

Government proposal to Parliament for an Act amending the Waste Act

MAIN CONTENT OF THE PROPOSAL

The proposal is for amendments to the Waste Act.

The proposal is for amendments to the obligation for producers of certain single-use plastic products to cover the costs of waste management and cleaning incurred by local authorities (municipalities) associated with their products. Firstly, it is proposed that the compensation paid by producers to the municipalities should be based on a flat rate annual cost per inhabitant. An exception would be the costs of acquiring collection waste receptacles for tobacco waste, which would have to be reimbursed by the producer in line with the costs incurred by the municipalities. Instead of an obligation on the part of the municipality to report the actual waste management and cleaning costs to the authority, it would now have to provide the authority with a report on the waste management and cleaning activities carried out and their costs. It is also proposed that the producer's liability for the costs of municipal waste management and cleaning be extended to the prevention and cleaning up of nicotine pouch litter.

Further provisions on the flat-rate annual cost per inhabitant and the criteria for calculating the compensation paid by producers to municipalities, as referred to here would laid down by Government Decree.

The proposed Act is due to enter into force on 1 January 2026.

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EXPLANATORY MEMORANDUM

1 Background and preparatory work

1.1 Background

The proposal relates to extended producer responsibility under Article 8 of Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment (hereinafter the *SUP Directive*). Article 8 of the SUP Directive lays down the obligation for producers of single-use plastic products to cover the costs of waste collection for those products that are discarded in public collection systems, cleaning up litter resulting from those products, and awareness training for as necessary to prevent litter within the meaning of Article 10 of the Directive.

Article 8 of the SUP Directive has been implemented by the Act amending the Waste Act (1096/2022) and the Government Decrees pursuant to the Waste Act. The liability for costs on the part of the producer of single-use plastic products described here has been supplemented by Government Decree on compensation paid to municipalities by producers of certain plastic products (1320/2022). The liability for costs on the part of the producer of single-use plastic products has been applied nationally, depending on the product, since either 1 January 2023 or 1 January 2025.

1.2 Preparatory work

The proposal was drawn up by the Ministry of the Environment and is an official document. At the outset, the Ministry discussed with key regulatory stakeholders the necessity and implementation options for the amendments proposed. In order to comply with the guidelines for implementation of the WHO Framework Convention on Tobacco Control (FCTC) (Government Agreements 27/2005), there was no discussion with representatives of the producers of tobacco products, tobacco filters and nicotine pouches. According to the guidelines for implementation of the FCTC, there is a fundamental and irreconcilable conflict between the tobacco industry's interests and the goals of public health policy, and therefore all dealings and contact with the industry must be limited, accountable and transparent.

On 22 April 2025, the Ministry of the Environment organised a forum open to all.

The preparatory work was also made known to the Waste and Circular Economy Cooperation Group and discussed by the Monitoring Group on the Cost Liability of Producers of Certain Single-Use Plastic Products.

The proposal was circulated for statements from 6-30 May 2025.

2 Current situation and assessment

2.1 Cost liability of producers of certain single-use plastic products

Sections 48a-g of the Waste Act (646/2011) lay down provisions on the cost liability of a producer of certain single-use plastic products for certain waste management and cleaning up operations carried out by municipalities. The cost liability of a producer of certain single-use plastic products refers to the fact that the producer must cover the costs incurred by municipalities for the measures taken to prevent and clean up litter resulting from these

products. The producer's liability for costs relates to food packaging for ready-to-eat food in the category of single-use plastic products and packaging and wrappers of flexible material, beverage containers with a capacity of up to three litres, cups for beverages, lightweight plastic carrier bags, personal care and consumer wet wipes, balloons for consumer use and tobacco products with filters and tobacco filters. Except with packaging, a producer of single-use plastic products liable for costs is considered, under section 48 of the Waste Act, to be the manufacturer or importer of the product. The packer of the product or the importer of the packaged product is considered the producer of the packaging. However, the manufacturer or importer is considered the producer of packaging used to package foodstuffs and other products at the point of sale directly to consumers, as well as packaging used to package unprocessed agricultural and horticultural products.

Section 48b of the Waste Act provides for the costs that must be covered by the producer. The scope of the producer's liability for costs varies depending on the product. All producers of the single-use plastic products mentioned here must cover the costs incurred by the municipality of cleaning up the litter resulting from the products and transporting and treating the cleaned litter. A producer of the food packaging for ready-to-eat food, packaging and wrappers made of flexible material, beverage containers, cups for beverages, lightweight plastic carrier bags and tobacco products with filters and tobacco filters must also cover the costs incurred by the municipality for collecting waste to prevent the accumulation of litter resulting from the products and for transporting and treating the collected waste. Furthermore, the producer of tobacco products with filters and tobacco filters must cover the costs incurred by the municipality in the provision of information and advice on waste receptacles for tobacco waste, on the measures for collecting and cleaning up litter, and on the prevention of the accumulation of litter.

According to section 48c of the Waste Act, the producer's liability for costs covers areas which, under the Act on the maintenance and cleaning of streets and certain public areas (669/1978), are the responsibility of the municipality for cleaning, areas where the municipality is the operator of the activity referred to in section 74(1)(1), (2) and (5) of the Waste Act or the holder of the area, and therefore the responsibility for cleaning in these areas, and areas where the municipality, as the operator or occupier of the area referred to in section 76 of the Waste Act, is obliged to arrange adequate waste collection and other waste management services. Areas included in the producer's liability are, for example, streets, market places, squares, parks, areas of shrubbery and other comparable public areas in the city plan. The producer's cost liability also extends to municipal hiking and camping and nature conservation areas, parks, islands and beaches. Roads, private roads, railways and ports are included as areas covered by the producer's cost liability if the municipality is the operator in that area or the occupier. With the implementation of the SUP Directive, these areas were considered relevant as far as the accumulation of litter resulting from single-use plastic products included in the producer's cost liability was concerned.

Section 48g of the Waste Act provides for the municipality's obligation to organise the collection of waste from tobacco products and tobacco filters in areas covered by the producer's liability for costs. The municipality is also obliged to provide advice and information on the collection of waste from tobacco products and tobacco filters in the category of single-use plastic products, and on the harmful effects and prevention of the accumulation of litter resulting from these products.

2.2 Cost reimbursement to the municipality

According to section 48e of the Waste Act, in order to be eligible for compensation paid by producers, the municipality must report annually its waste management and cleaning costs for the previous year to the Pirkanmaa Centre for Economic Development, Transport and the Environment (hereinafter the *Pirkanmaa ELY Centre*), which is the authority for overseeing producer liability. The Pirkanmaa ELY Centre takes the decision on the compensation to be paid to the municipality, specifying the compensation for each producer organisation and producer by product group and the total amount for compensation to be paid to each municipality. An appeal against the decision may be lodged with the Administrative Court. Based on that decision, producers must pay compensation to the Pirkanmaa ELY Centre, which will forward it to the municipalities. Producers are also obliged to compensate public authorities for the costs incurred in collecting and forwarding compensation.

The criteria for determining the compensation to be paid by producers for taking the decision are provided in section 48d of the Waste Act. The compensation is based on the extent to which producers account for the costs incurred by the municipalities in waste management and cleaning up operations the areas covered by the liability for costs, as well as for the advice and information given considered necessary for the prevention and reduction of litter accumulation. The share of the municipality's costs for each product group liable for costs is to be calculated on the basis of the weight, number of items, volume or any combination of these, or some other appropriate factor, with respect to the waste and litter collected and cleaned in the areas liable for the costs resulting from the products.

Under section 48 f of the Waste Act, producers must draw up a report on the composition of the waste collected and the litter cleaned up in the areas covered by the municipality's liability at least once every three years. Municipalities will have to provide the producers with the information they need for the report and do anything else that would assist the production of the report. The contribution of each producer or producer organisation to the costs of incurred by municipalities is determined with reference to the products placed on the Finnish market by the producer or producer organisation and the products provided directly to consumers through distance selling. The producer's liability for costs would also cover a proportion of other similar products deemed reasonable given the producer's market share, irrespective of the date they were placed on the market. The Government Decree on compensation paid to municipalities by producers of certain plastic products lays down further provisions on the contributions made in respect of different product groups to municipal collection and cleaning costs based on a composition report drawn up by the producers and municipalities liable for the costs in 2022, working together¹.

2.3 Costs of municipal waste management and cleaning up operations and the compensation paid by producers

The Act amending the Waste Act (1096/2022) implementing the SUP Directive provides for a transition period during which the compensation paid by producers to municipalities is determined on a flat rate basis. According to the transitional provision, between 2023 and 2025, the municipality's costs for waste collection and cleaning up operations carried out in the areas covered by the producers' liability for costs total EUR 4.79 per resident in each year.

¹ Kaartinen Tommi, Mäkelä Juho and Skog Jade (2023): Composition studies 2022 of litter discarded in litter waste receptacles cleaned up from the ground in public areas..

<https://www.kuntaliitto.fi/julkaisut/2023/2226-yleisilta-alueilta-roska-astioihin-kerattavien-ja-maasta-siivottavien-roskien>

The transition period does not apply to the costs of waste receptacles for waste resulting from tobacco products and tobacco filters or to the costs of providing information and advice. For these, the producer's liability for costs has been based on the actual costs reported by the municipalities since 2023.

According to section 2 of the Government Decree on compensation paid to municipalities by producers of certain plastic products, EUR 3.09 per inhabitant of the municipality is the cost of the collection and transport and treatment of waste organised to prevent the accumulation of litter, and EUR 1.70 per inhabitant is the cost of the cleaning up litter and its transport and treatment. The contribution of producers of single-use plastic products covered by producer liability for costs to these expenses is to be calculated with reference to the extent to which each product group is responsible for the costs as stated in the composition report. The remainder of the costs are to be borne by the municipalities. Starting with the costs in 2026, the producer's liability is to be based entirely on the costs reported by the municipality.

