Data Centre for Circular Economy for the release of the security proportionate to this.

(2) The Data Centre for Circular Economy shall release the security to the municipal council proportionately, in accordance with the documented costs referred to in (1), at the request of the municipal council, and when the collective scheme has ceased in an applicable allocation period.

**Section 77.** A collective scheme may recover its actual documented costs for the transport and treatment of the municipally collected packaging waste until a new allocation decision occurs, cf. Section 39(4), when the collective scheme has been allocated obligations to take over packaging waste by means of an emergency allocation, cf. Section 39(5), by requesting Data Centre for Circular Economy to release the security proportionately.

(2) Data Centre for Circular Economy shall release the security for the collective scheme proportionately, in accordance with the documented costs referred to in (1), at the request of the collective scheme, and when the collective scheme has been granted obligations to take over waste by means of an emergency allocation, cf. Section 39(5).

## **Part VIII**

### **Waste processing**

#### **Chapter 15**

##### *Waste processing*

##### *Producers obligation for highly effective recycling and minimum targets*

**Section 78.** The producer or the person responsible at all times for the processing of packaging waste shall ensure a high level of effective recycling of packaging waste, ensuring at least the following, cf., however Section 42:

- 1) Effective recycling of paper packaging waste of 75% by 31 December 2025 and of 85% by 31 December 2030.
- 2) Effective recycling of cardboard packaging waste of 75% by 31 December 2025 and of 85% by 31 December 2030.
- 3) Effective recycling of plastic packaging waste of 60% by 31 December 2025.
- 4) Effective recycling of ferrous metal packaging waste of 70% by 31 December 2025 and of 80% by 31 December 2030.
- 5) Effective recycling of aluminium packaging waste of 50% by 31 December 2025 and of 60% by 31 December 2030.
- 6) Effective recycling of glass packaging waste of 70% by 31 December 2025 and of 75% by 31 December 2030.
- 7) Effective recycling of wood packaging waste of 25% by 31 December 2025 and of 30% by 31 December 2030.

(2) With regard to other packaging fractions, which are not mentioned in (1) Nos 1-7 and other waste collected together with packaging waste, the producer, or the person responsible for the processing of the packaging waste at any time, shall ensure a high level of effective recycling, cf., however, Section 42.

(3) The producer, or the person responsible at any time for the processing of packaging waste, must document that the waste in question is delivered to facilities that can recycle the waste, as well as document how much of the waste after processing is actually recycled.

##### *The municipal council's duty to achieve a high level of effective recycling*

**Section 79.** The municipal council shall ensure a high level of effective recycling in accordance with Section 78 when the municipal council is responsible for waste treatment, cf. Sections 47(3), 49(1) and (2) and 50, and for the waste treatment of packaging waste which the municipal council does not transfer.

(2) The municipal council shall ensure documentation for the treatment of waste in accordance with (1).

## **Part IX Collective schemes**

### **Chapter 16**

#### *Fulfilment by collective schemes of obligations of producers*

##### *Obligation to join a collective scheme*

**Section 80.** A producer who makes single-use packaging available shall be registered for a collective scheme no later than upon registration in the producer register, cf. Section 21.

(2) A producer who makes single-use packaging available and who is already registered in the producer register, cf. Section 21, shall be registered in a collective scheme by 14 January 2025.

(3) If a collective scheme is terminated during an allocation period, the producer must register for a new collective scheme within 7 days of the termination of the collective scheme.

##### *Management of obligations by producers of single-use packaging*

**Section 81.** A collective scheme shall carry out the following obligations on behalf of producers registered for the collective scheme under Section 80(1) and (2):

- 1) Proportionately in relation to the producer's market share of packaging, arrange for the separate collection, transport and processing of packaging waste at its own expense, cf. Section 9p(1) of the Act.
- 2) Report information, cf. Sections 30 and 31.
- 3) Report information digitally and in accordance with the instructions of the Data Centre for Circular Economy, cf. Section 34.
- 4) Designate a waste treatment facility or a place for the transfer of waste, cf. Section 48(1).
- 5) Inform the municipal council of the information stated in Annex 13, cf. Section 48(2).
- 6) Take over municipally collected waste that is transferred by the municipal council, cf. Section 51.
- 7) Provide information on collected quantities at the request of the municipal council, cf. Section 52.
- 8) Calculate the amount and send the statement in accordance with Section 54(1) and (2).
- 9) Submit documentation in accordance with Section 54(3).
- 10) Collect the calculated amount, cf. Section 55(1).
- 11) Pay the amount that the municipal council charges in accordance with the instructions of the municipal council, cf. Section 56(2).
- 12) Prepare an annual statement of payments and costs, cf. Section 59(1).
- 13) Submit the annual statement to the Danish Environmental Protection Agency, cf. Section 59(2) point 1, and submit the documentation relevant to the annual statement to the Danish Environmental Protection Agency at the Agency's request, cf. Section 59(2), point 2.
- 14) Indicate how a request for payment should be addressed to the producer, and ensure that the request can be made in an easily accessible way via commonly used means of communication, cf. Section 66(1),
- 15) Calculate the amount to be paid to the waste-producing undertaking or the municipal council, cf. Section 67(1).
- 16) Send the statement and pay the calculated amount in accordance with section 67(2).
- 17) Provide security to ensure financing of transport and treatment of municipally collected packaging waste, cf. Section 72.
- 18) Document that the allocated packaging waste has been handled or that the allocated payment obligation has been met, cf. Section 73(2).
- 19) Provide security in accordance with the instructions of Data Centre for Circular Economy and submit documentation showing that the security is provided correctly, cf. Section 74(2).
- 20) Ensure a high level of effective recycling of packaging waste and other waste, cf. Section 78(1) and (2).

- 21) Document that waste under Section 78(1) and (2) is delivered to facilities that can recycle the waste, as well as document how much of the waste after processing is actually recycled, cf. Section 78(3).
- 22) Pay fees, cf. Section 105, digitally and in accordance with the municipal council's instructions, cf. Section 106.

**Section 82.** A collective scheme may carry out the following obligations on behalf of producers registered for the collective scheme under Section 80:

- 1) Registration and reporting of information, cf. Sections 21(1), 22, 24, 25, 27 and 28.
- 2) Payment of registration fee to Data Centre for Circular Economy, cf. Section 93.
- 3) Payment of an annual fee to Data Centre for Circular Economy for administration pursuant to this Order, cf. Section 94.
- 4) Payment of an annual fee to the Danish Environmental Protection Agency for administration pursuant to this Order, cf. Sections 97 and 98.

*Management of obligations for producers of reusable packaging and producers with take-back schemes*

**Section 83.** A producer making available reusable packaging and a producer with a take-back scheme may choose to fulfil the following obligations through membership of a collective scheme:

- 1) Registration and reporting of information, cf. Sections 21(2), 22, 24, 25, 27 and 29.
- 2) Payment of registration fee to Data Centre for Circular Economy, cf. Section 93.
- 3) Payment of an annual fee to Data Centre for Circular Economy for administration pursuant to this Order, cf. Section 94.
- 4) Payment of an annual fee to the Danish Environmental Protection Agency for administration pursuant to this Order, cf. Section 99.
- 5) Take back packaging waste from take-back schemes, cf. Sections 69 and 70.
- 6) Obligations to provide information under Section 71.
- 7) Carry out self-monitoring, cf. Section 91(1), Nos 1, 3 and 4.

## Chapter 17

### *Common provisions for collective schemes*

#### *Registration of collective schemes, etc.*

**Section 84.** A collective scheme shall ensure that:

- 1) every producer of packaging shall have equal access to participation in the collective scheme and shall be treated on equal terms, taking into account the producer's market share;
- 2) the information to be passed on to the Data Centre for Circular Economy pursuant to this Order is collected from the individual producers; and
- 3) sensitive competitive information is not disclosed to other enterprises.

**Section 85.** A collective scheme shall be established in the producer register, cf. Section 21, for the purpose of carrying out the obligations referred to in Sections 81-83 and it shall indicate the name of the scheme, contact person, address, telephone number, email address and CVR no., cf., however, (2).

(2) For foreign collective schemes that are not registered in the CVR register, the company's VAT number, European VAT identification number or national VAT identification number must be provided instead of the CVR number.

**Section 86.** A collective scheme registered under Section 85 shall, when it ceases, without undue delay, inform Data Centre for Circular Economy and the registered producers thereof in writing. Data Centre for Circular Economy is then obliged to ensure the deregistration of the collective scheme from the producer register.

(2) Data Centre for Circular Economy shall inform the Danish Environmental Protection Agency and the relevant municipal councils for the discontinued collective scheme that the collective scheme in question has ceased.

#### *Financial contribution of producers*

**Section 87.** Collective schemes shall scale the producer's financial contribution to cover operational costs related to the management of packaging waste in the collective scheme in accordance with Annex 14, cf., however, (2) and (3).

(2) Collective schemes shall not scale the producer's financial contribution if the producer makes available less than 8 tonnes of packaging in a calendar year, cf. Section 27(5), cf., however, (4).

(3) A collective scheme shall not graduate a producer's financial contribution for the following types of packaging, cf., however, (4):

- 1) Immediate packaging as defined in Article 1, No 23 of Directive 2001/83/EC and in Article 4, No 25 of Regulation (EU) 2019/6.
- 2) Contact sensitive packaging of medical devices covered by Regulation (EU) 2017/745.
- 3) Contact sensitive packaging of in vitro diagnostic medical devices covered by Regulation (EU) 2017/746.
- 4) Outer packaging as defined in Article 1, No 24 of Directive 2001/83/EC and in Article 4, No 26 of Regulation (EU) 2019/6 in cases where such packaging is necessary to meet specific requirements to preserve the quality of the medicinal product.
- 5) Contact-sensitive packaging of infant formula and follow-on formula, processed cereal-based food and baby food and food for special medical purposes as defined in Article 1 (a), (b) and (c) of Regulation (EU) No 609/2013.

(4) Collective schemes shall scale the producer's financial contribution, cf. (2) and (3) if the producer so requests.

**Section 88.** Collective schemes shall, when setting producers' financial contributions to cover operational costs relating to the management of packaging waste, deduct the quantities taken back by producers in their own take-back schemes, cf. Section 70.

#### *Publishing information*

**Section 89.** A collective scheme shall publish on its website information on:

- 1) ownership;
- 2) registered producers;
- 3) indicative financial contribution per material category to cover operational costs in the scheme from producers per tonne of product made available, as well as parameters for any discounts, additional costs; and
- 4) the selection procedure of the collective scheme for waste handling operators, and
- 5) compliance with rules on requirements for a high level of actual recycling, in accordance with Section 78, including an indication of the current recycling rate per waste fraction.

(2) The information referred to in (1) shall be updated if there are changes in relation to the published information.

### Chapter 18

#### *Self-monitoring*

##### *Self-monitoring for producers of single-use packaging*

**Section 90.** Producers making single-use packaging available shall carry out self-monitoring in order to ensure the quality of the collected and reported data on packaging made available, cf. Section 27(1) and (3)-(6), and Section 28.

(2) The producer must conduct self-monitoring in accordance with (1) at least once a year.



(3) The producer must draw up a written description of the procedure and documentary evidence for conducting the self-monitoring cf. (1).

(4) The description and documentary evidence cf. (3) shall be available to the Danish Environmental Protection Agency on request.

*Self-monitoring of producers of reusable packaging and producers with own take-back schemes*

**Section 91.** Producers making reusable packaging available and producers with their own take-back schemes shall carry out self-monitoring in order to ensure:

- 1) that they fund the take-back and management of packaging waste in accordance with the requirements of Sections 70 and 78;
- 2) that they fund the obligation to provide information to end users of packaging in accordance with the requirements of Section 71;
- 3) the quality of the data collected and reported on packaging made available, cf. Sections 27 and 28;
- 4) the quality of the data collected and reported on quantities of packaging waste collected by the producer in its own take-back scheme, cf. Section 70.
- 5) that they comply with the requirements of Regulation No 1013/2006/EC of the European Parliament and of the Council of 14 June 2006 on shipments of waste, as amended.

(2) The producer must conduct self-monitoring in accordance with (1) at least once a year.

(3) The producer must draw up a written description of the procedure and documentary evidence for conducting the self-monitoring cf. (1).

(4) The description and documentary evidence cf. (3) shall be available to the Danish Environmental Protection Agency on request.

*Paragraph 5.* Producers who provide the task of collecting and processing waste from third parties shall use weight slips or other documentation from the third party as part of their self-monitoring of data on collected and processed packaging waste.

(6) Producers making reusable packaging available and producers with their own take-back schemes shall be exempt from the obligation to carry out self-monitoring of the obligations referred to in (1) Nos 1, 3 and 4, to the extent that the obligation is taken over by a collective scheme, cf. Section 83.