The transitional costs per inhabitant have been agreed between the key producers liable for costs and the Association of Finnish Cities and Municipalities on the basis of a study commissioned by that Association in 2020. The report by the Association contained a survey conducted among the municipalities about the total costs of the waste management and cleaning up operations for which they were responsible in the areas covered by the producer's liability for costs. The survey examined the total costs of municipal cleaning and, as separate items, the costs of waste bin collection and cleaning up litter from the ground. Given the populations and sizes of municipalities, the total cost of cleaning operations was approximately EUR 7.7 per inhabitant and the cost of waste management and cleaning up of litter was approximately EUR 7.2 per inhabitant, according to the study. There was some uncertainty associated with the results of the survey, so the producers and the Association of Finnish Cities and Municipalities Local and Regional Authorities agreed that two-thirds of the waste management and cleaning costs based on population and municipal size according to the report would be taken as the base figure when determining liability for costs of the producer in the transition period. The Association's report and the decision on the cost per inhabitant in the transition period is described in greater detail in the Government Proposal for an Act amending the Waste Act (HE 141/2022)².

In the 2023 decision on compensation for costs, the Pirkanmaa ELY Centre imposed on five producer organisations an obligation to pay compensation of EUR 6.3 million. The compensation for waste collection totalled EUR 4.3 million and that for the cleaning up of litter was EUR 1.9 million. The total compensation for waste receptacles for tobacco waste was approximately EUR 52 200 and that for information and advice approximately EUR 4 800. The compensation received by municipalities varied between EUR 1 720 and EUR 1 230 000. The total compensation for collection and cleaning costs was approximately EUR 1.82 per inhabitant.

The scheme based on the cost per inhabitant in the transition period notwithstanding, the Pirkanmaa ELY Centre required municipalities in 2024 to declare all their waste management and cleaning up costs for 2023 so that they might receive compensation from producers. By the deadline, 94 municipalities had reported their waste management and cleaning up costs to the Pirkanmaa ELY Centre. One municipality reported its costs after the deadline had passed. The municipalities reporting the costs by the deadline had a total population of around 3.4 million at the end of 2023, which corresponds to around 61% of Finland's official

² Government Proposal to Parliament for an Act amending the Waste Act (HE 141/2022):
https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Documents/HE_141+2022.pdf

population figure at the end of 2023. More municipalities with a larger population reported their costs than municipalities with a smaller population.

Based on the costs reported by municipalities, the average cost of waste collection in 2023 was around EUR 2.41 per inhabitant and the average cost of cleaning up litter was around EUR 1.69 per inhabitant. There were significant variations in the cost of waste collection and cleaning up litter per inhabitant, depending on the municipality. The costs of waste collection ranged from EUR 0.06 to EUR 22.91 per inhabitant and the costs of cleaning up litter from EUR 0.03 to EUR 9.39 per inhabitant. The cost data reported by the municipalities were partly based on estimates, as after the entry into force of the regulation in 2023, there had not been enough time to implement fully any system for monitoring costs developed. If the compensation paid by producers to the municipalities had been based on the costs reported by the municipalities, the compensation for waste collection would have been approximately EUR 5 million and that for cleaning up litter approximately EUR 3.6 million. The compensation paid by producers to municipalities for the collection of waste and the cleaning up of litter, calculated on the basis of a flat rate per inhabitant, was lower than the compensation calculated with reference to the costs declared by the municipalities. The difference is mainly made up of the cleaning up costs reported by municipalities with more than 50 000 inhabitants, which, calculated per inhabitant, were significantly higher than the flat rate for cleaning up.

2.4 Monitoring group on producer liability for costs

According to Article 8(4) of the SUP Directive, the costs covered by producers should not exceed the costs that are necessary to provide the services the costs of which the producer is liable for in a cost-efficient way and must be established in a transparent way between the actors concerned. To comply with this provision, the Government proposal to amend the Waste Act adopted to implement the SUP Directive included a proposal for the establishment of a monitoring group. In the Government Proposal, it was thought that cooperation of the parties in the monitoring group would ensure sufficiently that the litter collection and cleaning up operations carried out by municipalities are necessary and cost-efficient within the meaning of the Directive and are established in a transparent way between the actors concerned.

In its report on the Government proposal, Parliament's Environment Committee took the view that³ the monitoring group was a key tool for cost-efficiency in association with producer liability. The Committee considered it important for the monitoring group be tasked with monitoring the viability of the regulation and developing good practices, in particular in relation to the waste collection and cleaning up operations carried out by the municipalities and advice and information on them.

The Ministry of the Environment appointed a monitoring group in September 2023. According to the decision to set up the monitoring group, its task is to monitor and direct implementation of the scheme for the producer's liability for costs, develop good practices related to municipal waste collection and cleaning up operations and consumer awareness raising, assess the need for commissioning a composition report, and act as a forum for cooperation between producers and municipalities and as a steering group in the commissioning of the composition report. The monitoring group consists of representatives of

³Report by Parliament's Environment Committee on the Government's proposal to Parliament to amend the Waste Act (SSM 14/2022):

https://www.eduskunta.fi/FI/vaski/Mietinto/Documents/YmVM_14+2022.pdf

the Ministry of the Environment, the Pirkanmaa ELY Centre, the Association of Finnish Cities and Municipalities, producer organisations of importance regarding liability for costs, certain municipalities and the Centre for Development and Administration of Centres for Economic Development, Transport and the Environment. The Finnish SUP Producer Group is also represented in the monitoring group, representing not only the producers of balloons and wet wipes, but also tobacco producers. When setting up the monitoring group, the Ministry of the Environment thought it also justified for the Finnish SUP Producers Group to be represented in the monitoring group, so that it could follow implementation of the new rule and meet the requirement under the SUP Directive regarding the cost-efficiency and transparency of regulation.

The monitoring group has met four times a year and, for example, guided the composition report drawn up by producers, commented on the guidelines given by Pirkanmaa ELY Centre to municipalities on reporting waste management and cleaning up costs, and monitored the municipal waste management and cleaning up operations and related information and advice and progress in the monitoring of costs. The decision to set up the monitoring group, its members and the memoranda of the meetings are published in the Government's⁴project window .

2.5 Regulatory implementation costs

When implementing the cost liability scheme with respect to producers of certain single-use plastic products, it has been found that the procedure for reporting and compensating municipalities' costs creates a substantial amount of work for the Pirkanmaa ELY Centre. By the deadline in 2024, 94 municipalities had reported waste management and cleaning up costs for 2023 to the Centre. This accounts for around 32% of the municipalities. The Pirkanmaa ELY Centre spent a total of 170 working hours processing municipal notifications and statements from interested parties and drafting the decision. According to the Centre, the workload was affected by the large number of parties involved combined with the fact that there was no resolution and notification system to help with the administrative work. The increased workload was also due to the fact that tobacco producers disputed the costs reported by municipalities for the collection of tobacco waste and the related advice and information services, which is why the municipalities that reported these costs were asked for separate statements and further assessments were made to see whether the costs they reported were correct, necessary and reasonable.

The costs of implementing the regulation are also incurred by municipalities for the collection, compilation and reporting of cost data. Cost monitoring on the part of the municipalities is not planned for the monitoring of the costs of waste management and cleaning up operations within the scope of the producer's cost liability, which makes it difficult to compile the cost data to be reported to the Pirkanmaa ELY Centre. For example, in agreements between the municipality and the service provider on the maintenance of public areas, the pricing of cleaning operations may cover a broader area of work than that covered by the producer's cost liability. The maintenance and awareness raising activities in different areas of a municipality are also often carried out by different municipal units. There are also differences in the monitoring of finances between municipalities, which makes it difficult to develop common practices for cost monitoring.

⁴ Monitoring Group on the Cost Liability of Producers of Certain Single-Use Plastic Products in the Government Project Window: <https://ym.fi/hankesivu?tunnus=YM079:00/2023>

It is thought that the workload of the authority and municipalities will increase during the transition to a system of compensation for the costs of waste collection and the cleaning-up of litter on the basis of the costs reported by municipalities. The workload of the supervisory authority would also increase if more municipalities than before reported their costs to the authority. Calculating the compensation on the basis of the costs declared by municipalities would require the municipalities to develop the cost monitoring system and to collect more accurate cost data, thereby also increasing the regulatory burden on municipalities.

The compensation scheme based on the actual costs reported by municipalities also places a regulatory burden on producer communities and thus on individual producers. The costs associated with producer liability relate to joining a producer organisation, paying producer charges and reporting the products placed on the market by the producer to the producer organisation. It has been difficult for producers to predict the amount of compensation to be paid, which in turn has made it difficult to ensure that the regulatory costs are reflected in the prices of the products.

2.6 Litter from single-use plastic products and nicotine pouches

In Finland, marine litter washed up on the shore has been investigated since 2012. The monitoring exercise is based on studies of marine litter washed up on the shore in urban, semi-urban and natural environments across Finland. The study involves counting and classifying the items of litter according to its material and use. The classification of litter used in the monitoring of marine litter washed up on the shore was made more specific in 2023. To obtain more accurate information on the types of litter and the activities that cause litter, 184 categories of litter were established, where previously there had been just 80. Nicotine and snuff pouches were previously put in the same category as cigarette ends, but since 2023 they have had their own category. Thus, it is only since 2023 that it has been possible to examine how frequently nicotine and snuff pouches are to be found in marine litter. Furthermore, in 2020 there was a change to the way in which cigarette ends were counted. In the past, they were counted in a smaller area than other litter, which may have led to an overestimation of their number. Since 2020, cigarette ends have been counted for an entire shore/beach area in the same way as other litter.

Table 1 shows the 20 most common litter types by the number of items counted on shores and beaches monitored in the period in 2023-2024 (so-called TOP20 litter types). The Table shows the total number of litter types in any area of 1 000 m² on all shores and beaches monitored for all monitoring sessions. Between 2023 and 2024, nicotine and snuff pouches were the fourth most common type of litter. They accounted for about 5.3% of the total amount of litter and about 6.5% of the total amount for TOP20 litter. The most common type of litter was cigarette ends, which accounted for about 29% of all litter found and about 36% of TOP20 litter. Plastic crisp packets and sweet wrappers, plastic caps and lids for beverage containers and plastic cotton swabs appeared on the list of the most common types of litter resulting from other products covered by the producer's liability for costs in respect of certain plastic products.

Table 1: The most common items of litter washed up on the shore in Finland in the monitoring exercise in the period 2023-2024

Site	Material category	Product	Number / 1 000 m ²	% of all litter	% of TOP20
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				found	
1.	Plastic	Tobacco products with a filter (cigarette ends)	1005.25	28.81	35.67
2.	Plastic	Plastic pieces (not polymeric foam) 2.5-50 cm	461.19	13.22	16.36
3.	Paper/cardboard	Paper/cardboard tubes and other parts of fireworks	203.73	5.84	7.23
4.	Plastic	Nicotine and snuff pouches	183.09	5.25	6.50
5.	Plastic	Plastic crisp packets and sweet wrappers	108.38	3.11	3.85
6.	Paper/cardboard	Pieces of paper	104.37	2.99	3.70
7.	Timber	Other processed wooden articles 2.5-50 cm	92.15	2.64	3.27
8.	Plastic	Other identifiable plastic products (not polymeric foam)	67.60	1.94	2.40
9.	Plastic	Plastic construction waste (no insulating foam)	66.58	1.91	2.36
10.	Plastic	Plastic caps and lids for beverage containers	61.05	1.75	2.17
11.	Plastic	Pieces of polymeric foam 2.5-50 cm	60.94	1.75	2.16
12.	Plastic	Plastic cotton buds	50.30	1.44	1.78
13.	Plastic	Plastic cord and ropes (diameter less than 1 cm), other than dolly ropes	49.17	1.41	1.74
14.	Plastic	Cellular plastic insulation, including Insulating foam	48.90	1.40	1.74
15.	Glass/ ceramics	Glass and ceramic building materials (bricks, tiles, cement)	47.71	1.37	1.69
16.	Glass/ ceramics	Unidentified glass or ceramic fragments ≥ 2,5 cm	46.96	1.35	1.67
17.	Plastic	Plastic painter's, air conditioning or packaging tape	46.61	1.34	1.65
18.	Timber	Other processed wooden articles > 50 cm	42.24	1.21	1.50

19.	Metal	Metal bottle caps, lids and pull rings	38.86	1.11	1.38
20.	Paper/cardboard	Other paper products:	33.21	0.95	1.18

On 4 April 2023, the Finnish Medicines Agency (hereinafter *Fimea*) announced that it had changed its classification policy for nicotine pouches, so that, in general, they would no longer be classified as medicinal products unless they were marketed for medicinal use or it could otherwise be shown that they were typically used in the same way as a medicinal product. Previously, Fimea regarded nicotine pouches as products meeting the definition of a medicinal product based on the effects of nicotine associated with them. The change in classification policy meant that nicotine pouches typically used as intoxicants may be sold without the marketing authorisation required under the Medicines Act. The liberalisation of the sale of nicotine pouches has presumably boosted their sales and may therefore also have increased the amount of litter resulting from them.

3 Objectives

The aim of the proposal is:

- to reduce the regulatory burden on the authority and municipalities as a result of implementing the cost liability scheme for producers of certain single-use plastic products
- to make it easier to predict the producer's cost liability
- to prevent and reduce the litter resulting from nicotine pouches; and
- to promote uniform treatment of producers products that lead to littering

4 Proposals and their impacts

4.1 Main proposals

The proposal is for amendments to the Act that would add the prevention and cleaning up of litter from nicotine pouches to the cost liability scheme in respect of a producer of certain single-use plastic products. The cost liability of a producer of nicotine pouches would correspond to that of a producer of tobacco products under the current Waste Act, with the exception of that for waste receptacles for tobacco waste. The producer of nicotine pouches would have to reimburse municipalities the costs they incur in collecting waste and cleaning up litter resulting from nicotine pouches in the areas referred to in section 48 c of the Waste Act, and for information and advice on these operations and on the prevention of litter from nicotine pouches. Including litter resulting from pouches to the producer's liability for costs would be an addition decided nationally, since nicotine pouches are not included in the scope of the SUP Directive.

The proposal also states that the cost liability of the producer of certain single-use plastic products for the waste management and cleaning up operations carried out by municipalities would be based on a flat rate fixed annually for each inhabitant. A producer of single-use plastic products as referred to in section 48, points 6-10, of the Waste Act would be obliged to

pay compensation to the municipality annually to cover the costs of waste management and cleaning up as a result of the products. The compensation would be based on an annual flat rate per inhabitant, determined on the basis of the information available on the costs of waste management and cleaning up operations incurred by the municipalities and the population figure on the last day of December in the year in which the costs to the municipalities were incurred. It is proposed that the compensation based on the annual flat rate per inhabitant should also apply to the producer's liability for the costs of providing information and advice on tobacco products and related waste. However, the annual flat rate per inhabitant would not apply to the purchase of waste receptacles for tobacco waste, the costs of which would have to be reimbursed by the producer to reflect the actual costs incurred by the municipalities. The cost liability of the producer of nicotine pouches would also be based on an annual flat rate per inhabitant. Further provisions on the annual flat rate per inhabitant and the criteria for calculating the compensation paid to municipalities by producers would be laid down by Government decree.

The proposal states that the municipality's obligation to inform the authority of the costs of waste management and cleaning up operations in the previous year would be replaced by the obligation to provide the authority with a report on the waste management and cleaning up operations carried out in the previous year and their costs. The municipality would be entitled to the compensation paid by the producers after submitting the report to the authority by the deadline. The report should briefly describe what is involved in the organisation of waste collection and its transport and treatment and in cleaning up litter and organising its transport and treatment, and the information and advice services the costs of which the producer is liable. In addition, the report should indicate estimates of the total costs of all these. The report should also state the number of waste receptacles for tobacco waste purchased in the previous year and the relevant acquisition costs. The authority should attach to its decision on the compensation paid to municipalities by producers a summary made on the basis of the reports by the municipalities, which would describe in general terms the action taken by the municipalities and its costs.

4.2 Principal impacts

4.2.1 Impact on business

The proposal would affect manufacturers and importers of nicotine pouches and single-use plastic products, in that the producer's liability for the costs of municipal waste management and cleaning up operations would apply to them. Manufacturers and importers of nicotine pouches would have to reimburse the costs of municipal waste management and cleaning up operations and the costs of the information and advice services related to litter prevention. The costs incurred by one manufacturer or importer of nicotine pouches would depend on how much the annual flat rate was per inhabitant was and its contribution to the costs of waste collection, cleaning up litter, and information and advice services, the contribution of producers to the costs of waste collection and cleaning up operations, the manufacturer's or importer's share of the market, and the number and population of the municipalities claiming compensation. It is therefore difficult to estimate in advance the costs incurred by an individual company manufacturing or importing nicotine pouches.

In addition to compensation payable to the municipalities, manufacturers and importers of nicotine bags would incur administrative costs related to their extended producer responsibility obligations. Manufacturers of nicotine pouches would have to join a producer organisation or establish one together with other producers and register as a producer.

Manufacturers and importers of nicotine pouches would also be subject to the producer's obligation to keep records and provide notifications and to self-monitoring. In practice, producer organisations generally assume producer responsibility obligations on behalf of producers. An estimate of the administrative costs for producers due to extended producer responsibility is not available. However, they would be proportionately higher for small companies and start-ups.

In the Government proposal to Parliament for an Act amending the Tobacco Act (HE 221/2024, p 17)⁵, it states that there is still not more detailed information on manufacturers of nicotine pouches, but it is known that at least two Finnish companies manufacture them. Smokeless nicotine products, which are considered nicotine pouches, were made subject to excise duty on tobacco at the beginning of 2024. In 2024 and early 2025, a total of 76 different taxpayers filed a tobacco tax return for smoke-free nicotine products with the Tax Administration. Based on the taxpayer's role recorded in the tax return, 58 of these are importers. Three of these are distance sellers located in another EU Member State. Some may also be private individuals who would not be affected by the producer's liability for costs. According to the Government Bill amending the Tobacco Act (HE 221/2024), all large tobacco companies have their own nicotine pouch brands. Thus, some of the companies that would have to cover the costs of including litter from nicotine pouches in the producer's cost liability scheme would be tobacco companies that are already liable for the costs of municipal waste management and cleaning up operations with regard to tobacco products. For these companies, the administrative costs of the proposal would be lower. Including litter from nicotine pouches in the producer's cost liability scheme would also promote the equal treatment of producers of nicotine pouches and producers of single-use plastic products having the producer's liability for costs.

Basing the compensation paid by producers to municipalities on an annual flat rate per inhabitant would have an impact on producers of single-use plastic products having the producer's liability for costs. The impact would depend how much the flat rate would be per inhabitant and its contribution to the costs of the various waste management and cleaning up operations. The impact would also depend on the trend in the extent to which product groups account for the waste discarded in waste receptacles and litter cleaned up from the ground. If the municipalities' entitlement to compensation were based on a report submitted to the authority, as mentioned previously, instead of a declaration of the actual costs of waste management and cleaning up operations, it could be easier for the municipalities to receive the compensation. This might lead to an increase in the number of municipalities claiming compensation and thus increase the total amount of compensation paid by producers and the costs of compensation to producers. Basing the compensation mainly on an annual flat rate per inhabitant would, to some extent, make it easier to predict the costs to be paid by producers and ensure that they are reflected in the prices of products. On the other hand, variations in the quantities of products placed on the market by producers, the uncertainty regarding the number and populations of municipalities claiming compensation, and the reimbursement of the costs of purchasing waste receptacles for tobacco waste based on actual costs would continue to make it more difficult to predict the amount of compensation paid by the individual producer.

⁵ Government proposal to Parliament for an Act amending the Tobacco Act (HE 221/2024): https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Documents/HE_221+2024.pdf

4.2.2 Environmental effects

Including the litter from nicotine pouches in the producer's cost liability scheme might reduce the accumulation of litter from nicotine pouches, especially as a result of the municipality's obligation to provide information and advice. Information about accumulations of litter from nicotine pouches, the harm caused, and the prevention of litter could affect the behaviour of nicotine pouch users and thus reduce accumulations of litter.