*Self-monitoring of collective schemes*

**Section 92.** Collective schemes must carry out self-monitoring in order to ensure:

- 1) that the financial contributions received from the collective scheme members cover the costs of transporting and processing the collected waste quantities, which the collective scheme shall manage on behalf of a producer, cf. Section 81 No 6, and cover the costs of fulfilling payment obligations which the collective scheme carries out on behalf of a producer, cf. Section 81 Nos 11 and 22;
- 2) that the contributions received from the producers of the collective scheme have been graduated in accordance with Annex 14;
- 3) that the quality of the data that the collective scheme can collect and report on behalf of the producers, cf. Section 83 No 1, complies with the requirements of Sections 21(1), (22), (24), (25), (27) and (28);
- 4) that collective schemes comply with the requirements of Regulation No 1013/2006/EC of the European Parliament and of the Council of 14 June 2006 on shipments of waste, as amended.

(2) Collective schemes must conduct self-monitoring in accordance with (1) at least once a year.

(3) Collective schemes must draw up a written description of the procedure and documentary evidence for carrying out self-monitoring.

(4) The description referred to in (3) shall be available to the Danish Environmental Protection Agency on request.

(5) Collective schemes that provide the task of collecting and processing waste from third parties shall use weight slips or other documentation from the third party as part of their self-monitoring of data on collected and processed packaging waste.

## Part X

### Fees

#### Chapter 19

*Fees to Data Centre for Circular Economy, the Danish Environmental Protection Agency and the municipal council, etc.*

##### *Fees to Data Centre for Circular Economy*

**Section 93.** For registration in the producer register, cf. Section 21, a one-off fee of DKK 1,000 per producer shall be paid to the Data Centre for Circular Economy. If the producer is already registered in the producer register pursuant to one of the following Orders, a one-off fee of DKK 500 shall be paid:

- 1) Order on batteries and accumulators and end-of-life batteries and accumulators.
- 2) Order on the handling of waste in the form of motor vehicles, the collection of environmental contributions and the payment of a scrapping compensation (the Scrap Car Order).
- 3) Order on the placing on the market of electrical and electronic equipment and the handling of such equipment waste (Order on electronic waste).
- 4) Order on extended producer responsibility for certain single-use plastic products.
- 5) Order on extended producer responsibility for fishing gear containing plastic.

**Section 94.** For the administration of allocation schemes for commercial packaging and household packaging, cf. Sections 35, 36 and 60, producers pay an annual fee to the Data Centre for Circular Economy. The fee shall be calculated in proportion to the amount of packaging made available in the previous calendar year.

(2) For other administrative tasks performed by the Data Centre for Circular Economy in accordance with this Order, all producers shall pay an annual fee. The fee shall be calculated in proportion to the amount of packaging made available in the previous calendar year.

(3) Where a newly registered producer has not made packaging available during the previous calendar year, a fee shall be paid for the amount of packaging expected to be made available by that producer during that calendar year, instead of the fees referred to in (1) and (2). If the quantity of packaging made available on the market differs from the expected quantity declared, the fee shall be adjusted in accordance with the quantity corresponding to the difference.

(4) The fees in accordance with (1) and (2) together or (3), respectively, shall amount to at least DKK 250 annually.

(5) If a producer or a collective scheme gives rise to additional administration in connection with the allocation scheme, cf. (1) in connection with the provision of security, cf. Sections 73 and 74, or in connection with other administrative tasks, cf. (2), a separate fee per commenced hour shall be charged.

**Section 95.** The fees referred to in Section 94 shall correspond to the actual costs incurred by the Data Centre for Circular Economy in connection with the performance of tasks set out in this Order. The fees are charged by Data Centre for Circular Economy.

(2) The Danish Environmental Protection Agency shall annually set the fee rates specified in Section 94 on the basis of the budget and the recommendation on the amount of the fee from the Data Centre for Circular Economy. Data Centre for Circular Economy publishes the fee rates on their website [www.producentansvar.dk](http://www.producentansvar.dk).

(3) Appeals against the amount of the fee cannot be filed with other administrative authorities.

**Section 96.** The producer's payment of the fee charged, cf. Sections 93 and 94, shall be made digitally and in accordance with the instructions of Data Centre for Circular Economy. If the payment is not made accordingly, the payment shall not be deemed to have been made.

### *Fees to the Danish Environmental Protection Agency*

**Section 97.** Producers of household packaging must pay an annual fee for the Danish Environmental Protection Agency's administration. The fee shall be calculated in proportion to the amount of household packaging made available in the previous calendar year, cf., however, (2). The fee covers the costs incurred by the Environmental Protection Agency for the following:

- 1) Calculation of the share of packaging waste in collected waste, broken down by waste fractions.
- 2) Preparation of cost-effectiveness analyses.
- 3) Awareness-raising actions aimed at users of packaging, with a view to provide information on waste prevention measures, collection and take-back schemes, and the fight against packaging waste littering.
- 4) Processing appeals against decisions, cf. Section 119(1).
- 5) Administration and collection of fees.
- 6) Supervision of the registration of producers and collective schemes in the producer register and the submission of correct information.

(2) If the amount of the fee referred to in (1) cannot be calculated on the basis of the producer's information on the quantities made available, cf. Sections 27 and 28, the Danish Environmental Protection Agency may make an estimate of the fee liability.

(3) Appeals against the amount of the fee cannot be filed with other administrative authorities.

**Section 98.** Producers of commercial packaging must pay an annual fee for the Danish Environmental Protection Agency's administration. The fee shall be calculated in proportion to the amount of commercial packaging made available in the previous calendar year, cf., however (2). The fee shall cover the costs associated with the following:

- 1) Calculation of the share of packaging waste in collected waste broken down by waste fractions by industry.
- 2) Secretariat services for certain advisory committees set up by the Danish Environmental Protection Agency with a view to establishing and continuously update relevant key figures, cf. Section 68.
- 3) Awareness-raising actions aimed at users of packaging, with a view to provide information on waste prevention measures, collection and take-back schemes, and the fight against packaging waste littering.
- 4) Processing appeals against decisions, cf. Section 119(1).
- 5) Administration and collection of fees.
- 6) Supervision of the registration of producers and collective schemes in the producer register and the submission of correct information.

(2) If the amount of the fee referred to in (1) cannot be calculated on the basis of the producer's information on the quantities made available, cf. Section 27, the Danish Environmental Protection Agency may make an estimate of the fee liability.

(3) Appeals against the amount of the fee cannot be filed with other administrative authorities.

**Section 99.** Producers of reusable packaging must pay an annual fee for the Danish Environmental Protection Agency's administration. The fee shall be calculated in proportion to the amount of reusable packaging made available in the previous calendar year cf., however, (2). The fee shall cover the costs associated with the following:

- 1) Processing appeals against decisions.
- 2) Administration and collection of fees.
- 3) Supervision of the registration of producers in the producer register and the submission of correct information.

(2) If the amount of the fee referred to in (1) cannot be calculated on the basis of the producer's information on the quantities made available, cf. Section 27(2)-(6), the Danish Environmental Protection Agency may make an estimate of the fee liability.

(3) Appeals against the amount of the fee cannot be filed with other administrative authorities.

**Section 100.** The fees referred to in Sections 97–99 shall be published on the website of the Danish Environmental Protection Agency, [www.mst.dk](http://www.mst.dk). The fees are then adjusted annually on 1 January on the basis of the latest published price and salary index in the Economic-Administrative Guidelines from the Ministry of Finance.

**Section 101.** The producer's payment of the fee charged, cf. Sections 97-99, shall be made digitally and in accordance with the instructions of the Danish Environmental Protection Agency. If the payment is not made accordingly, the payment shall not be deemed to have been made.

(2) If the Danish Environmental Protection Agency does not receive the fee within the deadline referred to in (1), the Danish Environmental Protection Agency shall send a reminder letter to the producer with a new payment deadline. If the Danish Environmental Protection Agency does not receive payment of the fee within the new deadline from the reminder letter, the amount may be handed over for recovery.

(3) If a producer is found to have made incorrect reports, cf. Section 27, resulting in them having paid too little in terms of fees, they shall be required to pay the amount due within 14 days of the demand.

(4) If, by mistake, the producer has paid too much in terms of fees, the Danish Environmental Protection Agency pays the overpaid amount to the producer. The amount shall be paid no later than 3 weeks after the producer has informed the Danish Environmental Protection Agency of the error, or the Danish Environmental Protection Agency has found the error.

#### *Fees to the municipal council*

**Section 102.** The municipal council shall, in accordance with Section 9p(15) of the Act, set out, in a fee sheet, the specific fees for the waste schemes established by the municipal council pursuant to the Order on waste, as relates to packaging waste, cf. Annex 15, and which are allocated to producers, cf. Sections 35 and 36.

(2) The municipal council shall not, when setting the fees, include costs for schemes for metal packaging waste collected via recycling sites where the waste is not collected in the same way as in collection schemes for metal waste from private households, cf. the Order on waste, cf., however (4).

(3) The municipal council shall not, when setting the fees, include the costs of schemes for plastic packaging waste collected via recycling sites where the waste is not collected in the same way as in the collection schemes for plastic waste from private households, cf. the Order on waste, cf., however, (4).

(4) The municipal council may, when setting fees in accordance with (1), include costs in accordance with (2) or (3), if the municipal council has drawn up true and fair distribution keys for the proportion of packaging waste and non-packaging waste in the waste fractions included in these schemes.

(5) The municipal council shall, in accordance with Section 9p(15) of the Act, set out in a fee sheet, specific fees for general administrative costs in accordance with Annex 15, which cannot be attributed to the individual schemes, and which the municipal council shall allocate proportionally between the individual schemes, cf. (1).

(6) The municipal council shall, in accordance with Section 9p(15) of the Act, set out in a fee sheet, specific fees for awareness-raising actions and for other communications relating to the municipal council's management of packaging waste in accordance with Annex 15, and which the municipal council shall allocate proportionally between the individual schemes, cf. (1).

(7) The municipal council publishes the fee sheet on the municipality's website.

**Section 103.** When setting fees in accordance with Section 102(1), the municipal council shall calculate the costs on the basis of the municipal council's total costs of a waste scheme to be allocated using fixed allocation keys, cf. Annex 8.

(2) The municipal council shall calculate the costs, cf. (1), per waste fraction, in the following cases:

- 1) When the municipal council has established a waste scheme with combined collection of two or more waste fractions assigned to two or more producers who are registered for different collective schemes.
- 2) Where the municipal council collects several fractions of waste via a recycling site allocated to two or more producers who are registered under different collective schemes.

3) When the municipal council collects two or more waste fractions in a multi-chamber bin.

**Section 104.** The municipal council shall determine the fees, cf. Section 102, once a year no later than 1 October for the following calendar year.

**Section 105.** The municipal council shall charge the set fees, cf. Section 102, to the producer who has been allocated packaging waste in the municipality concerned, in accordance with Sections 35 and 36, for the first time on 1 October 2025 and every quarter thereafter. The municipal council may collect the fees in aggregate.

(2) In cases where the municipal council must calculate costs under Section 103(2), the determined fees, cf. Section 102, are charged as a separate fee to the individual producers.

**Section 106.** The producer's payment of the fee charged, see Section 105, shall be made digitally in accordance with the municipal council's instructions. If the payment is not made accordingly, the payment shall not be deemed to have been made.

#### *The municipal council's annual statement and reporting*

**Section 107.** The municipal council shall draw up annually, for the first time in 2026, a separate statement of the costs included in the municipal council's fees, cf. Section 9p(15) of the Act, for the previous year, including information on the quantities of packaging waste, expressed in kilograms and per waste fraction, cf. Annex 7, collected by the municipal council in the previous year. The statement shall be submitted annually, no later than 1 May, for the first time in 2026, to the Danish Environmental Protection Agency and published on the municipality's website.

(2) The Danish Environmental Protection Agency shall draw up a fixed template for the municipal council's statement of costs in accordance with (1), which the municipal council must use. The template is published on the Danish Environmental Protection Agency's website.

**Section 108.** The municipal council shall annually, for the first time on 1 November 2025 and thereafter on 1 November, report in writing on the background on the municipal council's costs for waste management, which relate to packaging waste for the previous calendar year. The report shall include descriptions of:

- 1) the waste schemes established by the municipal council, including the current level of service for waste collection in the municipality.
- 2) how the municipal council has worked and expects to work with cost efficiency in waste collection.

(2) The Danish Environmental Protection Agency shall draw up a fixed template for the municipal council's reporting, which the municipal council must use. The template shall be published on the website of the Danish Environmental Protection Agency.