The producer's liability for costs is unlikely to have any major impact on litter accumulation, as the municipalities already organise the collection of waste in public areas and clean up litter. With the producer's liability for costs scheme, at least some of the costs of waste collection and cleaning up litter would be paid by the producer rather than the municipalities. Furthermore, the producer's liability for costs would not encourage producers of nicotine pouches to make their material plastic-free, as the liability for costs would apply to all nicotine pouches, whether they contain plastic or not. Thus, including litter from nicotine pouches in the producer's liability for costs scheme would not alter the adverse environmental effects of litter from these products.

The compensation paid by producers to municipalities based on a flat rate per inhabitant and the changes in compensation procedures would have no impact on the environment.

4.2.3 Impact on the work of public authorities and public finances

Basing the compensation paid by producers to the municipalities mainly based on an annual flat rate per inhabitant would reduce the regulatory burden on the public authorities due to the compensation procedure. The proposal would also prevent an increase in the regulatory burden for the authority, which would result from the fact that, after the transition period, the compensation paid by producers to the municipalities would be based entirely on the actual costs reported by the municipalities. If the compensation paid by producers is based on an annual flat rate per inhabitant, the authority would not have to assess the acceptability of the costs declared by the municipalities, with the exception of the costs of purchasing waste receptacles for the collection of tobacco waste. An annual flat rate per inhabitant would also make it easier to produce a compensation decision, as the calculation of the compensation paid by each producer organisation and producer and the compensation paid to each municipality would be simplified. If the compensation paid by producers to municipalities were based on an annual flat rate per inhabitant, the authority could also take a decision on the compensation without consulting the parties concerned, unless there were specific reasons for doing so. The authority's task would be to receive and process the reports submitted by the municipalities, draft the compensation decision and summary attached thereto, collect the compensation from the producers for the compensation and pay it to the municipalities in accordance with the decision. The authority would also have to assess the necessity and the correctness of the costs of the tobacco waste receptacles purchased in the previous year as reported by the municipalities.

The proposal would also reduce the regulatory burden on municipalities arising from producer liability, as the municipalities would not have to compile and report actual waste management and cleaning costs to the authority. However, there would be more work for the municipalities in the preparation and submission of reports to the authority on the waste management and cleaning up operations carried out and their costs. Nevertheless, it is thought that the workload resulting from the preparation and submission of the reports would be less than that resulting from improving the monitoring of actual costs and the compilation and reporting of cost data.

For the purpose of the report, municipalities would have to describe briefly the operations carried out and estimate their costs. The purchase costs of waste receptacles for tobacco waste would have to be declared based on the actual costs incurred. All the same, it would be easier to acquire information on the purchase costs of the receptacles than on the actual costs of waste collection, litter clean-up and information and advice services.

Basing the compensation paid by producers to the municipalities on an annual flat rate per inhabitant could also have an impact on the amount of compensation received by municipalities. The impact would depend on the how much the flat rate would be. Including the litter from nicotine pouches in the producer's liability for costs scheme would lead to an increase in amount of compensation received by the municipalities from producers.

5 Other implementation options and their impact

During the preparatory work, one option considered was that both the reimbursement of the costs of waste receptacles for tobacco waste and of the costs of information and advice services would be based on the actual costs reported by the municipalities. This option could be justified by the fact that collecting data on the costs of receptacles for, and providing information and advice on, tobacco waste is easier for municipalities than collecting data on the costs of collecting waste and cleaning up litter. However, this option would entail more work for the authority responsible for the compensation procedure than basing the compensation paid by producers on a flat rate per inhabitant, with the exception of the purchase costs of tobacco waste receptacles. The authority's workload would be increased with the processing of municipal declarations, the assessment of the costs reported the municipalities and consulting interested parties. It would also be a more arduous task to draft a compensation decision.

6 Feedback

6.1 General

The request for a statement is available from the lausuntopalvelu.fi-verkkopalvelu online service.⁶ A total of 38 statements were given. Statements came in from the Ministry of Social Affairs and Health, the Pirkanmaa ELY Centre, the Finnish Competition and Consumer Authority, the National Supervisory Authority for Welfare and Health Valvira, the Finnish Institute for Health and Welfare, the Association of Finnish Cities and Municipalities, the Consumers' Union of Finland, five producer organisations or their representatives, six business lobbying organisations, ten NGOs or their representatives, seven companies, two citizens and one foundation.

The inclusion of nicotine pouches in the producer's liability for costs scheme divided opinion among those giving statements. Environmental and health organisations, government agencies, the Association of Finnish Cities and Municipalities and the Consumers' Union of Finland inn particular though the proposal was important and necessary to prevent litter and to promote public health and tobacco policy. Many companies and organisations representing their interests as well as the producer organisations opposed the proposal, arguing that it was a solely national extension contrary to the SUP Directive's plastic substitution objective.

⁶ Project number VN/7002/2025, <https://www.lausuntopalvelu.fi/FI/Proposal/Participation?proposalId=c3567d16-6d72-4160-8728-550656d0c734>

The respondents were more unanimous in the matter of basing the compensation paid by producers to municipalities on a flat rate per inhabitant rather than on the costs declared by the municipalities. It was worth supporting in their view, as it reduced the administrative burden for the authority and municipalities. While some respondents stressed the importance of sufficiently substantial reimbursement, others were concerned about the lack of information on the costs borne by the municipalities and emphasised the need to take into account the questions of cost-efficiency and proportionality in compensation. Some producer organisations, lobbying organisations and companies objected to the flat rate per inhabitant compensation scheme.

6.2 The inclusion of nicotine pouches in the producer's liability for costs scheme

The respondents in support of extending the producer's liability for costs with regard to litter from nicotine pouches argued that the use of nicotine pouches had increased in recent years, which has also increased the amount of litter resulting from them. Many of the supporters of the proposal thought that nicotine pouches should be covered by producer liability scheme regardless of their material. The statements suggested that even if not all nicotine pouches contain plastic, they cause significant and long-term environmental damage and health issues due to nicotine and other toxic substances. The respondents raised the issue of the harm done to soil, bodies of water, animals and small children. The statements suggested that material neutrality would also be justified because plastic and plastic-free nicotine pouches cannot be easily distinguished. Several respondents were also in favour of the cost liability of a producer of nicotine pouches corresponding to the cost liability of a producer of tobacco products with filters and tobacco filters, except where it concerned waste receptacles for tobacco waste. According to the Finnish Association for Substance Abuse Prevention (EHYT), the nicotine pouch tins should also be included in the producer liability scheme. The Ministry of Social Affairs and Health opined that the extension of producer liability to other tobacco and nicotine products should also be investigated.

According to the respondents opposing the extension of producer liability for costs to litter from nicotine pouches, extending producer responsibility to what might be non-plastic products would be a solely national extension of the SUP Directive, and, consequently, the scope of producer liability could be extended to other non-plastic products, making the business environment more uncertain. Two respondents thought that the extension of producer liability for costs should be seen in the context of a wider range of products rather than a single product.

The cost liability of a producer of nicotine pouches was also thought to be something that would increase the regulatory burden on companies and weaken their competitiveness. According to several respondents, the division of cost and operational liability among different parties would undermine the efficiency of waste management and cleaning up operations. A large number of respondents against the extension of producer responsibility to nicotine pouches pointed out that, according to the proposal, the scheme was unlikely to reduce litter accumulation. It was also pointed out that the inclusion of plastic-free products within the scope of producer responsibility would not encourage the move towards plastic-free alternatives. The statements also highlighted the free movement of products in the EU internal market as one reason for not extending producer responsibility to the litter from nicotine pouches. Some nicotine pouch producers considered that the producer's producer responsibility for nicotine pouches should be re-assessed only once there is more information on the accumulation of litter from nicotine pouches.

Support was expressed for the definition of nicotine pouch to be based on section 2(14a) of the Tobacco Act (549/2016). The Finnish SUP Producer Group remarked that if non-plastic nicotine pouches were also included in the scope of producer responsibility, the heading of the proposed section 48a, which only mentions certain single-use plastic products, should be more precise.

The heading of the proposed section 48 a in question was duly clarified to indicate that the producer's liability for costs applies not only to single-use plastic products, but also to nicotine pouches. No other changes were made to the scheme for the liability for costs of the producer of nicotine pouches on the basis of the feedback as it was considered important, in particular in terms of the equal treatment of producers of products that pose a litter problem. It was also thought important to address the issue of litter from nicotine pouches, in particular by means of information and advice services organised by municipalities. It is not proposed to extend the producer's liability for costs to other nicotine or tobacco products or to the packaging of nicotine pouches, as there is no information available on the litter accumulation resulting from these products.

6.3 Compensation on the basis of a flat rate per inhabitant

There was strong support for basing producer liability for costs on a flat rate per inhabitant rather than the costs reported by municipalities. Compensation based on a flat rate per inhabitant was felt necessary if the workload of the authority and the municipalities was to be lightened. It was also pointed out in the feedback that any analysis of actual waste management and cleaning costs has proved challenging for the municipalities and that reliable information on costs might not necessarily be available. It was also stated that the proposed amendment would provide all municipalities with equal opportunities for claiming compensation. The Pirkanmaa ELY Centre stressed that unless there were a move to a flat rate per inhabitant scheme, the authority would have to rule on the acceptability of municipalities' costs and consult producers and producer organisations, which would make the compensation procedure an arduous task. The respondents also said that compensation based on a flat rate per inhabitant would make it easier for producers to predict the amount for annual compensation.

According to the Association of Finnish Cities and Municipalities, compensation based on a flat rate per inhabitant should be reconsidered for tobacco waste receptacles and information and advice services. It proposed that municipalities should be entitled to compensation for the procurement of waste receptacles for tobacco waste to enable them to achieve the number of such receptacles required in the Government Decree on certain plastic products (1318/2022). However, the Association opined that compensation for the costs of maintaining waste receptacles for the collection of tobacco waste could be based on an annual flat-rate per inhabitant. It was of the view that information and advice is typically campaign-based and regional, and its costs are difficult to distinguish from those associated with other advice on reducing the use of tobacco products. The Association also highlighted the uncertainty related to the costs of tobacco waste collection receptacles and information and advice services. In addition, the Association suggested specifying that the compensation based on a flat rate per inhabitant would be determined on the basis of the number of inhabitants on the last day of December of the year in which the amount for compensation was calculated.