(3) The municipal council's reporting in accordance with (1) shall be forwarded to the Danish Environmental Protection Agency and published on the municipality's website no later than 1 November.

## **Part XI**

### **Administrative provisions, etc.**

#### **Chapter 20**

#### *Storage of documents, administrative cooperation and exchange of information*

##### *Storage of documents*

**Section 109.** Data Centre for Circular Economy shall ensure that documents received or sent by the Data Centre for Circular Economy as part of administrative processing in connection with the activities of Data Centre for Circular Economy and which are relevant to a case or otherwise are stored in such a way that it is possible, for instance in connection with supervision, request for access to documents or appeal proceedings, to identify them and find them. The same applies to internal documents that are in their final

form.

(2) Documents referred to in (1) shall be kept for at least 5 years.

#### *Administrative cooperation and exchange of information*

**Section 110.** Within the framework of the data protection regulations, the Data Centre for Circular Economy shall cooperate with the Danish Environmental Protection Agency and in this connection exchange information and documents relevant to producers' compliance with their obligations regarding packaging, cf. Section 1, and waste thereof in accordance with the Act and this Order.

**Section 111.** Within the framework of the data protection rules, Data Centre for Circular Economy shall, where appropriate, cooperate with relevant authorities and producer registers in other EU Member States as well as the European Commission and in this context exchange information and documents relevant to producers' compliance with their obligations regarding packaging, cf. Section 1, and waste thereof pursuant to the Act and this Order.

(2) The exchange of information and documents referred to in (1) shall take place digitally.

**Section 112.** As a supervisory authority within the framework of the data protection rules, the Danish Environmental Protection Agency shall, where appropriate, cooperate with relevant authorities and producer registers in other EU Member States as well as the European Commission, and in this context exchange information and documents relevant to producers' compliance with their obligations regarding packaging, cf. Section 1, and waste thereof pursuant to the Act and this Order, including information on quantities made available and on the results of supervisions.

(2) The exchange of information and documents referred to in (1) shall take place digitally.

### Chapter 21

#### *Supervision, monitoring and appeals*

##### *Supervision*

**Section 113.** The Danish Environmental Protection Agency carries out supervision to ensure compliance with the provisions of this Order, cf., however, (2).

(2) The municipal council shall supervise compliance with Sections 43, 44, 57 and Sections 102-108.

**Section 114.** The Danish Environmental Protection Agency can require anyone who is placing packaging on the market, immediately or within a specified timeframe, to cease marketing the packaging, if the Danish Environmental Protection Agency has a reasonable suspicion that the packaging does not meet the requirements of Sections 4-6 or 8.

(2) The Danish Environmental Protection Agency may maintain injunctions in accordance with (1) until it is documented to the Danish Environmental Protection Agency that the requirements of Sections 4-6 or 8 are complied with.

**Section 115.** The Danish Environmental Protection Agency may require economic operators and collective schemes to submit relevant documents, technical specifications, data or information on compliance and technical aspects of packaging regulated in this Order, including access to embedded software to the extent that such access is necessary to assess the packaging's compliance with the rules laid down in this Order. Supervision to ensure compliance with Sections 5, 6 and 9, No 2, shall be carried out in accordance with the relevant rules of the Chemicals Act.

(2) The Danish Environmental Protection Agency may require economic operators to provide information on the supply chain and the distribution network, on the quantities of packaging on the market and on other packaging models that have the same technical characteristics as the packaging in question.

(3) The Danish Environmental Protection Agency may require economic operators to provide information on the ownership of a website when that information is relevant to the case.

**Section 116.** The Danish Environmental Protection Agency may acquire product samples of packaging, including under a hidden identity, and check those samples and reverse engineer them in order to identify non-compliance with Sections 5, 6 and 9. Supervision to ensure compliance with Sections 5, 6 and 9, No 2, shall be carried out in accordance with the relevant rules of the Chemicals Act.

**Section 117.** The Danish Environmental Protection Agency may order the owner of an online interface, if there is no other effective means to eliminate a serious risk, to modify or remove content on the online interface where reference is made to packaging that does not comply with Sections 5, 6 and 9 of this Order. Supervision to ensure compliance with Sections 5, 6 and 9, No 2, shall be carried out in accordance with the relevant rules of the Chemicals Act.

#### *Monitoring*

**Section 118.** The Danish Utility Regulator shall monitor and analyse the fees set by the municipal council in accordance with Section 9p(15) of the Act.

(2) The Danish Utility Regulator shall draw up an annual report, starting in 2027, comparing the fees set by the municipal councils pursuant to Section 9p(15) of the Act for the previous year. The report shall be published on the Danish Utility Regulator's website.

#### *Appeals*

**Section 119.** Decisions taken by the Data Centre for Circular Economy may be appealed to the Danish Environmental Protection Agency, cf. Section 9ø(3) of the Act.

(2) The rules of the Administrative Act shall apply to the cases in which the decision of Data Centre for Circular Economy is taken pursuant to this Order.

(3) Appeals against decisions of the Danish Environmental Protection Agency under this Order cannot be made to any other administrative authority.

### *Chapter 22*

#### *Penal provisions*

**Section 120.** Unless a higher penalty is due under other legislation, a fine shall be imposed on any person who

- 1) makes available packaging in violation of Section 4;
- 2) makes available packaging in violation of Section 5(1);
- 3) makes available packaging in violation of Section 6;
- 4) fails to allow sampling, cf. Section 7(1);
- 5) fails to submit a report to the Danish Environmental Protection Agency, cf. Section 7(2);
- 6) fails to provide information, cf. Section 7(3);
- 7) makes available packaging in violation of Section 8;
- 8) manufactures and repairs plastic crates and plastic pallets contrary to Section 9;
- 9) uses plastic crates and plastic pallets in a closed and controlled chain contrary to Section 10;
- 10) fails to submit information, cf. Section 11;
- 11) fails to charge a minimum price of DKK 4 per bag, cf. Section 12;
- 12) fails to provide documentation at the request of the Danish Environmental Protection Agency, cf. Section 13;
- 13) fails to hold or provide information as specified in Annex 4, cf. Section 14;
- 14) fails to provide documentation at the request of the Danish Environmental Protection Agency, cf. Section 14(2);
- 15) fails to contribute to obtaining information or documentation, cf. Section 15;
- 16) fails to provide information and documentation, cf. Section 15;
- 17) fails to comply with orders issued in accordance with Section 16;
- 18) fails to comply with Danish Environmental Protection Agency decisions in accordance with Section 17;

- 19) labels packaging contrary to of Section 18;
- 20) fails to be in possession of information, cf. Section 19(1) and (3);
- 21) fails to provide information at the request of the Danish Environmental Protection Agency, cf. Section 19(2) and (4);
- 22) makes packaging available without having registered as a producer or collective scheme, cf. Sections 82 and 83, in accordance with Section 21, as a producer or collective scheme, cf. Sections 82 and 83, provides false or misleading information pursuant to Section 22(1) to (3);
- 23) as a producer or collective scheme, cf. Sections 82 and 83, fails to register changes in accordance with Section 24(1);
- 24) as a producer or collective scheme, cf. Sections 82 and 83, fails to register cessation of being a producer of packaging in accordance with Section 25;
- 25) as a producer or collective scheme, cf. Sections 82 and 83, fails to report information or provides false or misleading information pursuant to Sections 27-31, or fails to report in accordance with the Data Centre for Circular Economy's instructions in accordance with Section 34;
- 26) as a collective scheme, cf. Section 81 No 4, fails to designate a waste treatment facility or a site, cf. Section 48(1);
- 27) as a collective scheme, cf. Section 81, No 6, fails to take over and ensure waste management of municipally-collected waste transferred in accordance with Section 51(1);
- 28) as a collective scheme, cf. Section 81, No 7, fails to provide information to the municipal council on collected quantities pursuant to Section 52;
- 29) as a collective scheme, cf. Section 81, No 8 fails to calculate the amount that the producer must pay to the municipal council in accordance with Section 54(1);
- 30) as a collective scheme, cf. Section 81, No 8, fails to send the calculation for payment for non-packaging waste to the municipal council within a reasonable time, cf. Section 54(2);
- 31) as a collective scheme, cf. Section 81, No 9, fails, at the request of the municipal council or the supervisory authority, to provide further documentation pursuant to Section 54(3);
- 32) as a collective scheme, cf. Section 81 No 11, fails to pay the amount that the municipal council is charging pursuant to Section 56(2);
- 33) as a collective scheme, cf. Section 81 No 12, fails to draw up an annual statement of payments and collections made, as well as the producer's actual costs and revenues, in accordance with Section 59(1);
- 34) as a collective scheme, cf. Section 81 No 13, fails to submit the relevant documentation for the annual calculation, cf. Section 59(1), to the Danish Environmental Protection Agency at the Agency's request, cf. Section 59(2);
- 35) as a collective scheme, cf. Section 81 No 14, fails to ensure that requests for payment for commercial packaging waste can be made in an easily accessible manner via commonly used means of communication, cf. Section 66(1);
- 36) as a waste-producing enterprise provides false or misleading information and documentation in connection with a request for payment, cf. Section 66(2);
- 37) as a collective scheme, cf. Section 81 No 15, fails to calculate, in accordance with Section 67(1), the amount that the producer must pay to the waste-producing enterprise or the municipal council for the management of commercial packaging waste;
- 38) as a collective scheme, cf. Section 81 No 16, fails to pay the calculated amount to the waste-producing enterprise or the municipal council in accordance with Section 67(2) point 1;
- 39) as a producer or collective scheme, cf. Section 83(5), fails to take back reusable packaging, cf. Section 69;
- 40) as a producer or collective scheme, cf. Section 83 No 5, takes back packaging waste contrary to Section 70;
- 41) as a producer or collective scheme, cf. Section 83 No 6, fails to inform an end user of packaging of how take-back may take place, cf. Section 71;
- 42) as a collective scheme, cf. Section 81 No 17, fails to provide security on behalf of the producer, cf.



Section 72;

- 43) as a collective scheme, cf. Section 81 No 18, fails to document that the packaging waste allocated has been handled or the allocated payment obligation has been fulfilled, cf. Section 73(2);
- 44) as a collective scheme, cf. Section 81 No 19, fails to provide security in accordance with the instructions of the Data Centre for Circular Economy and to provide documentation that the security has been provided correctly, cf. Section 74(2);
- 45) as a collective scheme, cf. Section 81 No 20, fails to ensure high actual recycling, cf. Section 78(1) and (2);
- 46) as a collective scheme, cf. Section 81 No 21, or waste-producing enterprise, fails to document recycling, cf. Section 78(3);
- 47) as a producer fails to register for a collective scheme, cf. Section 80;
- 48) as a collective scheme, fails to ensure compliance with the requirements of Section 84;
- 49) as a collective scheme, fails to register in the producer register in accordance with Section 85;
- 50) as a collective scheme fails to notify the Data Centre for Circular Economy and the registered producers in accordance with Section 86(1);
- 51) as a collective scheme fail to modulate producers' financial contributions in accordance with Annex 14, cf. Section 87,
- 52) as a collective scheme, fails to deduct quantities taken back, by setting graduated contributions, cf. Section 88;
- 53) as a collective scheme, fails to publish information on the website of the collective scheme in accordance with Section 89;
- 54) as a producer or collective scheme, cf. Section 83 No 7, fails to carry out self-monitoring of the obligations referred to in Section 91(1), Nos 1, 3 and 4;
- 55) as a producer, fails to carry out self-monitoring in accordance with Sections 90 and 91;
- 56) as a collective scheme, fails to carry out self-monitoring in accordance with Section 92;
- 57) fails to stop the making available of packaging following an order from the Danish Environmental Protection Agency, cf. Section 115;
- 58) fails to comply with an order from the supervisory authority to provide documents, data, specifications or information under Section 114;
- 59) fails to comply with the supervisory authority's order to change or remove content of an online interface under Section 117.

(2) The penalty may increase to 2 years' imprisonment if the infringement was committed wilfully or through serious negligence, and said infringement:

- 1) caused damage to or endangered the environment; or
- 2) Is achieved or was intended to achieve a financial benefit for the party concerned or for others, including through savings.

(3) Companies, etc., (legal persons) may be held criminally liable in accordance with the regulations set out in Chapter 5 of the Penal Code.

## Chapter 23

### *Provisions for entry into force and transitional provisions*

**Section 121.** The Order shall enter into force on 1 October 2025.

(2) Order No 323 of 20 March 2025 on certain requirements for packaging, extended producer responsibility for packaging and other waste collected with packaging waste is repealed.