Some of the respondents questioned the cost-relatedness of compensation based on a flat rate per inhabitant, since the actual costs per capita varied from municipality to municipality. The Finnish SUP Producer Group considered that the proposal is contrary to the earlier decision to

base the producer's liability for costs on the actual costs to municipalities as of the beginning of 2026. It remarked that the studies on the costs of waste management and cleaning up operations showed that the municipalities were able to estimate their costs and pointed out that the costs reported by them for 2023 were lower than the costs according to the study carried out by the Association of Finnish Cities and Municipalities and the flat rate costs for the transition period. The Finnish SUP-Producers Group also stated that, if the compensation were based on a flat rate per inhabitant, there would no longer be any need to consult interested parties.

Some respondents were of the opinion that, if the compensation paid by producers were based on a flat-rate per inhabitant, it would become a parafiscal charge. According to the producers of nicotine pouches, compensation based on a flat rate per inhabitant would be problematic for them, as the pouches are already subject to excise duty. According to the producers, the compensation could lead to an increase in the sales prices of nicotine pouches, which would divert consumption away from the domestic market and increase illegal sales.

The statements stressed that the criteria for calculating compensation should be transparent, based on up-to-date, sufficient and reliable information and defined in a transparent and equitable manner between the actors involved. One producer of nicotine pouches thought that, under the Framework Convention on Tobacco Control, producers of tobacco products or nicotine pouches cannot be prevented from participating in work and monitoring groups or in discussions about the costs being reimbursed by producers. On the other hand, the Ministry of Social Affairs and Health pointed out that limited interaction with tobacco producers applies to all branches of government, not just healthcare. One lobbying organisation suggested that the differences in the composition of litter between municipalities should be taken into account when determining the compensation paid by producers.

The concerns expressed in the statements regarding compensation scheme based on as flat rate per inhabitant are well-grounded. However, the flat rate compensation scheme was largely upheld, as it was considered justified in terms of reducing the workload of the authority and municipalities. Nevertheless, the feedback prompted a move whereby the producer's cost liability was amended, with the producer of tobacco products with filters and tobacco filters having to reimburse the purchase costs of receptacles for tobacco waste to reflect the actual costs incurred by municipalities. The amendment was thought necessary for the municipalities to be able to receive full compensation for the tobacco waste receptacles they were required to purchase fully to meet the requirements under the Government Decree on certain plastic products. The SUP Directive also requires producers to cover the costs of setting up the infrastructure for the collection of tobacco waste. It was also considered easier for municipalities to collect and submit information on the cost of purchasing tobacco waste receptacles to the authority than to compile and report information on the cost of collecting waste, cleaning up litter, and providing information and advice. From the point of view of the authority, the assessment of the necessity and correctness of the costs of the tobacco waste receptacles acquired was also considered to be easier than the assessment of other waste management and cleaning up operations and their costs.

The feedback prompted a specification in the proposal that the amount for the annual flat rate per inhabitant would be determined on the basis of the information available on the costs of waste management and cleaning up operations incurred by the municipalities. The criteria for calculating the compensation paid by producers were also clarified to boost the transparency of the producer's cost liability. It was also made clearer that compensation based on a flat rate

per inhabitant would be determined on the basis of the number of inhabitants in the municipality on the last day of December of the year in which the costs were incurred.

No changes were made to the proposal as regards the matter of the determination of compensation between the actors concerned in a transparent and equitable way. It was not considered necessary to include any relevant provision in the Act, as Article 8(4) of the SUP Directive requires that the costs covered by a producer be established in a transparent way between the actors concerned. Furthermore, no changes were made to the proposal to take into account the differences in litter accumulation between municipalities. It was considered unreasonably arduous a task to look into the differences in litter accumulation across the municipalities.

6.4 Share of compensation between product groups and producers

According to several respondents, in the distribution of the compensation paid by producers to the municipalities between the product groups and the producers, account needs to be taken of the fact that producers meeting their producer liability obligation should not be required to take responsibility for those producers who fail to do the same. In their statements, some nicotine pouch producers also mentioned the existence of nicotine pouches purchased abroad or illegally. The respondents also remarked that nicotine pouches are identical in appearance to snuff pouches and pouch-shaped nicotine replacement medicines, and they have not been identified separately in the litter composition reports. The respondents took the view that the cost liability of producers should only cover nicotine pouches bought legally in Finland.

The Association of Finnish Cities and Municipalities requested confirmation that waste receptacles for tobacco waste would not be included in the cost liability scheme for producers of nicotine pouches. It also thought that the system for the allocation of the costs of information and advice among producers of tobacco products and nicotine bags was unclear. Sumi Oy stated that producers of wet wipes and balloons in the category of single-use plastic products should also be obliged to compensate municipalities for the costs of both waste collection and cleaning up litter, to ensure fairness.

The feedback prompted the addition of similar nicotine replacement therapy products under the Medicines Act to the definition of nicotine pouch, so that the producer's cost liability would cover all nicotine pouches legally sold in Finland. Snuff pouches were not added to the definition because their sale and import are prohibited under the Tobacco Act.

Extended producer liability under subsection 1 of the Waste Act applies to products placed on the Finnish market and sold directly to users through distance selling by the producer as well as to a proportion of other equivalent products considered reasonable given the producer's market share, irrespective of the date when they were placed on the market. With the implementation of the SUP Directive, the same principle was also adopted in section 48a of the Waste Act, which concerns the cost liability of producers of certain single-use plastic products. This means that the producer of nicotine pouches would also be responsible, in line with their market share, for the costs of preventing and cleaning up litter incurred by municipalities due to consumers buying from abroad or illegally and nicotine pouches being placed on the market by free-riders. This principle also applies to producers of single-use plastic products subject to producer liability for costs. In view of the feedback received, it was not considered justified to change this matter of principle.

In response to the comments, it was specified in the proposal that waste receptacles for tobacco waste would not be subject to the cost liability of the producer of nicotine pouches, but that the producer of tobacco products with filters and tobacco filters would have to reimburse the relevant costs to the municipalities. In addition, the draft Decree annexed to the proposal identified the flat rate per inhabitant costs of information and advice services relating to tobacco products and nicotine pouches as separate items in order to make their allocation among producers clearer.

Based on the feedback from the consultation, it is not proposed to extend the cost liability of the producers of wet wipes and balloons to the costs of waste collection, as these products represent a very small proportion of litter. Furthermore, the SUP Directive does not require producers of wet wipes and balloons to cover the costs of waste collection resulting from their products.

6.5 Compensation procedure

In the draft Government proposal which was circulated for comment, it was proposed that the municipality would be entitled to the compensation paid by producers after notifying its payment details to the authority by the deadline. In addition, it was proposed that municipalities would be obliged, as a task separate from obligations related to the compensation procedure, to submit a report to the authority on the waste management and cleaning up operations carried out.

The payment of compensation to municipalities solely on the basis of the notification of payment data came in for much criticism. The statements suggested that removing the obligation for municipalities to declare costs would undermine the transparency of the producer liability scheme, the fair allocation of costs and the incentives for municipalities to develop cost-efficient waste management and cleaning up operations. Several respondents stressed that the lack of information on the actual costs incurred by municipalities should not mean additional costs for producers. According to the respondents, the cost liability of producers should cover cost-efficient waste management and cleaning up operations in accordance with the SUP Directive, and the compensation should be proportionate. Sumi Oy also thought that the producer's liability for costs should reflect a reduction in costs, which should be the goal of producers and municipalities. Several respondents considered it important that municipalities be required to monitor or assess the costs of waste management and cleaning up operations. Some of the respondents believed that producing reports on costs should be a condition for the compensation to be paid.

Some companies and producer organisations argued that the removal of the obligation to declare costs could lead to costs not being established in a transparent way between the operators concerned, as required under the SUP Directive. The Finnish SUP Producer Group also pointed out that reporting only payment data instead of actual costs would encourage more municipalities to claim compensation, which would increase the costs incurred by producers.

A large number of respondents argued that the municipality's obligation to provide the authority with a report on the waste management and cleaning up operations carried out was only right, as it would ensure that the compensation was used for operations covered by the producer's liability for costs. Some also stated that a report would make it possible to assess to some extent whether the compensation paid by the producers corresponds to the costs to the municipalities. Some respondents hoped that the reports would also include a breakdown of

cost data to ensure and improve cost-efficiency and an account of cost-reduction measures. According to companies, lobbying organisations and producer organisations in particular, the report should be a minimum condition for the payment of compensation.

The Pirkanmaa ELY Centre and the Association of Finnish Cities and Municipalities wanted clarification as to what a report on waste management and cleaning up operations should look like. The Pirkanmaa ELY Centre also considered what sort of response there should be to the submission of incomplete information, or failure to complete a report or comply with obligations, and how the provision relates to section 74(2) of the Waste Act on the municipal cleaning up obligation and section 75 on the assignment of cleaning up tasks. To reduce the administrative burden, the Association of Finnish Cities and Municipalities proposed that municipalities could submit the report every three years.

The Pirkanmaa EKT Centre supported the proposed amendments to the compensation procedure, but pointed out that it was unclear whether a municipality would be entitled to compensation if it submitted payment data to the authority but with no account of the waste management and cleaning up operations carried out. The Association of Finnish Cities and Municipalities took the view that the authority's right to make a decision on compensation paid by producers without consulting the parties concerned should be strictly limited. It also stressed that it should be possible to appeal the decision.

One lobbying organisation found it problematic if a producer did not receive an official decision it could lodge an appeal against. Two respondents considered it challenging for companies that the compensation paid by the producer should be determined retrospectively. One company suggested that producer organisations should be obliged to declare payments for the coming year before the end of the year.

Based on the feedback from the consultation exercise, the compensation procedure was amended so that a condition for receiving the compensation would be that the municipality provides the authority with a report on the waste management and cleaning up operations carried out in the previous year and their costs. In order to reduce the workload of municipalities and the authority, it was thought that the report should not be as brief as possible. Consequently, it was concluded that the report should include a brief description of the operations carried out and an estimate of their total costs. However, regarding tobacco waste receptacles, the number purchased and the acquisition costs should be indicated, so that producers could reimburse the relevant costs to reflect the actual costs incurred. It was thought that a report would ensure that compensation would only be paid to municipalities which have carried out operations within the scope of the producer's liability for costs, to prevent and clean up litter. In addition, the report could help in the collection of data on the operations carried out by the municipalities and their costs, in order to monitor the extent to which the compensation paid by producers matched the costs payable by the municipalities and, if necessary, to change the flat rate per inhabitant charged.

To boost the transparency of the producer's liability for costs, a provision was also added to the proposal that the authority should attach to the decision on compensation a summary drawn up on the basis of the reports provided by the municipalities. In order to keep the workload of the authority at a reasonable level, it is proposed that the summary should contain a description in general terms of the operations carried out by the municipalities and their costs. A clarification was also added to the explanatory notes for each provision that it would not be necessary for an authority to assess the operations or cost estimates notified by the

municipalities for the purposes of the compensation decision, where the compensation paid by the producer was based on a flat rate per inhabitant.

Based on the feedback from the consultation exercise, it was not considered necessary to clarify the relationship between the compensation procedure and section 74(2) of the Waste Act on the municipal cleaning up obligation and section 75 on the assignment of cleaning operations. The provisions relating to the producer's liability for costs would not oblige the authority to oversee the municipality's cleaning operations.; in order to receive the compensation paid by the producer, it would be sufficient for the municipality to submit to the authority by the deadline, a report on the operations it has carried out included in the scope of the producer's liability and their costs.

On the basis of the feedback received, it was also not considered necessary to issue further provisions on the situations in which the Finnish Supervisory Agency could make a decision on compensation under section 34(2) of the Administrative Procedure Act without consulting the parties concerned. The authority would have to decide on the matter in accordance with the Administrative Procedure Act. Notwithstanding the fact that the authority could issue a decision without hearing the parties concerned, unless there is a specific reason for doing so, an appeal against the decision could nevertheless be lodged. The compensation decision would also be forwarded to the relevant producer organisations and producers.

The feedback from the consultation exercise did not change the system for determining the compensation ex-post, as it would allow the municipalities' entitlement to compensation to be based on the provision to the authority of a report on the waste management and cleaning up operations carried out in the previous year and their costs. There is, besides, no proposal for an obligation for producer organisations to report producer contributions for the coming year before the end of the year, since it was thought that the organisations should have the opportunity to decide in cooperation with their member producers how the obligations connected with producer liability should be addressed.

6.6 Information and advice on the prevention of litter

A large number of respondents were in favour of the municipality's obligation to provide information and advice to prevent litter from nicotine pouches. They considered information and advice services to be a crucial factor in preventing litter. Environmental and health organisations in particular, as well as the Association of Finnish Cities and Municipalities, pointed out that the amounts for compensation should be adequate and that claiming compensation should be a simple process, allowing the municipalities to have a real opportunity to invest in providing information and advice. The respondents also considered it important to inform the municipalities of the possibility of claiming compensation for organising advice and information services and to provide them with guidance on the matter. The Association of Finnish Cities and Municipalities also presented national information material drawn up at the expense of producers for the use of municipalities.

A majority of the respondents also considered it important that the role of nicotine pouch producers in the provision of information and advice should be limited to the reimbursement of costs, so that they would not have an opportunity to market their products, advertise them indirectly or improve their public image. The Association of Finnish Cities and Municipalities thought that the proposed cost reimbursement scheme did not guarantee municipalities full compensation for the costs of information and advice services, and so called into question the municipality's responsibility for organising such services. The Association stressed that the

costs should be fully reimbursed to the municipalities and proposed that there should be an upper limit set for information and advice services and their costs and that the level of compensation should be determined accordingly. One producer of nicotine pouches suggested that the costs of information and advice should be set either at a fixed ceiling or represent a certain percentage of the producer liability charge, taking into account the cost-efficiency requirement under the SUP Directive.

The Finnish SUP Producer Group pointed out that, in order to ensure the cost-efficiency of information and advice services, producers should have the right to know the content of those services and how they are produced. Some producers of nicotine pouches believed that information and advice should focus on reducing littering accumulation. One producer of nicotine pouches stated that producers subject to producer liability should have the right to participate in the provision of information and advice.

The John Nurminen Foundation proposed considering the imposition of an obligation on producers of tobacco products and nicotine pouches to provide information and advice on littering caused by their products, for example in the product packaging, so that the industry is not given the opportunity to market products or create a positive image associated with the use of such products or the tobacco industry. It also was of the view that information provided directly by producers to users would probably reach the target group more successfully than information services provided by the municipality.

In response to the feedback from the consultation exercise, no changes were made to the reimbursement of the costs of information and advice being based on a fixed rate per inhabitant. The solution aimed at keeping the law simple and avoiding unnecessary work on the part of the public authorities and municipalities in connection with the compensation procedure.

Furthermore, in response to the feedback, no other changes were made to the information and advice scheme for the prevention of litter. It was not considered necessary, as it would be possible for producer organisations and producers to obtain details of the information and advice services provided by municipalities in the report on municipal waste management and cleaning up operations accompanying the authority's compensation decision. In the monitoring group for producer liability for costs, producer organisations would also have the opportunity to obtain details of the information and advice provided by municipalities. The involvement of producers of tobacco products and nicotine pouches in information and advice services was not considered justified, as it is necessary to ensure that producers do not have any chance to market their products or to improve the image of the tobacco and nicotine industry. Although information on littering on the packaging of nicotine pouches could be an effective way to reach users of nicotine pouches, package labelling was considered to be better suited to EU legislation.

6.6 Entry into force

The majority of the respondents did not have any comments on the entry into force of the Act, but there were some comments nonetheless. The Association of Finnish Cities and Municipalities and the Pirkkala ELY Centre called for a review of the need for transition periods. According to the Pirkkala Centre for Economic Development, Transport and the Environment, the nicotine pouch producers would not have much time to form a producer organisation when the producer liability scheme immediately the Act has entered into force. Nor did the Centre think it could impose a charge on producers if they had not formed a

producer organisation or were not in the producer register. According to the Pirkanmaa ELY Centre, the obligation to pay compensation would have to be imposed as late as 2027, but the data on the products placed on the market by producers should be collected right from the start of 2026. The Centre proposed a transition period of one year for the start of the cost liability scheme and, in addition, a deadline for the inclusion of the producer or producer organisation in the producer register. One producer of nicotine pouches considered that the producer liability scheme for a producer of nicotine pouches should only enter into force after all the provisions of the Tobacco Act have been fully implemented.

The feedback thus prompted the addition of a transitional provision to the proposal, according to which the scheme would start to apply after a transition period of one year. There were good arguments for a transition period as it would allow producers of nicotine pouches time to form a producer organisations or to have an entry in the producer register before the application of the producer liability scheme. A deadline by which a nicotine pouch producer organisation or producer should apply for approved entry in the producer register was also added to the proposal. In other respects, it was not considered necessary to postpone the cost liability scheme regarding a producer of nicotine pouches. For the sake of clarity, a transitional provision on the calculation of compensation paid by producers was also added to the proposal. This clarification was considered necessary because the compensation paid by producers is calculated in the year following the year in which the relevant amounts are decided.

7 Provision-specific explanatory notes

Section 6 *Other definitions.* A definition of nicotine pouch would be added to the section to include the prevention and cleaning up of litter caused by nicotine pouches under the cost liability scheme of the producer of certain single-use plastic products. Nicotine pouch would mean a smoke-free nicotine product as referred to in section 2(14a) of the Tobacco Act (549/2016), packaged in a single-dose sachet, and similar nicotine replacement therapy products under the Medicines Act.

Section 48 *Products and producers subject to producer liability* A new paragraph 12 would be added to subsection 1 of this section to include nicotine pouches and their producers in the producer liability scheme and to define producer of nicotine pouches. In order to keep the law as simple as possible, all nicotine pouches, whether or not they contain plastic, would be added to the scope of producer liability. Nicotine pouches containing plastic and without plastic cannot be easily distinguished, so it would be an unduly arduous task to look into how much they account for the waste discarded in receptacles and for the litter that is cleaned up. The manufacturer or importer of the product would be considered the producer of nicotine pouches. In other respects, the section would correspond to existing law.

Section 48a. *Cost liability of the producer of certain single-use plastic products and nicotine bags.* A new paragraph 4 would be added to subsection 1 off the section to define the producer's liability for nicotine pouches. The producer of nicotine pouches would only be liable for costs under section 48b for the waste management and cleaning up operations carried out by municipalities. The producer of nicotine pouches would not have any responsibility, as referred to in section 46, for the organisation of the waste management of the products it places on the market or to bear the costs thereof. The section heading would be amended to indicate that the producer's liability for costs applies not only to single-use plastic products but also to nicotine pouches. No other amendments to the section are proposed.

Section 48b. *The producer's cost liability for certain waste management and cleaning operations carried out by municipalities.* Subsection 1 of this section would be amended so that the obligation of the producer to cover the costs of waste management and cleaning up operations incurred by municipalities in the areas referred to in section 48c in respect of the products would be replaced by the obligation to reimburse the costs of waste management and cleaning up operations incurred by municipalities in the areas referred to in respect of the products. This subsection would also provide for the compensation paid by the producer to be based on an annual flat rate per inhabitant, the amount for which would be determined on the basis of the information available on the costs of waste management and cleaning up operations incurred by the municipalities. The flat rate would be determined by Government Decree, the drafting of which would make use of the information reported annually by the municipalities to the supervisory authority on the waste management and cleaning up operations they have carried out and on the costs incurred. Ultimately, the compensation would be determined on the basis of the number of inhabitants in the municipality as at 31 December in the year in which the costs were incurred. The producer's obligation to reimburse municipalities for the costs of waste management and cleaning up operations would apply to producers of single-use plastic products referred to in section 48(1)(6-10), and to producers of nicotine pouches referred to in section 48(1). The obligation to pay compensation would be an annual arrangement, as would the current obligation to bear the costs. The producer's obligation to bear the costs would also be changed to one to reimburse the costs in the other subsections of this section, thus making them consistent with subsection 1.