*Ministry of the Environment and Equal Opportunities, on [date] [month] [year]*

Magnus Heunicke

/ [Head of Unit]

1)The Order contains provisions implements parts of Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste, OJ 1994 L 365, p. 10, as last amended by Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018 amending Directive 94/62/EC on packaging and packaging waste, OJ 2018 L 150, p. 141, and parts of Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment, OJ 2019 L 155, p. 1. The Order contains provisions that have been notified as a draft in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification). The Order includes certain provisions of Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011, Official Journal 2019, No L 169, page 1. Pursuant to Article 288 of the Treaty on the Functioning of the European Union, regulations are directly applicable in all Member States. The reproduction of these provisions in the Order is therefore exclusively for practical reasons and does not affect the immediate application of the aforementioned Regulation in Denmark.

### **Additional criteria for classifying products as packaging, cf. Section 1(2) of the Order**

#### *I. 3 criteria*

Criterion 1: Articles are considered to be packaging if they meet the definition in Section 1(2), irrespective of other functions that the packaging may have, unless the article constitutes an integrated part of a permanent product which is necessary to contain, support or preserve this product throughout its useful life and all elements are intended for use, consumption or disposal together.

Criterion 2: Articles which are designed and intended to be filled at the point of sale and disposable articles which are sold filled or which are designed and intended to be filled at the point of sale are considered to be packaging, providing they fulfil a packaging function.

Criterion 3: Packaging components and ancillary elements integrated into the packaging shall be considered as part of the packaging into which they are integrated. Ancillary elements which are attached to the product directly or otherwise affixed to the product and which fulfil a packaging function shall be considered as packaging, unless they form an integral part of that product and all elements are intended for consumption or disposal.

#### *II. Examples of the 3 criteria*

##### *1. Examples of criterion 1:*

##### **1) Packaging**

- a) Confect cartons.
- b) Cellophane around a CD cover.
- c) Plastic wrapping for the dispatch of catalogues and magazines (with content).
- d) Paper cake napkins (with cake).
- e) Rolls, tubes and drums around which flexible material is wound (such as plastic foil, aluminium or paper), although not rolls, tubes and drums which form part of a production machine and are not used to present a product as a unit of sale.
- f) Flower pots intended exclusively for the sale and transport of plants and not to hold the plant throughout its life.
- g) Glass bottles for injection fluid.
- h) CD spindles (which are sold with CDs but are not intended for the storage of the CDs).
- i) Clothes hangers (sold with a garment).
- j) Matchboxes.
- k) Sterile barrier systems (wrapping, trays and materials necessary to keep a product sterile).
- l) Capsules for beverages (e.g. coffee, cocoa, milk) which are empty after use.
- m) Refillable steel cylinders for different kinds of gas, with the exception of fire extinguishers.

##### **2) Not packaging**

- a) Flower pots which are designed to contain a plant throughout their life

- b) Tool boxes.
- c) Tea bags.
- d) Wax crusts on cheese.
- e) Sausage skin.
- f) Hangers for clothes (sold separately).
- g) Coffee capsules, coffee foil bags and filter paper coffee pads which are thrown away together with the used coffee product.
- h) Printer cartridges.
- i) CD, DVD and video covers (sold together with a CD, DVD or video).
- j) CD spindles (sold without content, designed for the storage of the CDs).
- k) Soluble bags for detergents.
- l) Grave lights (holders for candle lights).
- m) Mechanical grinders (integrated in a refillable container, such as a refillable pepper pot).

## *2. Examples of criterion 2:*

### ***1) Packaging, if it is designed and intended to be filled at the point of sale***

- a) Paper or plastic carrier bags.
- b) Disposable plates and cups.
- c) Plastic film.
- d) Packed lunch bags.
- e) Aluminium foil.
- f) Plastic film for clean laundromat laundry.

### ***2) Not packaging***

- a) Stir sticks.
- b) Disposable cutlery.
- c) Wrapping paper (sold separately).
- d) Paper baking forms (without contents).
- e) Paper cake napkins (without cake).

## *3. Examples of criterion 3:*

### ***1) Packaging***

- a) Labels hung directly on a product or otherwise affixed to it.

### ***2) Part of packaging***

- a) Mascara brush which is a part of the container's closing mechanism.

- b) Self-adhesive labels affixed to another packaging item.
- c) Staples.
- d) Plastic sleeves.
- e) Dosing device which is a part of the closing mechanism of a washing and cleaning agent container.
- f) Mechanical grinders (integrated in a non-refillable container filled with a product, e.g. a pepper mill filled with pepper).

### **3) *Not packaging***

- a) RFID labels (for radio frequency identification).

### **Main requirements for the composition of packaging and the possibilities for recycling and recovery, including reuse, cf. Section 4 of the Order**

#### *1. Requirements for the manufacture and composition of packaging*

- 1) Packaging is to be manufactured in such a way that the packaging's volume and weight is reduced to the minimum which is required to preserve the packaged product and to provide consumers with the required safety, hygiene and acceptance level.
- 2) Packaging shall be designed, manufactured and placed on the market in such a way that it can be reused or recovered, including recycled, and that its impact on the environment is minimised during the final disposal of packaging waste or residues from packaging waste management.
- 3) Packaging shall be so manufactured 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 with regard to their presence in emissions, ash or leachate when packaging or residues from the management of packaging waste are incinerated or landfilled.

#### *2. Requirements relating to reuse of packaging*

The following requirements are also to be complied with:

- 1) The physical characteristics of the packaging shall be such that the packaging can be reused a number of times under normally foreseeable conditions of use.
- 2) It must be possible to treat the used packaging in a way that is in accordance with employee health and safety requirements.
- 3) The packaging shall fulfil the requirements for recovery when the packaging is no longer reused and thereby becomes waste.

#### *3. Requirements relating to recovery of packaging*

- 1) Recovery of packaging in the form of material recycling.

The packaging is to be manufactured in such a way that it is possible to recycle a specific percentage by weight of the materials used in the manufacture of saleable products, the current standards in the community being taken into consideration. The setting of this percentage can vary, depending on what type of material the packaging consists of.

- 2) Recovery of packaging in the form of energy recovery.

Packaging waste which is manufactured so that energy can be recovered at end-of-life, is to have a minimum lower calorific value that ensures optimal energy recovery.

- 3) Recovery of packaging in the form of composting.

Packaging waste processed for composting shall be biodegradable to such an extent that it does not impede separate collection nor the composting process or activity to which the waste is subject.

- 4) Biodegradable packaging.

Biodegradable packaging waste is to be able to be degraded physically, chemically, thermally or biologically in such a way that most of the compost is finally degraded to carbon dioxide, biomass and water.

**Requirements for information on the content of materials, substances and components in packaging, cf. Section 14(1) of the Order**

Documentation, which economic operators according to Section 14(1) must be in possession of:

- 1) Address of manufacturing and storage sites.
- 2) A general description of the packaging.
- 3) Lists of materials, substances, components, etc. used and their weight distribution, including the weight content of lead, cadmium, mercury and hexavalent chromium in the packaging.
- 4) The necessary descriptions and explanations to understand the lists specified in No 3.

**Labelling of packaging, cf. Section 18 of the Order**

***A. Numeric and abbreviation system for non-composite materials, cf. Article 18 of the Order***

<b>Material</b>	<b>Abbreviation<sup>(1)</sup></b>	<b>Number</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
Corrugated cardboard	CARDBOARD	20
Other cardboard	CARDBOARD	21
Paper	CARDBOARD	22
Steel	FE	40
Aluminium	ALU	41
Timber	FOR	50
Cork	FOR	51
Cotton	TEX	60
Jute	TEX	61
Clear glass	GL	70
Green glass	GL	71
Brown glass	GL	72

<sup>(1)</sup> Abbreviations must be written in capital letters.

***B. Numeric and abbreviation system for composite materials, cf. Section 18 of the Order***

<b>Material</b>	<b>Number</b>
Paper and cardboard/different metals	80
Paper and cardboard/plastics	81



Paper and plastic/aluminium	82
Paper and cardboard/tinplate	83
Paper and cardboard/plastic/aluminium	84
Paper and cardboard/plastic/aluminium/tinplate	85
Plastic/aluminium	90
Plastic/tinplate	91
Plastic/different metals	92
Glass/plastic	95
Glass/aluminium	96
Glass/tinplate	97
Glass/different metals	98

Abbreviation: When shortening composite materials, write C plus the abbreviation for the predominant material. The abbreviation must be written in capital letters. Example: C/PAP.

**Information to be provided in connection with the registration of producers and their representatives, if any, cf. Section 22(1) and (2) of the Order**

*1. Common to all producers:*

- 1) The company's name under which the company makes packaging available.
- 2) Address of the company (street name and number, postal code and city, country and country code), URL, telephone number and email address.
- 3) CVR number. For foreign companies that are not registered in the Central Business Register, CVR, the company's VAT number, European VAT identification number or national VAT registration number should be provided instead of CVR number.
- 4) Contact person in the company, who must be employed in the same company: Name, telephone number and email address.
- 5) Any representative of the company in Denmark: Name, address (street name and number, postal code, city and country), email address, CVR number and telephone number. If the representative is a legal person, the name, address (street name and number, postal code and city), telephone number and email address of the contact person of the representative shall also be provided.
- 6) Type of packaging, including whether the producer makes single-use packaging or reusable packaging available.
- 7) Selling method used. For companies with a CVR number, if distance selling is used as a sales method.
- 8) Declaration that the information provided in the request for registration is correct.
- 9) To the extent that Data Centre for Circular Economy can retrieve the information via CVR, only the contact person, cf. No 4, shall be stated, instead of Nos 1 and 2.

*2. For producers of single-use packaging:*

- 10) Which collective scheme the producer is a member of. One collective scheme per material category shall be indicated.

*3. For producers of reusable packaging:*

- 11) Which collective scheme the producer is a member of if the producer is a member of a collective scheme. One collective scheme per material category may be specified.

**Material categories**

1. Cardboard.
2. Paper.
3. Ferrous metals.
4. Aluminium.
5. Glass.
6. Plastics.
7. Food and beverage cartons.
8. Timber.
9. Textile.
10. Porcelain.
11. Cork.
12. Ceramics.
13. Other.

**Waste fractions\***

- 1) Cardboard waste.
- 2) Paper waste.
- 3) Metal waste, including ferrous metal waste and aluminium waste.
- 4) Glass waste.
- 5) Plastic waste.
- 6) Food and beverage carton waste.
- 7) Waste wood.
- 8) Residual waste.
- 9) Hazardous waste.

\*When the waste fractions contain packaging waste.

## Annex 8

### Allocation keys for the share of packaging waste and non-packaging waste in collected waste, cf. Sections 29, 30, 54, 66 and 103

Distribution keys indicate the distribution of packaging waste and other waste collected with the packaging waste ('non-packaging waste') for a given waste fraction as well as the distribution between waste fractions in the case of combined collection, e.g. the proportion of cardboard and paper, respectively, in a scheme with combined collection of cardboard and paper.

#### 1. Distribution keys for municipally-collected waste

Distribution keys concerning the share of packaging waste and non-packaging waste in municipally collected waste are presented in Tables 1-3.

Table 1 concerns distribution keys for packaging waste and non-packaging waste in municipally collected waste from pick-up schemes. Table 2 concerns distribution keys for waste fractions in municipally-collected waste collected through combined collection. Table 3 gives distribution keys for waste fractions collected by municipalities via recycling sites.

*Table 1. Distribution keys for the share of packaging and non-packaging waste in municipal collected waste collected through retrieval schemes*

Waste fraction	Packaging waste	Non-packaging waste
Paper	2%	98%
Cardboard	88%	12%
Plastic	51%	49%
Food and beverage cartons	54%	46%
Metal	33%	67%
Glass	97%	3%
Residual waste	3%	97%

*Table 2. Distribution keys for waste fractions in municipally collected waste from pick-up schemes, which collect through combined collection*

Combined collection (waste fractions)	Distribution of waste fractions
Cardboard/paper	30% (cardboard) / 70% (paper)
Plastic/food and beverage carton	84% (plastic) / 16% (food and beverage carton)
Plastic/Food and beverage carton/metal	62% (plastic) / 19% (food and beverage carton) / 19% (metal)
Glass/metal	76% (glass) / 24% (metal)

*Table 3. Distribution keys for the share of packaging and non-packaging waste in municipal waste collected via recycling centres*

Waste fraction	Packaging waste	Non-packaging waste
Paper	2%	98%
Cardboard	88%	12%

Glass	97%	3%
Plastics*	51%	49%
Food and beverage containers*	54%	46%
Metal*	33%	67%
Wood (indoor)	16%	84%
Hazardous waste	12%	88%

*\*When waste is collected in the same way as in collection schemes for private households, cf. the Waste Order.*

## 2. Distribution keys for commercial waste

Distribution keys regarding the share of packaging waste and non-packaging waste in commercial waste are set out in Tables 4-7 below. If a waste-producing enterprise makes use of combined collection, cf. the Order on waste, the waste-producing enterprise shall use distribution keys for combined collection as drawn up for municipally collected waste, cf. Table 2 above, and use distribution keys for packaging waste and non-packaging waste in Tables 4 to 7.