Subsection 3 of this section would also be amended to apply not only to the producer of tobacco products with filters and tobacco filters in the category of single-use plastic products but also to the producer of nicotine pouches. The producer of nicotine pouches should reimburse municipalities for the costs of organising the collection, transport and treatment of waste to prevent litter from nicotine pouches, cleaning up litter and its transport and treatment, and providing information and advice on these activities activities and the prevention of litter. In subsection 3 of the section, the reference to tobacco waste receptacles being included in the costs of waste collection organised to prevent litter would be deleted, as the reimbursement of the costs of tobacco waste waste receptacles would be provided for separately in subsection 4.

Subsection 4 would be a new subsection and would provide for the obligation on the part of a producer of tobacco products with filters and tobacco filters in the category of single-use plastic products to reimburse municipalities for the costs they incur in respect of waste receptacles for tobacco waste. By way of derogation from other municipal costs, the producer would have to reimburse the acquisition costs of waste receptacles for tobacco waste deemed necessary for the prevention of, and reduction in, litter accumulation, in line with the actual costs to the municipalities. Other costs associated with waste receptacles for tobacco waste, such as maintenance and repair costs, as well as the costs of emptying them and transporting and treating the tobacco waste collected, would be included in the annual flat rate per inhabitant. Subsection 4 of the current section would be moved to become subsection 5 and would only be amended to state that the obligation of the producer to bear the costs would now vbe one to reimburse them.

Section 48d. *Criteria for calculating the compensation to be paid to municipalities by producers.* Subsection 1 of the section would be amended, so that instead of determining liability for costs, it would provide for the criteria for calculating the compensation paid to the municipalities by producers, as referred to in section 48b. The amendment would be required for the subsection to be consistent with the proposed section 48b. The wording of paragraphs 1 and 2 of the subsection would also be amended to be consistent with the

proposed section 48b. According to paragraph 1 of this subsection, the basis for calculating the compensation paid by producers to the municipalities would be the producers' contribution to the annual flat rate per inhabitant. Under subsection 2, the basis for calculation would be the the share of each product group referred to in section 48b in the producers' share of the cost referred to in paragraph 1, calculated on the basis of the weight, number of items, volume of the waste and litter, or a combination of these, or some other appropriate factor. No amendments to paragraph 3 of the subsection are proposed.

Subsection 2 would be a new subsection and would provide for the calculation of the compensation paid by the producer of tobacco products with filters and tobacco filters referred to in the proposed section 48b(4). By way of derogation from subsection 1 of this section, the compensation paid by the producer for the acquisition of waste receptacles for tobacco waste would be calculated with reference to the actual costs incurred by municipalities and allocated among producers in accordance with subsection 1(3).

Subsection 3 of the section would provide for the authorisation issue further provisions by Government Decree on the costs forming the basis for compensation and the criteria for calculating compensation. This provision would replace the provision on authorisation in subsection 2 of the current section. Under subsection 1, further provisions on the annual flat rate per inhabitant referred to in section 48b and its allocation to the costs of waste collection, cleaning up litter, and information and advice services would be issued by Government Decree. Paragraphs 2 and 3 of the subsection would correspond in substance to the current provision on authorisation. According to paragraph 2 of the subsection, further provisions on the producers' share of the costs referred to in subsection 1(1) would be issued by Government Decree. According to paragraph 3 of the section, further provisions on the allocation of costs by product group referred to in subsection 1(2) would be issued by Government Decree. For the sake of clarity, the provision contained in subsection 2 of the current section derogating from the basis for apportioning costs as laid down in the Decree would be transferred to subsection 48 e(3) on the compensation procedure.

Subsection 4 of the section would provide for the Government Decree referred to in subsection 3 to be in force for a maximum of three years at a time. The Government Decree would be issued for three years at a time so that the annual flat rate per inhabitant and its allocation by operation, the producers' share of the costs and the product group-specific shares of the costs would be regularly reviewed and changed if necessary.

The section heading would be changed to reflect the section's proposed new content.

Section 48e. Compensation procedure. The obligation of the municipality referred to in subsection 1 of the section to notify the authority of its waste management and cleaning up costs for the previous year in order to be entitled to the compensation paid by the producer would be deleted. The provision on the costs to be identified in the notification would also be deleted. Instead of the obligation to declare costs, the subsection would provide for the municipality's obligation to submit to the authority a report on the waste management and cleaning up operations carried out in the previous year and on the costs of those operations in order to be entitled to the compensation paid by the producer. The report should include a brief description of waste collection operations, litter clean-up operations and and information and advice services. The report should also indicate estimates of the total costs of these operations and services. In addition, the report should indicate the number and costs of the waste receptacles for tobacco waste purchased in the previous year, in order to allow producers to reimburse the acquisition costs of the receptacles in line with the actual costs

incurred by the municipalities. The purpose of the report would be to ensure that compensation would only be paid to municipalities which have carried out operations within the scope of the producer's liability for costs, to prevent and clean up litter. The report would also be used to collect monitoring data on the operations carried out by the municipalities and their costs. Instead of the Pirkanmaa Centre for Economic Development, Transport and the Environment, the Finnish Supervisory Agency would act as the authority. In the Government's proposal to Parliament for legislation on regional government reform, it was⁷ proposed that a new Finnish Supervisory Agency be established, and the monitoring tasks in connection with producer liability would be transferred from the Pirkanmaa ELY Centre to that new agency. Parliament adopted the proposal on 18 June 2025. The amendments will enter into force on 1 January 2022.

Subsection 2 of the section would provide, in accordance with the current section, for a decision by the authority on the compensation to be paid to the municipality. For the sake of clarity, a reference to the decision being based not only on section 48 d but also on section 48 b would be added to this subsection. Instead of the Pirkanmaa ELY Centre, the decision would be taken by the Finnish Supervisory Agency. A provision would be added to the subsection stating that the Finnish Supervisory Agency should attach to the decision a general summary drawn up on the basis of the reports submitted by the municipalities of the operations carried out by the municipalities and their costs. The purpose of the summary would be to provide producers in particular with information on the operations and their costs. It would not be necessary for the Finnish Supervisory Agency to assess the operations or cost estimates notified by the municipalities for the purposes of the compensation decision, where the compensation paid by the producer was based on a flat rate per inhabitant. However, in the case of the receptacles for tobacco waste, the Finnish Supervisory Agency would have to judge how necessary it was for the municipalities to acquire such equipment and assess the correctness of the costs. A provision would also be added to the subsection to the effect that the Finnish Supervisory Agency could issue the decision referred to in the subsection on compensation paid to municipalities without consulting the parties concerned, in line with section 34(2) of the Administrative Procedure Act (434/2003), unless there is a specific reason for doing so. Where the compensation paid by producers to municipalities is based on a flat rate per inhabitant, there would be no need to consult interested parties unless there were specific reasons for doing so. A specific reason for consulting interested parties could be, for example, that the producer of tobacco products with filters and tobacco filters would have to reimburse the costs of purchasing waste receptacles for tobacco waste in line with the actual costs incurred by the municipalities.

The provision contained in section 48d (2) of the current Act on derogations from the criteria for apportioning costs laid down in the Government Decree would be transferred to subsection 3 of this section. The wording of the provision would be changed to make it more suitable for its new location and a reference to the proposed section 48 d(3) would be added to the provision, which would provide for the Government Decree in question. The grounds for derogating from the basis for allocating costs laid down in the Government Decree would remain in line with current law. Derogation from the cost allocation criteria laid down in the Government Decree could also be a specific basis for consulting the parties concerned.

Subsection 4 would otherwise correspond to the last two sentences of subsection 2 of the current section, except that, instead of the Pirkanmaa ELY Centre, the authority would be the Finnish Supervisory Agency.

⁷ Government proposal to Parliament for legislation on regional government reform (HE 13/2025)
https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Documents/HE_13+2025.pdf

The section heading would be amended to make it more consistent with the proposed section 48b.

Section 48g. The municipality's responsibilities for preventing litter accumulation from tobacco products and nicotine pouches. Amendments would be made to the section as necessary to add the prevention and cleaning up of litter resulting from nicotine pouches to the scope of the producer's liability for costs. A reference to the nicotine pouches referred to in section 48(1)(12) would be added to the section, which would mean that the municipality would have to organise the advice and information services relating to nicotine pouches and the waste from them in accordance with section 51. A corresponding amendment would be made to the heading of the section.

Section 51 The producers' obligation to provide information and advice. Section 51 of the current Act provides for the producer's obligation to provide information and advice. The producer shall inform and advise, *inter alia*, on the effects and prevention of litter. According to section 51(1) of the current Act, the producer's obligation to provide information and advice does not apply to the producer of tobacco products with filters and tobacco filters referred to in section 48(1)(10). Rather than the producer, the municipality shall be responsible for information and advice services relating to tobacco products, in accordance with the current section 48 g. When the SUP Directive was being implemented, this solution was considered necessary in order to avoid affording the tobacco industry the opportunity it would have if it were obliged to provide information and advise to market tobacco products, as prohibited under section 68 of the Tobacco Act, or otherwise create a positive image of smoking or the tobacco industry. In the case of information and advice on nicotine pouches, a similar solution would be necessary on the same grounds as in the case of tobacco products. Therefore, a reference to the producer of nicotine pouches referred to in section 48(1)(12) would be added to subsection 1 of the section, and the producer's obligation to provide information and advice would not apply to the producer of nicotine pouches.

Entry into force and transitional provisions

Subsection 1 of the provision on entry into force would provide for the entry into force of the Act amending the Waste Act. The transition period under the amendment to the Waste Act implementing the SUP Directive expires at the end of 2025. The proposed Act would enter into force immediately the transition period has ended, i.e. on 1 January 2026.

Subsection 2 of the provision on entry into force would relate to the date on which the cost liability of the producer of nicotine pouches under section 48b would start to apply. The liability for costs of the producer of nicotine pouches would become applicable after a transition period of one year in order to give such producers to form a producer organisation or to apply for approved entry in the producer register. The subsection would also provide for a deadline by which a nicotine pouch producer organisation or producer should apply for approved entry in the producer register.