The payment for waste from a waste producing undertaking must be calculated on the basis of the allocation keys corresponding to its industry group. If the enterprise does not belong to one of the industry groups mentioned below, the waste producing enterprise or the municipal council chooses the sector group that is considered most appropriate.

Tables 4 to 7 are broken down by industry groups:

- industry and manufacturing (Table 4),
- office (Table 5);
- trade (Table 6) and
- hotel, restaurant and culture (Table 7).

*Table 4. Distribution keys for the share of packaging waste and non-packaging waste in waste collected from the industry and manufacturing group*

Waste fraction	Packaging waste	Non-packaging waste
Paper	32%	68%
Cardboard	95%	5%
Plastic	87%	13%
Food and beverage cartons	67%	33%
Metal	35%	65%
Glass	87%	13%
Residual waste*	4%	96%
Timber	73%	27%

*\*When commercial waste is household-like, cf. the Order on waste.*

*Table 5. Distribution keys for the share of packaging waste and non-packaging waste in waste collected from the branch group “office”*

Waste fraction	Packaging waste	Non-packaging waste
----------------	-----------------	---------------------

Paper	11%	89%
Cardboard	96%	4%
Plastic	60%	40%
Food and beverage cartons	67%	33%
Metal	51%	49%
Glass	92%	8%
Residual waste*	5%	95%
Timber	73%	27%

*\*When commercial waste is household-like, cf. the Order on waste.*

*Table 6. Distribution keys for the share of packaging waste and non-packaging waste in waste collected from the trade group “trade”*

Waste fraction	Packaging waste	Non-packaging waste
Paper	34%	66%
Cardboard	95%	5%
Plastic	88%	12%
Food and beverage cartons	53%	47%
Metal	19%	81%
Glass	100%	0%
Residual waste*	2%	98%
Timber	73%	27%

*\*When commercial waste is household-like, cf. the Order on waste.*

*Table 7. Allocation keys for the share of packaging waste and non-packaging waste in waste collected from the sector group ‘Hotel, restaurant and culture’*

Waste fraction	Packaging waste	Non-packaging waste
Paper	5%	95%
Cardboard	92%	8%
Plastic	81%	19%
Food and beverage cartons	67%	33%
Metal	49%	51%
Glass	95%	5%
Residual waste*	5%	95%
Timber	73%	27%

*\*When commercial waste is household-like, cf. the Order on waste.*

**Guidelines for the calculation of the allocation of obligations for municipally collected waste, cf. Sections 35 and 36.***1. Market share of producers*

The Data Centre for Circular Economy uses the reported quantities pursuant to Sections 27 and 28 made available by each producer in Denmark in the reporting period concerned to calculate the respective market share of each registered producer for household packaging.

Producers' market share shall be the producer's share of the total reported volumes of household packaging made available for the previous calendar year. In the subsequent allocation, the quantities of waste which the producer has taken back under their own take-back scheme, cf. Section 70, and which have been reported pursuant to Section 29, shall be deducted.

*2. Allocation of municipally collected waste to be transferred, cf. Section 43*

The Data Centre for Circular Economy shall, on the basis of the calculated market shares, cf. Section 1, and information from the municipal council on the collection schemes, for the first time in 2026, cf. Section 32, assign a producer the organizational responsibility for and the physical obligation to manage one or more waste fractions, which are transferred from one or more municipal councils. When calculating allocations, the Data Centre for Circular Economy shall, as far as possible, take into account the following considerations:

- 1) That waste fractions collected in combination or otherwise mixed together in connection with municipal collection, including collection across municipalities, are allocated to one or more producers in the same collective scheme, as the waste was not physically divided before being transferred to a collective scheme.
- 2) That all waste fractions from a municipality are assigned to the same collective scheme.

In cases where it proves impossible to take account of No 1 in the allocation, and where mixed waste fractions are thus allocated to two or more collective schemes that carry obligations on behalf of producers, the Data Centre for Circular Economy shall allocate physical organisational responsibility and payment obligations to one collective scheme, cf. Section 35, and payment obligations to the other collective scheme or schemes, cf. Section 36.

*3. Allocation of payment obligations for municipally collected packaging waste, cf. Section 44*

On the basis of the calculated market shares, cf. Section 1, and the collection schemes notified by the municipal council, the Data Centre for Circular Economy shall, for the first time in 2026, cf. Section 32, assign a producer a payment obligation for the collection, transport and processing of packaging waste by the municipal council.

When allocating payment obligations pursuant to Section 36, the Data Centre for Circular Economy shall, as far as possible, allocate the same producer who is allocated the physical organisational obligation and payment obligation pursuant to Section 35.

*4. Other allocation guidelines**4.1. Producers that start making packaging available within an applicable allocation period*

The Data Centre for Circular Economy does not calculate market shares nor does it make decisions on allocations for those producers who start making household packaging available during an applicable allocation period.



The Data Centre for Circular Economy calculates the market share and decides on allocation for the subsequent allocation period on the basis of the amount made available by the producer for the allocation period during which the producer starts making household packaging available. The amount is multiplied by two.

## Annex 10

### **Guidelines for the calculation of the allocation of payment obligations for commercial packaging waste, cf. Section 60(1) of the Order**

#### *1. Market share of producers of commercial packaging*

The Data Centre for Circular Economy uses the reported quantities pursuant to Section 27 and 28 made available by each producer in Denmark in the reporting period concerned to calculate the respective market share of each registered producer for commercial packaging.

Producers' market share comprises the producer's share of the total reported volumes of household packaging made available for the previous calendar year. In the subsequent allocation, the quantities of waste which the producer has taken back under their own take-back scheme, cf. Section 70, and which have been reported to the Data Centre for Circular Economy pursuant to Section 29, shall be deducted.

#### *2. Allocation of payment obligations for commercial packaging waste, cf. Section 60*

On the basis of the calculated market shares, cf. Section 1, the Data Centre for Circular Economy shall assign a producer a payment obligation for commercial packaging waste that has been handled in accordance with Section 60.

When calculating allocations, Data Centre for Circular Economy shall, as far as possible, take into account that all commercial packaging waste fractions from a municipality are allocated the same collective scheme.

#### *3. Other allocation guidelines*

##### *3.1. Producers starting to make available commercial packaging within an applicable allocation period*

The Data Centre for Circular Economy does not calculate market shares nor does it make decisions on allocations for those producers of commercial packaging who start making commercial packaging available during an applicable allocation period.

The Data Centre for Circular Economy calculates the market share and decides on allocation for the subsequent allocation period on the basis of the amount made available by the producer for the allocation period during which the producer starts making available commercial packaging. The amount is multiplied by two.

## Annex 11

### **Guidelines for the calculation of amounts for payment and annual statement of payments and costs for the producer's management of municipally-collected non-packaging waste, including key figures, cf. Section 54(1) and (3) and Section 59.**

#### *1. Guidelines for the producer's calculation of amounts to be paid for the further management of municipally collected non-packaging waste, including key figures*

The producer determines the amount of payment for the further transport and processing of the transferred collected non-packaging waste, cf. Section 54, which is charged to the municipal council or that the municipal council charges.

##### *1.1. Formula for calculating the cost of payment for non-packaging waste*

###### *1.1.1. Formula for separately collected waste fractions not collected combined*

The producer shall calculate the amount to be paid for separately collected waste fractions that are not

collected in combination according to the following formula:

$$\begin{aligned} \text{Amount to be paid} = & \\ & \text{number of tonnes} * \text{key figure for waste processing} * \text{distribution key for non-packaging share} \\ & + \text{Number of total kilometres} * \text{key figures for waste transport} \\ & \quad * \text{distribution key for non-packaging share} \\ & + \text{number of hours of administration} * \text{hourly rate} \end{aligned}$$

#### *1.1.2. Formula for waste fractions collected through combined collection*

In cases where waste fractions are collected through combined collection, for example that plastic waste is collected in combination with metal waste, the producer shall calculate the amount for payment according to the following formula:

$$\begin{aligned} \text{Amount to be paid} = & \text{allocation} \\ & \text{key for combined collection} * \\ & (\text{number of tonnes} * \text{key figure for waste processing} * \text{distribution key for non-packaging share} \\ & + \text{kilometres from reloading to sorting} * \text{key figures for waste transport} * \text{distribution key for non-packaging share}) \\ & + \text{number of kilometres from sorting to further processing} * \text{key figures for waste transport} * \text{distribution key for non-packaging share} \\ & + \text{number of hours of administration} * \text{hourly rate} \end{aligned}$$

#### *1.1.3. Definition of terms for calculation formulae*

*The distribution key for non-packaging share* is the distribution key that is set out in Table 1 in Annex 8 for the packaging share and non-packaging share in waste fractions collected via municipal pick-up schemes, as well as the distribution key that is set out in Table 3 in Annex 8 for the packaging share and non-packaging share in waste fractions collected via reuse sites. The producer shall use these allocation keys when calculating the costs.

*The distribution key for combined collection* is the distribution key set out in Table 2 in Annex 8 for waste fractions collected via municipal collection schemes, collected via combined collection. The producer shall use these allocation keys when calculating the costs.

*The number of tonnes* is the amount of waste taken over from the municipal council.

*The number of kilometres* is calculated for the total transport length of a waste fraction, including if the transport takes place in several stages. The producer calculates the number of kilometres per load using a route calculation tool according to the fastest route. If the producer has a contractor handling the waste management, including transport, the producer must obtain the necessary data on waste transport from the contractor.

*Number of kilometres from reloading to sorting* is the transport length of the combined collected waste fractions from reloading to sorting into separate waste fractions. The producer calculates the number of kilometres per load using a route calculation tool according to the fastest route. If the producer has a

contractor handling the waste management, including transport, the producer must obtain the necessary data on waste transport from the contractor.

*The number of kilometres from sorting to further processing* is the transport length of waste fractions from sorting into separate waste fractions to further processing, including fine-sorting and reprocessing. The producer calculates the number of kilometres per load using a route calculation tool according to the fastest route. If the producer has a contractor handling the waste management, including transport, the producer must obtain the necessary data on waste transport from the contractor.

*The number of hours of administration* is the hours spent on the producer's calculation and collection of payment for the further management of municipally collected non-packaging waste for each waste fraction. The producer must use the current hourly rate at the time of the calculation, which will appear on the Danish Environmental Protection Agency website, [www.mst.dk](http://www.mst.dk). The hourly price is determined on the basis of current hourly prices for labour costs from Statistics Denmark.

*The key figure for waste processing* is an overall market price for all stages of waste management, including the pre-processing and marketing of waste materials, but excluding waste transport. The producer shall use the current key figures for transport and processing, which appear on the website of the Danish Environmental Protection Agency at the time of the calculation, [www.mst.dk](http://www.mst.dk).

*Key figures for transport* are a total of a kilometre price per kilometre driven for the waste transport. The producer shall use the current key figures for transport and processing, which appear on the website of the Danish Environmental Protection Agency at the time of the calculation, [www.mst.dk](http://www.mst.dk).

The Danish Environmental Protection Agency shall establish key figures for processing and transport on the basis of base numbers from current market prices, which are regularly updated, including by using relevant indices for sales prices.

## *2. Producer's annual statement of payments and costs*

The annual statement of collection or payment to the municipal council for the further transport and waste treatment of non-packaging waste, including calculation of costs incurred or achieved revenues submitted to the Danish Environmental Protection Agency annually, cf. Section 59, shall be drawn up separately for each municipality from which the producer has received waste.

For each waste fraction, the total annual number of tonnes of packaging waste and non-packaging waste shall be recorded, indicating the number of tonnes of non-packaging waste. The amount of non-packaging waste shall be calculated using the distribution keys set out in Annex 8. In addition, the total annual transport distance and the total number of annual administration hours are recorded.

In addition, the actual transport, processing and administrative costs incurred or earned by the producer in the previous year are calculated both in total and for the proportion of non-packaging waste. When calculating costs, any income from, for example, the sale of recyclable materials is deducted. The calculation of the proportion of the costs relating to non-packaging waste shall be carried out using the distribution keys set out in Annex 8.

Finally, the total annual payment for transport or processing charged by the producer to the municipal council or charged by the municipal council is calculated. The calculation shall follow the format in Table 1, below.

For definitions of terms for the calculation, see Section 1.1.3.

*Table 1: Format for annual statement of costs and payments*

<b>[Insert the name of the municipality]</b>	<b>[Insert waste fraction 1]</b>	<b>[Insert waste fraction 2]</b>
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Number of tonnes of packaging waste and non-packaging waste		
– <i>Of which, number of tonnes of non-packaging waste</i>		
Number of administration hours for non-packaging waste		
Number of kilometres		
Annual costs for the processing of packaging waste and non-packaging waste (DKK)		
– <i>Including for non-packaging waste (DKK)</i>		
Annual costs for the transport of packaging waste and non-packaging waste (DKK)		
– <i>Including for non-packaging waste (DKK)</i>		
Annual costs for the administration of non-packaging waste (DKK)		
Annual payments for treatment of non-packaging waste (DKK)		
– <i>Payments <u>from</u> the municipal council (DKK)</i>		
– <i>Payments <u>to</u> the municipal council (DKK)</i>		
Annual payments for the transport of non-packaging waste (DKK)		
– <i>Payments <u>from</u> the municipal council (DKK)</i>		
– <i>Payments <u>to</u> the municipal council (DKK)</i>		
Annual payments for administration		
– <i>Payments <u>from</u> the municipal council (DKK)</i>		
– <i>Payments <u>to</u> the municipal council (DKK)</i>		

**Guidelines on the calculation of amounts to be paid for the management of commercial packaging waste, including key figures, cf. Section 67(1)**

*1. Guidelines on the calculation of amounts to be paid for the management of commercial packaging waste, including key figures*

The producer calculates the payment for the collection, transport and processing of commercial waste from waste producers using the formula below.

*1.1. Formula for calculating the cost of payment for commercial packaging waste*

*1.1.1. Formula for separately collected waste fractions not collected combined*

The producer shall calculate the payment for each separately collected waste fraction not collected in combination according to the following formula:

$$\begin{aligned} \text{Amount to be paid} = \\ \text{number of tonnes} * \text{distribution key for packaging share} \\ * (\text{key figures for collection} + \text{key figures for treatment}) \end{aligned}$$

*1.1.2. Formula for waste fractions collected through combined collection*

The producer shall calculate the payment for each waste fraction collected through combined collection using the following formula:

$$\begin{aligned} \text{Amount to be paid} = \\ \text{number of tonnes} * \text{distribution key for combined collection} * \text{distribution key for packaging share} \\ * (\text{key figures for collection} + \text{key figures for treatment}) \end{aligned}$$

*1.1.3. Definition of terms for calculation formulae*

*The number of tonnes* is the amount of waste for which the waste producer has generated and requested payment within the given payment period.

*The distribution key for packaging share* shall be the distribution keys set out in Tables 4 to 7 of Annex 8. The producer shall use these allocation keys in calculating the costs.

*The distribution key for combined collection* is the distribution key set out in Table 2 in Annex 8 for waste fractions collected via municipal collection schemes, collected via combined collection. The producer shall use these allocation keys when calculating the costs.

*Key figures for collection and key figures for processing* comprise an overall market price for collection, transport and processing, including pre-processing and marketing of waste materials. When calculating the payment, the producer must use key figures for the costs of collection and processing, respectively, to be determined by the Danish Environmental Protection Agency. The producer shall use the current key figures, which appear on the website of the Danish Environmental Protection Agency at the time of the calculation, [www.mst.dk](http://www.mst.dk), cf. Section 68.

The Danish Environmental Protection Agency shall establish key figures for the collection and processing of commercial waste on the basis of a base number for a current market price for processing and transport, respectively. The base numbers are adjusted on an ongoing basis, including through the use of sales price indices, and multiplied by price efficiency factors in order to adjust the key figure downwards to reflect efficient collection and sales.

**Guidelines for the transfer of municipally collected waste, cf. Sections 43 and 44***1. Transfer site*

The municipal council shall, as a starting point, transfer the waste that is covered by Section 43 to a site designated by the municipality, cf. Section 44. The municipal council shall provide to the producer at least the following information about the transfer site:

- 1) Address of the transfer site
- 2) Contact information (contact person, telephone and email address)
- 3) Period during which municipally-collected waste can be collected at the transfer site
- 4) Any special conditions regarding access to the site, including the distribution of

keys, etc. The information shall be updated as soon as possible if there are changes to the information provided. The information is provided in connection with allocation, in accordance with Section 35.

*2. Collection conditions*

The waste can be collected on an ongoing basis upon request or on a fixed weekday, cf. the terms and conditions for collection in Section 2.1.

*2.1. Collect on request*

A request to collect must be made no later than 8:00 the day before the weekday on which collection requested.

Collection at the location takes place within the period indicated by the municipal council, cf. Section 1(3).

Holidays that fall on weekdays are counted as weekdays.

When requesting collection, the municipal council shall, as far as possible, ensure that the producer can always collect full loads.

Any cancellation of an agreed collection must be made no later than 12 noon the day before the desired collection.

If the municipal council has requested collection, the municipal council will have the right to arrange emergency collection if the producer fails to collect, cf. the conditions and procedure for doing so in Section 2.2.

*2.2. Failure to collect*

In the event of a delay in collecting, the producer shall inform the municipal council as soon as possible and no later than when the time at which collection should have taken place.

If the producer does not collect the waste in accordance with the set deadline or the agreed fixed collection time, the municipal council shall inform the producer thereof.

The producer must then arrange for collection of the waste within no more than five hours after the municipal council has informed about the failure to collect.

If the producer has not collected the waste within the five-hour period, the municipal council may arrange for emergency collection to be carried out by a third party. The municipal council shall inform the Data



Centre for Circular Economy of the lack of pick-up according to the instructions of the Data Centre for Circular Economy.

If it is not indicated in advance where the waste is to be delivered after reloading, the producer must be given the opportunity within the five-hour time limit to designate a waste management facility or a location where the municipal council can have a third party deliver the emergency-collected waste.

### *3. Producer's designation of a waste management facility or transfer site*

In cases where the municipal council does not reload a waste fraction in connection with the collection, the waste is handed over at a waste management facility or a site designated by the producer who is obliged to take over the waste.

The municipal council informs the producer about which waste fractions the municipal council does not carry out reloading of.

For these fractions, the producer must designate for the municipal council a waste management facility or a site where the waste can be delivered, no later than two months before an allocation period begins. In this connection, the producer must, as a minimum, provide the following information to the municipal council:

- 1) Address of waste management facility.
- 2) Contact information (person, telephone number and email address).
- 3) Period during which municipally-collected waste can be delivered to the waste management facility or site.
- 4) Any special conditions regarding access to the waste management facility, including handing out of keys, etc.

### *4. The transport or processing by the municipal council upon termination of a collective scheme during an allocation period in force*

If a collective scheme that has been allocated municipal waste ends during an applicable allocation period, the municipal council will have the right to arrange for emergency collection in the event of failure to collect the waste from the producer, in accordance with the conditions and procedure set out in Section 2.2, if possible.

In the event that the conditions and procedure for emergency collection under Section 2.2 are not feasible due to the termination of the collective scheme, the municipal council may order emergency collection and, where appropriate, processing.

### **Criteria, method and size ratios for the graduation of a producer's economic contribution by collective schemes, cf. Section 87(1)**

#### *1. Methodology for categorising material subcategories for graduation of contributions*

A packaging unit consists of a main component and potentially separate components. The main component and separate components may have integrated components.

The main component, documented separate components, and integrated components that can be documented as separable from the component with which it is composed, are categorised independently of each other and according to the component's dominant material based on weight.

Components that are not documented as separate components belong to the same material subcategory as the main component and are included in its weight calculation.

An integrated component shall be documented as separable by separating it by simple mechanical action during transport or sorting from the component it is composed with.

Integral components that are not documented as separable from the main component belong to the same material subcategory as the main component and are included in its weight calculation.

In the absence of a dominant material, the packaging is categorised according to the material that pays the highest economic contribution in the collective scheme.

#### *2.1 Methodology and proportion of scaling of material subcategories with three levels, see Sections 3.1, 3.2, 3.3, 3.4 and 3.8*

A packaging unit shall be divided into one of the following levels:

- Green level: Meets the design criteria for green level and none of the design requirements for red level.
- Yellow level: Meets the design criteria for yellow or green level, and none of the design requirements for red level.
- Red level: Meets one or more of the design criteria for red level.

If one design criterion cannot be documented, the packaging is placed in red level.

For each producer who makes packaging available at red level, the collective scheme adds an additional cost of 35 per cent to the producer's available packaging's calculated operational costs in a material subcategory. The collective scheme uses the revenues from the additional costs collected in a material subcategory to give a bonus to producers in the same material subcategory who make green-level packaging available. However, the collective scheme must ensure that producers with green-level packaging in the material subcategory pay at least 20 per cent of the producer's calculated operational costs for the material in the subcategory.

Any additional revenues from additional costs collected shall first be allocated to producers in the same material subcategory, which make available yellow-level packaging.

Yellow level packaging must pay a minimum of 20 per cent of the producer's calculated operational costs for the material subcategory.

Any additional revenue from additional costs collected is then allocated to producers in the same material subcategory, which make packaging available at red level.

## 2.2 Methodology and proportion of graduation of material subcategories with two levels, cf. Sections 3.5, 3.6, 3.7, 3.9 and 3.10

A packaging unit shall be divided into one of the following levels:

- Green level: Meets the design criteria for green level and none of the design requirements for red level, within the individual material subcategory of packaging.
- Red level: Meets one or more of the design criteria for red level.

If one design criterion cannot be documented, the packaging is placed in red level.

The collective scheme adds an additional cost of 35 per cent to each producer who makes packaging available at red level, in addition to the calculated operational costs of the producer's packaging made available for the packaging in a material subcategory.

The collective scheme uses the revenues from the additional costs collected in a material subcategory to give a bonus to producers in the same material subcategory who make green-level packaging available. However, the collective scheme must ensure that producers with green-level packaging in the material subcategory pay at least 20 per cent of the producer's calculated operational costs for the material in the subcategory.

Any additional revenue from additional costs collected is allocated to producers in the same material subcategory, which make packaging available at red level.

### 3.1 Design criteria for the soft plastic material subcategory

Includes packaging predominantly containing plastics, made of soft plastic, flexible foils, laminates, multilayer material and flexible plastics. Soft plastic may be made of a single type of plastic or composed of many different materials, e.g. polyethylene (PE), polypropylene (PP), polyethylene terephthalate (PET), nylon (PA), fibre-based materials and aluminium, etc.

#### Main component

	Green level	Yellow level	Red level
Material	<ul style="list-style-type: none"> <li>– Exceeding or equal to 90 per cent by weight of PP single or multi-layer material</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Exceeding or equal to 95 per cent by weight of PE single or multi-layer material</li> </ul>	<ul style="list-style-type: none"> <li>– Mixture of PE and PP of more than or equal to 90 per cent by weight</li> </ul>	<ul style="list-style-type: none"> <li>– Biodegradable plastic</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– All other materials e.g. mono-PS, multilayer foils with mixed materials e.g.</li> </ul>

			PET, PVC, PS, paper
Density	<ul style="list-style-type: none"> <li>– Density of PE or PP less than or equal to 1 g/cm<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>– Density of PE or PP less than or equal to 1 g/cm<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>– A density of material exceeding 1 g/cm<sup>3</sup></li> </ul>
Colour	<ul style="list-style-type: none"> <li>– No colour added; or</li> <li>– Added colour without carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– No colour added; or</li> <li>– Added by colour without carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– Added colour containing carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is not NIR sortable</li> </ul>
Barriers	<ul style="list-style-type: none"> <li>– No barrier</li> </ul> Or one or more of the following: <ul style="list-style-type: none"> <li>– PVOH</li> <li>– SiO<sub>x</sub></li> <li>– AlO<sub>x</sub></li> <li>– Acrylic</li> <li>– Metallization (0.02-0.05 µm)</li> <li>– EVOH without binder or compatible binder with less than or equal to 5 per cent by weight of the whole main component</li> </ul>	<ul style="list-style-type: none"> <li>– Other barriers with less than or equal to 5 per cent by weight of the whole main component</li> </ul>	<ul style="list-style-type: none"> <li>– Material with PVC or PVdC</li> </ul> or <ul style="list-style-type: none"> <li>– Other barrier with more than 5 per cent by weight of the whole main component</li> </ul>
Adhesives for multilayer materials	<ul style="list-style-type: none"> <li>– Less than or equal to 5 per cent by weight of the total weight of the main component</li> </ul>	<ul style="list-style-type: none"> <li>– Less than or equal to 7 per cent by weight of the total weight of the main component</li> </ul>	<ul style="list-style-type: none"> <li>– More than 7 per cent by weight of the total weight of the main component</li> </ul>

### Main component and integrated component

	Green level	Yellow level	Red level
Printing ink for labelling and decorating foil	<ul style="list-style-type: none"> <li>– No printing and/or</li> <li>– Printing complies with the current EuPIA's list of printing inks</li> </ul>	<ul style="list-style-type: none"> <li>– No printing and/or</li> <li>– Printing complies with the current EuPIA's list of printing inks</li> </ul>	<ul style="list-style-type: none"> <li>– Does not comply with current EuPIA's list of printing inks</li> </ul>
Recycled content from PCR plastic	<ul style="list-style-type: none"> <li>– More than or equal to 20 per cent by weight of recycled plastics by total weight of packaging excluding contact-sensitive products</li> </ul>	<ul style="list-style-type: none"> <li>– Less than 20 per cent by weight of recycled plastic of total weight of packaging, excluding contact-sensitive products</li> <li>or</li> <li>– None</li> </ul>	

### 3.2 Design criteria for the hard plastic material subcategory

Covers packaging made of all types of hard plastics, e.g. polyethylene, polypropylene and polystyrene. However, hard polyethylene terephthalate (PET) is excluded. Hard plastics can be made of a single type of plastic or composed of different types of materials.

### Main component

	Green level	Yellow level	Red level
Material	<ul style="list-style-type: none"> <li>– Exceeding or equal to 95% PP by weight</li> <li>or</li> <li>– Exceeding or equal to 99% PE by weight</li> </ul>	<ul style="list-style-type: none"> <li>– Less than or equal to 30% PE by weight in PP main component</li> <li>or</li> <li>– Less or equal to 5% PP by weight in PE main component</li> </ul>	<ul style="list-style-type: none"> <li>– biodegradable plastic</li> <li>or</li> <li>– All other materials of mono or mixed materials</li> </ul>

Density	– Density of PP or PE less than or equal to 0.97 g/cm <sup>3</sup>	– Density of PP or PE less than or equal to 0.97 g/cm <sup>3</sup>	– Density of material exceeding 0.97 g/cm <sup>3</sup>
Colour	<ul style="list-style-type: none"> <li>– No colour added; or</li> <li>– Added colour without containing carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– No colour added; or</li> <li>– Added colour without containing carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– Added colour containing carbon black</li> </ul> or <ul style="list-style-type: none"> <li>– Colour that is not NIR sortable</li> </ul>
Barriers	<ul style="list-style-type: none"> <li>– No barrier</li> </ul> Or one or more of the following: <ul style="list-style-type: none"> <li>– AlO<sub>x</sub></li> <li>– SiO<sub>x</sub></li> <li>– EVOH without binder or with compatible binder with less than or equal to 6 % by weight of the whole main component</li> </ul>	<ul style="list-style-type: none"> <li>– Barriers other than those specified in green level or red level</li> </ul> and/or <ul style="list-style-type: none"> <li>– EVOH with compatible binder, exceeding 6 per cent by weight of the entire main component</li> </ul>	One or more of the following: <ul style="list-style-type: none"> <li>– PA</li> <li>– PVC</li> <li>– PVdC</li> <li>– EVOH with non-compatible binder</li> </ul>

### Integrated component

	Green level	Yellow level	Red level
	<ul style="list-style-type: none"> <li>– No integrated component</li> </ul> or <ul style="list-style-type: none"> <li>– Integrated component of the same material as the main component with a density of integrated component of less</li> </ul>	<ul style="list-style-type: none"> <li>– Material of integrated component of PE, PP or PE/PP with density less than 1 g/cm<sup>3</sup></li> </ul> and/or <ul style="list-style-type: none"> <li>– Material with density greater than or equal to 1 g/cm<sup>3</sup> e.g. PET, PETG,</li> </ul>	<ul style="list-style-type: none"> <li>– Material of other plastics with a density of less than 1 g/cm<sup>3</sup></li> </ul> or <ul style="list-style-type: none"> <li>– Material with metal</li> </ul>

All	than 1 g/cm <sup>3</sup>  and/or  – Material of label in PE for PP main component or PP label for PE main component	PLA, PS	or metallization  or  – Material with fibre or paper  or  – Material with PVC  or  – biodegradable plastic
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#### Main component and integrated component

	Green level	Yellow level	Red level
Recycled content from PCR plastic	– More than or equal to 20 per cent by weight of recycled plastics by total weight of packaging excluding contact-sensitive products	– Less than 20 per cent by weight of recycled plastic of total weight of packaging, excluding contact-sensitive products  or  – None	

#### 3.3 Design criteria for the material subcategory foam plastics

Covers packaging made of all types of foam plastics, for example for transport protection or insulation, e.g. EPS (expanded polystyrene), XPS (extruded polystyrene), EPP (expanded polypropylene), PUR (polyurethane) and similar materials. For foam plastic, the dominant material is foam plastic, but the packaging can be composed of different materials.

#### Main component

	Green level	Yellow level	Red level
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Material	<ul style="list-style-type: none"> <li>– Exceeding or equal to 95 per cent by weight of EPS, mono EPS, potentially coated with PS</li> </ul> or <ul style="list-style-type: none"> <li>– Exceeding or equal to 95 per cent by weight of EPP, mono EPP, potentially coated with PP</li> </ul>	<ul style="list-style-type: none"> <li>– Exceeding or equal to 90 per cent by weight of EPS, potentially coated with PS</li> </ul> or <ul style="list-style-type: none"> <li>– Exceeding or equal to 90 per cent by weight of EPP, potentially coated with PP</li> </ul>	<ul style="list-style-type: none"> <li>– Other foamed materials, mixes or mono-materials e.g. XPS, PUR and PVC</li> </ul> or <ul style="list-style-type: none"> <li>– biodegradable plastic</li> </ul>
Additives	<ul style="list-style-type: none"> <li>– No additives</li> </ul> or <ul style="list-style-type: none"> <li>– Stabilizers</li> </ul> and/or <ul style="list-style-type: none"> <li>– Antioxidants</li> </ul> and/or <ul style="list-style-type: none"> <li>– Lubricants</li> </ul> and/or <ul style="list-style-type: none"> <li>– Peroxides</li> </ul>	<ul style="list-style-type: none"> <li>– No additives</li> </ul> or <ul style="list-style-type: none"> <li>– Stabilizers</li> </ul> and/or <ul style="list-style-type: none"> <li>– Antioxidants</li> </ul> and/or <ul style="list-style-type: none"> <li>– Lubricants</li> </ul> and/or <ul style="list-style-type: none"> <li>– Peroxides</li> </ul>	<ul style="list-style-type: none"> <li>– Mineral fillers</li> </ul> or <ul style="list-style-type: none"> <li>– Other additives, e.g. flame retardants, plasticisers</li> </ul> or <ul style="list-style-type: none"> <li>– Content gives bio/oxo/photodegradable properties</li> </ul>
Colour	<ul style="list-style-type: none"> <li>– No colour added</li> </ul> or <ul style="list-style-type: none"> <li>– EPS in white and EPS can be added graphite (grey colour)</li> </ul> or	<ul style="list-style-type: none"> <li>– Other colours</li> </ul>	



	– EPP in white, grey, black		
Ink and degree of cover	<ul style="list-style-type: none"> <li>– No</li> <li>ne or</li> <li>– Ink follows EuPIA's list</li> <li>and/or</li> <li>– Laser</li> <li>marking and/or</li> <li>– Printing ink less than 25 per cent coverage of outer surface</li> </ul>	<ul style="list-style-type: none"> <li>– Printing colour below 50 per cent external surface coverage</li> </ul>	<ul style="list-style-type: none"> <li>– Printing ink that does not follow the</li> <li>EuPIA's</li> <li>list; or</li> <li>– Printing ink equal to or greater than 50 per cent coverage of the outer surface</li> </ul>

### Integrated component

	Green level	Yellow level	Red level
All	<ul style="list-style-type: none"> <li>– No integrated component</li> <li>or</li> <li>– Material is the same as main component: EPS (PS) or EPP (PP)</li> </ul>	<ul style="list-style-type: none"> <li>– No integrated component</li> <li>or</li> <li>– Material is the same as main component: EPS (PS) or EPP (PP)</li> <li>and/or</li> <li>– Label in PP</li> </ul>	<ul style="list-style-type: none"> <li>– Other materials</li> </ul>

### Main component and integrated component

	Green level	Yellow level	Red level
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Recycled content from PCR plastic	<ul style="list-style-type: none"> <li>– More than or equal to 20 per cent by weight of recycled plastics by total weight of packaging excluding contact-sensitive products</li> </ul>	<ul style="list-style-type: none"> <li>– Less than 20 per cent by weight of recycled plastic of total weight of packaging, excluding contact-sensitive products</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– None</li> </ul>	
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### 3.4 Design criteria for the hard PET material subcategory

The material subcategory comprises packaging of hard polyethylene terephthalate (PET), which do not fall under the flexible plastics material subcategory. For hard PET, the dominant material is hard PET, but the packaging can be composed of different materials.

#### Main component

	Green level	Yellow level	Red level
Material	<ul style="list-style-type: none"> <li>– Exceeding or equal to 98 per cent PET by weight</li> </ul>	<ul style="list-style-type: none"> <li>– Exceeding or equal to 95 per cent PET by weight</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– PET/PE of less than or equal to 10 per cent PE by weight</li> </ul>	<ul style="list-style-type: none"> <li>– PET with other materials such as PVC, PS, aluminium, PP, PETG, PET- GAG, expanded PET</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Material that is biodegradable plastic</li> </ul>

Additives	<ul style="list-style-type: none"> <li>– No additives or</li> <li>– Content of silicone surface treatment</li> </ul> <p>and/or</p> <ul style="list-style-type: none"> <li>– Anti-blocking masterbatch content</li> </ul> <p>and/or</p> <ul style="list-style-type: none"> <li>– Masterbatch content for impact-strength modification</li> </ul> <p>and/or</p> <ul style="list-style-type: none"> <li>– Content of nucleation masterbatch for controlling crystal formation</li> </ul>	<ul style="list-style-type: none"> <li>– Content of other additives e.g. UV stabilizer, AA blockers, optical bleaching, oxygen scavengers, etc.</li> </ul>	<ul style="list-style-type: none"> <li>– Content such as gives bio/oxo/fotodegradable properties</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Content of nanocomposite</li> </ul>
Colour	<ul style="list-style-type: none"> <li>– No colour added;</li> <li>– Added colour without carbon black</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– No colour added;</li> <li>– Added colour without carbon black</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>– Added colour containing carbon black</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Fluorescent colour</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Metallic colour</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Colour other than NIR</li> </ul>

			black sortable
Barriers	<ul style="list-style-type: none"> <li>– No barrier</li> </ul> or <ul style="list-style-type: none"> <li>– Material with SiOx and/or</li> <li>– Material with PET-based barrier</li> </ul>	<ul style="list-style-type: none"> <li>– Material with barriers other than those specified in green level or red level</li> </ul> and/or <ul style="list-style-type: none"> <li>– Material with oxygen scavenger</li> </ul>	<ul style="list-style-type: none"> <li>– Material with EVOH</li> </ul> or <ul style="list-style-type: none"> <li>– Material with PA</li> </ul>

### Integrated component

	Green level	Yellow level	Red level
All	<ul style="list-style-type: none"> <li>– No integrated components</li> </ul> or <ul style="list-style-type: none"> <li>– Lids and other components made of hard PET</li> </ul> and/or <ul style="list-style-type: none"> <li>– Flexible plastics of PE or PP with a density of less than 1 g/cm<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>– Material with mixture of PE and PP</li> </ul> and/or <ul style="list-style-type: none"> <li>– Soft PET material;</li> </ul> and/or <ul style="list-style-type: none"> <li>– Material of foam</li> </ul> PET and/or	<ul style="list-style-type: none"> <li>– Other materials with a density greater than or equal to 1 g/cm<sup>3</sup></li> </ul> or <ul style="list-style-type: none"> <li>– Material with fibre or paper</li> </ul> or <ul style="list-style-type: none"> <li>– Material with metal layer or metallization</li> </ul>

		<ul style="list-style-type: none"> <li>– PET multi-material with and without barrier e.g. PET/EVOH/PE</li> </ul> <p>and/or</p> <ul style="list-style-type: none"> <li>– Pads of bubble wrap or absorbent paper</li> </ul>	<p>or</p> <ul style="list-style-type: none"> <li>– Material with silicone</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Material with PVC</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Biodegradable plastic material</li> </ul>
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#### Main component and integrated component

	Green level	Yellow level	Red level
Recycled content from PCR plastic	<ul style="list-style-type: none"> <li>– More than or equal to 20 per cent by weight of recycled plastics by total weight of the packaging</li> </ul>	<ul style="list-style-type: none"> <li>– Less than 20 per cent by weight of recycled plastic by total weight of the packaging</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– None</li> </ul>	

### 3.5 Design criteria for the material subcategory glass

The glass subcategory includes glass packaging.

#### Main component

	Green level	Red level
Material	<ul style="list-style-type: none"> <li>Does not contain ceramic, stone, porcelain, crystal glass, lead glass, quartz, borosilicate glass</li> </ul>	<ul style="list-style-type: none"> <li>Contains ceramic, stone, porcelain, crystal glass, lead glass, quartz, borosilicate glass</li> </ul>
Colour and decoration	<ul style="list-style-type: none"> <li>No metallisation of glass and</li> <li>A light permeability greater than or equal to 10.00 per cent at a wavelength of 400 nm to 780 nm, measured at the darkest point on the glass</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>Colour that is NIR sortable</li> </ul>	<ul style="list-style-type: none"> <li>Has metallization of glass and/or</li> <li>A light permeability of less than 10.00 percent at wavelengths 400 nm to 780 nm, measured at the darkest point on the glass</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>Colour that is not NIR-sortable</li> </ul>
Glue	<ul style="list-style-type: none"> <li>No glue on main component or integrated component</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>Glue is water washable</li> </ul>	<ul style="list-style-type: none"> <li>No glue is not washable</li> </ul>

#### Integrated component

	Green level	Red level
Label	<ul style="list-style-type: none"> <li>No label/sleeve or the like or</li> <li>Attached to a sleeve made of plastics, bast or textiles which takes up less than or equal to 75 per cent of the outer surface of the packaging without a lid, except for product information</li> </ul>	<ul style="list-style-type: none"> <li>Attached to a full body sleeve made of plastic, bast or textile that takes up more than 75% of the outer surface of the packaging without a lid, except for product information purposes where specified in other legislation</li> </ul>

	<p>purposes where specified in other legislation</p> <p>and/or</p> <ul style="list-style-type: none"> <li>– The sleeve is shrunk so that the foil does not go under the bottom of the bottle</li> </ul> <p>and/or</p> <ul style="list-style-type: none"> <li>– The fibre or plastic label occupies less than or equal to 50 per cent of the outer surface of the package without a lid, except for product information purposes where specified in other legislation</li> </ul>	<p>or</p> <ul style="list-style-type: none"> <li>– The full body sleeve is shrunk so that the foil goes under the bottom of the bottle</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– The label of fibres or plastics occupies more than 50 per cent of the outer surface of the packaging without a lid, except for product information purposes where specified in other legislation</li> </ul>
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### 3.6 Design criteria for the material subcategory cardboard

The material subcategory cardboard includes fibre-based packaging which is often not flexible e.g. carton, (cartonboard), corrugated cardboard and similar materials, which are produced in a cardboard production process. Carton typically has a weight between 180 grams/m<sup>2</sup> to 400 grams/m<sup>2</sup>. Cardboard typically has a weight from 400 grams/m<sup>2</sup> and up.

#### Main component and integrated component

	Green level	Red level
<b>Material</b>	<ul style="list-style-type: none"> <li>– Consists of more than or equal to 95 per cent of fibre material by weight, of the total weight, where tape is not included</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Not intentionally added PFAS or mineral oils in the form of either mineral oils with saturated hydrocarbons (MOSH) or mineral oils with aromatic hydrocarbons (MOAH). This requirement shall not apply</li> </ul>	<ul style="list-style-type: none"> <li>– Consists of less than 95 per cent of fibre material by weight, of the total weight where tape is not included</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Intentionally added PFAS or mineral oils in the form of either mineral oils with saturated hydrocarbons (MOSH) or mineral oils with aromatic hydrocarbons (MOAH). This requirement shall not apply</li> </ul>

	when adding when using recycled content  and  – Additives not intentionally added which render the cardboard highly soluble	when adding when using recycled content  or  – Intentionally added additives that make the cardboard highly soluble
<b>Surface treatment</b>	– Not surface-treated with wax or paraffin	– Surface-treated with wax or paraffin

### 3.7 Design criteria for the material subcategory paper

The material subcategory paper includes fibre-based packaging that is flexible, e.g. paper bags, sandwich paper, muffin forms and the like made in a paper production process. Paper may also be used in connection with e.g. non-flexible packaging. Paper typically has a weight between 17 grams/m<sup>2</sup> to 180 grams/m<sup>2</sup>.

#### Main component and integrated component

	<b>Green level</b>	<b>Red level</b>
Material	– Consists of more than or equal to 95 per cent of fibre material by weight, of the total weight, where tape is not included  and  – Not intentionally added PFAS or mineral oils in the form of either mineral oils with saturated hydrocarbons (MOSH) or mineral oils with aromatic hydrocarbons (MOAH). This requirement shall not apply when recycled content is used  and  – Not intentionally added additives that make the paper difficult to dissolve	– Consists of less than 95 per cent of fibre material by weight, of the total weight where tape is not included  or  – Intentionally added PFAS or mineral oils in the form of either mineral oils with saturated hydrocarbons (MOSH) or mineral oils with aromatic hydrocarbons (MOAH). This requirement shall not apply when recycled content is used  or  – Intentionally added additives that make the paper highly soluble



Surface treatment	– Not surface-treated with wax or paraffin	– Surface-treated with wax or paraffin
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### 3.8 Design criteria for the material subcategory food and beverage cartons

The material subcategory food and beverage cartons consists of food and beverage cartons that are used for food, for example, milk cartons, juice cartons, and cartons for peeled tomatoes or similar foods.

#### Main component and integrated component

	Green level	Yellow level	Red level
Printing inks	<ul style="list-style-type: none"> <li>– No colour or</li> <li>– Does not contain printing inks from inks included in the EuPIA list</li> </ul>	<ul style="list-style-type: none"> <li>– No colour or</li> <li>– Does not contain printing colours from inks included in the EuPIA list</li> </ul>	<ul style="list-style-type: none"> <li>– Contains printing colours from inks included in the EuPIA list</li> </ul>
Laminates and barrier films	<ul style="list-style-type: none"> <li>– Laminates and barrier films of plastics containing more than or equal to 90 per cent by weight of PE</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Laminates and barrier films containing less than or equal to 5 per cent PET by weight</li> </ul> <p>and</p>	<ul style="list-style-type: none"> <li>– Plastic laminates and barrier films containing more than or equal to 80 per cent by weight of PE</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Laminates and barrier films containing less than or equal to 5 per cent PET by weight</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Laminates and barrier films do not containing biodegradable plastics</li> </ul>	<ul style="list-style-type: none"> <li>– Laminates and barrier films of plastic containing less than 80 per cent by weight PE</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Laminates and barrier films of plastic containing more than 5 per cent by weight of PET</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Laminates and barrier films</li> </ul>

	<ul style="list-style-type: none"> <li>– Plastic laminates and films containing non-biodegradable plastics</li> </ul>		containing biodegradable plastic
Closure or lid	<ul style="list-style-type: none"> <li>– No</li> </ul> <p>ne or</p> <ul style="list-style-type: none"> <li>– The material is the same as the main component</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Does not contain biodegradable plastics</li> </ul>	<ul style="list-style-type: none"> <li>– Contains more than or equal to 80 per cent by weight PE or PP for intact component</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Does not contain biodegradable plastics</li> </ul>	<ul style="list-style-type: none"> <li>– Contains less than 80 per cent PE or PP by weight of integrated component</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Contains biodegradable plastics</li> </ul>

### 3.9 Design criteria for the material subcategory ferrous metals

The material subcategory ferrous metals includes metal packaging consisting predominantly of steel and other ferrous materials such as cans, drums, buckets and the like.

#### Main component and integrated component

	Green level	Red level
Material	<ul style="list-style-type: none"> <li>– Consists of more than or equal to 90 per cent by weight of ferrous metals, of the total weight</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Does not contain aluminium or aluminium alloy</li> </ul>	<ul style="list-style-type: none"> <li>– Consists of less than 90 per cent by weight of ferrous metals, of the total weight</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Contains aluminium or aluminium alloy</li> </ul>

### 3.10 Design criteria for the material subcategory aluminium

The material subcategory includes aluminium packaging consisting of predominant contents of aluminium, e.g. cans, foils and trays.

#### Main component

	Green level	Red level
Format	– Is not an aerosol container	– Is an aerosol container

#### Main component and integrated component

	Green level	Red level
Material	– For heavy (rigid) aluminium packaging (use of aluminium	– For heavy (rigid) aluminium packaging (use of aluminium

	<p>sheets of a thickness &gt; 200 microns) applies: the packaging consists of more than or equal to 90 per cent by weight of aluminium, of the total weight</p> <p>or</p> <ul style="list-style-type: none"> <li>– For thin-walled (semirigid) aluminium packaging (use of aluminium foil with a thickness of &gt; 60 microns and &lt; 200 microns) applies: If the packaging consists of more than or equal to 85 per cent aluminium by weight, of the total weight</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– For flexible aluminium foil packaging (application of aluminium foil with a thickness ≤ 60 microns) applies: If the packaging consists of more than or equal to 79 per cent aluminium by weight, of the total weight</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>– Containing no ferrous metals or alloys of ferrous metals</li> </ul>	<p>aluminium sheets of a thickness &gt; 200 microns) applies if: the packaging consists of less than 90 per cent by weight of aluminium, of the total weight</p> <p>or</p> <ul style="list-style-type: none"> <li>– For thin-walled (semirigid) aluminium packaging (application of aluminium foil with a thickness &gt; 60 microns and &lt; 200 microns), the following applies: The packaging consists of less than 85 per cent aluminium by weight, of the total weight</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– For flexible aluminium foil packaging (use of aluminium foil with a thickness ≤ 60 microns), the following applies: The packaging consists of less than 79 per cent aluminium by weight, of the total weight</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>– Contains ferrous metals or ferrous metal alloys</li> </ul>
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### Examples of costs of municipal fees for packaging waste, cf. Section 102

The municipal council sets fees for producers of packaging for the tasks described in Section 9(p)(15). Below are examples of costs that may and may not be included in the fees. The list is not exhaustive.

#### *1. Examples of costs that may be included in municipal fees for packaging waste schemes regarding packaging waste (including residual and hazardous waste)*

- Collection and transport of separately collected waste, including capital and operating costs for cars, manning and waste containers, including at recycling centres (including provisions for future investments or depreciation).
- Costs for labelling waste containers.
- Costs for maintenance of e.g. cars and waste containers (including e.g. buckets/bags, buried containers, waste suction).
- Establishment, maintenance and operation of car depots, sites for reloading waste or other facilities necessary to support waste collection, including costs related to preprocessing of separately collected waste in connection with reloading with a view to transport optimisation, cf. the Order on waste regulations, fees, and actors, etc.
- Costs of waste processing necessary to ensure that the waste becomes new products or resources, or is recovered, including the management of residues from this process (to the extent that the municipality performs these tasks).
- The costs of selling reusable or recyclable materials, including any revenue from the sale of recyclable or recycled materials to be deducted from the total costs.
- Concrete planning and administration of waste schemes covered by extended producer responsibility for packaging, including costs for the preparation, implementation and operation of tenders and purchases, as well as development projects and efficiency measures.

#### *2. Examples of costs that may be included in general administration fees for packaging waste*

- General administration costs, such as IT, HR and financial services, which are related to the waste processing of packaging waste but cannot be attributed to specific waste schemes.
- Costs for general administration of producer responsibility for packaging, including setting of producer fees, preparation and publication of fee sheets, preparation of a report on the producer fee, calculation of costs, collection and reporting of data, participation in meetings with collective schemes, etc.
- Preparation of municipal waste plans when planning concerns packaging waste.
- Preparation of municipal waste regulations when the preparation also concerns waste fractions containing packaging waste.
- Operation of boards and political committees when the operation concerns waste fractions containing packaging waste.
- Costs of monitoring and analysis of the producer fee by the Utilities Regulator.
- Costs for the collection and recording of information related to the allocation of waste.

#### *3. Examples of costs that may be included in fees for awareness-raising and other communication related to packaging waste*

- Costs for the development, production and distribution of information and communication on waste schemes to citizens and businesses, including campaigns and sorting guides.
- Costs for updating and operating the website with information on guidance.
- Costs for the production and installation of signage in connection with e.g. holidays.
- Costs for responding to specific inquiries, customer service, etc.

*4. Examples of costs that cannot be included in producer fees*

- Memberships.
- Collection of waste fees.
- Special fees, cf. the Order on waste regulations, fees and actors, etc.
- Consultation responses and monitoring, etc.
- Other fees to the Danish Utility Regulator that are not specifically related to packaging waste.
- Dissemination activities for kindergartens, schools and educational institutions.