The compensation paid by producers would be calculated in the year following the year in which it was arranged, i.e. the compensation for 2025 would be decided in 2026, and so on. For the sake of clarity, subsection 3 of the provision on entry into force would state that the compensation paid by producers for the costs incurred by municipalities in 2025, a decision on which would be taken in 2026, would be based on sections 48 b, 48 d and 48 e in force at the time of entry into force of the proposed Act and on the Government Decree on Compensation paid to municipalities by producers of certain plastic products (1320/2022) issued pursuant to

section 48 d in force at the time of entry into force of the proposed Act. The compensation for 2026, which would be decided in 2027, would be based on the revised sections 48 b, 48 d and 48 e of the proposed Act and the Government Decree issued pursuant to section 48d of the proposed Act.

8 Secondary legislation

Pursuant to the proposed section 48 d(3) in the proposal, further provisions on the costs on which compensation paid to municipalities by producers is based and on the criteria for calculating the compensation would be issued by Government Decree. At the same time, the current Government Decree on compensation paid to municipalities by producers of certain plastic products would be repealed. Further provisions on the flat rate per inhabitant and its allocation to the costs of waste collection, cleaning up litter, and information and advice services would be issued by Government Decree. Provisions would also be issued by Government Decree on the contribution of producers to the flat rate and on the allocation of compensation among producers by product group based on the composition report drawn up by producers in accordance with section 48 f of the current Waste Act. The composition report is currently being drawn up by the producers and is expected to be completed in autumn 2025.

In accordance with Article 8(4) of the SUP Directive, the annual flat rate per inhabitant laid down in the Government Decree and its allocation to the costs of the various operations would be decided in a transparent way between the actors concerned. This provision under the SUP Directive also requires that the costs reimbursed by the producer do not exceed the costs necessary to carry out operations within the scope of the producer's liability for costs in a cost-efficient way. The annual flat rate per inhabitant and its allocation by operation would be based on the information available on the costs of the waste management and cleaning up operations carried out by the municipalities. In addition to the results of the survey commissioned by the Association of Finnish Cities and Municipalities in 2020, estimates of the costs for 2023 and 2024 reported by municipalities to the Pirkanmaa ELY Centre are currently available.

The Government Decree would be issued for a period of no more than three years at a time. In this way, the annual flat rate per inhabitant and its allocation by operation and product group, the contribution to the costs made by producers and the apportionment of the costs by product group could be updated on the basis of the data on the costs incurred by municipalities and on the composition of the collected waste and the cleaned up litter.

9 Entry into force

It is proposed that the Act enter into force on 1 January 2024. The transition period under the amendment to the Waste Act implementing the SUP Directive expires at the end of 2025. Following the transition period, the compensation paid by producers to the municipalities is to be based entirely on the costs declared by the municipalities. The Act should enter into force immediately after the end of the transitional period in order to prevent an increase in the burden on the authority and municipalities after the end of the transitional period. The liability for costs of a producer of nicotine pouches would start to apply on 1 January 2027 in order to give producers time to form a producer organisation or to apply for approved entry in the producer register.

10 Implementation and monitoring

The monitoring group would continue to oversee the liability for costs of producers of single-use plastic products and nicotine pouches. The monitoring group was set up by the Ministry of the Environment with the amendment to the Waste Act adopted to implement the SUP Directive. The purpose of the monitoring group would continue to be cooperation between the parties concerned to ensure the cost-efficiency and necessity of the waste management and cleaning operations carried out by the municipalities and the establishment of costs in a transparent way. The task of the monitoring group would be to oversee and direct the establishment of liability for costs for single-use plastic products and nicotine pouches. The monitoring group would consist of representatives of municipalities, producers and authorities.

11 Relationship to other proposals

11.1 Dependence of the proposal on other proposals

The proposal is not dependent on other proposals.

11.2 Relationship to the draft budget

The proposal has no impact on the state budget.

12 Relationship to the Constitution and the legislative procedure

The reform of the compensation procedure contained in the proposal has no material connection with any fundamental right. Adding nicotine pouches and their producers to the scope of the Act will add to the measures available to the municipalities to prevent litter from nicotine pouches, which may, to some extent, reduce litter accumulation from nicotine pouches and make for a more agreeable environment, thus promoting everyone's right to a healthy environment.

Provisions have been included in the proposal that essentially concerned the grounds for the rights and obligations of private individuals within the meaning of section 80 of the Constitution of Finland. The determination of the cost responsibility of producers on the basis of a fixed cost basis would be laid down in the Act, but more detailed grounds for calculating the compensation would be laid down every three years at the level of a decree. In other respects, the power to issue decrees attached to the provisions of the Act has also been sought to be precise and strictly defined in such a way that the regulation meets the requirements of section 80 of the Constitution.

Resolution

Based on the foregoing, the following bill is submitted to Parliament for approval:



Act

amending the Waste Act

By decision of Parliament

section 6(1)(34), 48, 48a, 48b, 48d, 48e, 48g and 51 of the Waste Act (646/2011), as they appear in Act 1096/2022; and, additionally, section 51, in Act 714/2021, are *amended*;

a new paragraph 35 is *added* to section 6(1), as it appears in Acts 714/2021 and 1096/2022, as follows:

Section 6

Other definitions

For the purposes of this Act:

34) *tobacco product* means a tobacco product referred to in section 2(1) of the Tobacco Act (549/2016);

35) *nicotine pouch* means a smoke-free nicotine product within the meaning of section 2(14a) of the Tobacco Act, packaged in a single-dose sachet and similar nicotine replacement therapy products under the Medicines Act.

Section 48

Products and producers subject to producer liability

Irrespective of the method of sale, producer liability applies to the following products and the producers that place them on the market on a professional basis or sell them directly to users through distance selling:

1) tyres for power-driven and other vehicles or equipment which are considered to be produced by the manufacturer, importer or retreader of such tyres or by the importer of a vehicle or equipment fitted with tyres;

2) passenger cars, vans and other comparable vehicles which are considered to be produced by the manufacturer or importer of such a vehicle or the party that imports vehicles into the country on behalf of domestic users;

3) electrical and electronic equipment which is considered to be produced by the manufacturer or importer of the equipment or a seller that sells the equipment under their own name or trademark;

4) batteries and accumulators, including those contained in electrical and electronic equipment, vehicles or other products, which are considered to be produced by the party placing them on the market;

5) newspapers, magazines, office paper and other similar paper products which are considered to be produced by the manufacturer or importer of paper used for the manufacture of paper products or the importer of printed paper products;

6) packaging the producer of which is considered to be the packer of the product or the importer of the packaged product; however, packaging used for the packaging of food and other products at the point of sale to consumers (service packaging) and packaging used for

the packaging of unprocessed agricultural and horticultural products (farmer packaging) shall be considered to be produced by their manufacturer or importer;

7) cups for beverages and their caps and lids in the category of single-use plastic products sold empty to end-users, the producer of which is considered to be the manufacturer or importer of the product;

8) wet wipes for personal hygiene and consumer use in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

9) air balloons for consumer use in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

10) tobacco products with filters and tobacco filters in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

11) fishing gear containing plastic, the producer of which is considered to be the manufacturer or importer of the product;

12) nicotine pouches that are considered to be produced by the manufacturer or importer of the product.

Producer liability does not, however, apply to producers of bale feed packaging material.

Further provisions on what the products referred to in subsection 1 and who the producers referred to in that subsection are may be issued by Government Decree. Further provisions on the application of the provisions on producer liability may also be laid issued by Government Decree if the products are acquired from another country or exported via electronic means or other methods of distance selling.

Section 48a

Cost liability of producers of certain single-use plastic products and nicotine pouches

By way of derogation from section 46(1), the following producers shall only be liable for the costs of waste management and cleaning up operations carried out by municipalities in accordance with section 48b:

1) producers of wet wipes made for personal hygiene and consumer use in the category of single-use plastic products;

2) producers of balloons consumer use in the category of single-use plastic products;

3) producers of tobacco products with filters and tobacco filters in the category of single-use plastic products;

4) producers of nicotine pouches.

The cost liability of producers under subsection 1 above applies to products placed on the Finnish market and sold directly to users through distance selling by the producer and to a proportion of other similar products that is considered reasonable given the producer's market share, irrespective of the date they were placed on the market.

Section 48b

Producer's cost liability for certain waste management and cleaning operations carried out by municipalities

Producers of single-use plastic products referred to in section 48(1)(6-10) and nicotine pouches referred to in section 48(1)(12) shall reimburse municipalities annually the costs of waste management and cleaning up operations resulting from the products in the areas referred to in section 48 c, as provided in subsections 2 to 5. The compensation is based on an

annual flat rate per inhabitant, the amount for which is determined on the basis of the information available on the costs of waste management and cleaning up operations incurred by the municipalities and the number of inhabitants in the municipality on 31 December in the year in which the costs were incurred.

Producers of wet wipes and balloons in the category of single-use plastic products shall reimburse municipalities for the costs of cleaning up litter from those products and its transport and treatment.

Producers of nicotine pouches and tobacco products with filters and tobacco filters in the category of single-use plastic products shall reimburse municipalities for the following:

- 1) the organisation of the collection, transport and treatment of waste to prevent litter accumulation resulting from the products concerned;
- 2) the cleaning up of litter resulting from those products and the transport and treatment of the cleaned up litter;
- 3) information and advice on the measures referred to in paragraphs 1 and 2 and on the prevention of litter.

In addition, the producer of tobacco products with filters and tobacco filters in the category of single-use plastic products shall reimburse municipalities for the costs of acquiring waste receptacles for tobacco waste. By way of derogation from what in paragraph 1 is provided on basing compensation basis on an annual flat rate per inhabitant, the producer shall reimburse the purchase costs of waste receptacles for tobacco waste which are deemed necessary for the prevention and reduction of litter, to reflect the actual costs to the municipalities.

In addition to what is provided on producer liability in section 46(1), the producer of packaging in the category of single-use plastic products referred to in the Annex and the producer of beverage containers sold empty to end-users that are in the same category shall reimburse municipalities for the costs associated with litter accumulation resulting from these products, as follows:

- 1) the collection, transport and treatment of waste organised for prevention purposes;
- 2) the cleaning up, transport and treatment of litter.

Section 48d

Criteria for calculating the compensation payable to municipalities by producers

The compensation paid by producers to municipalities referred to in section 48b shall be calculated using the following criteria:

- 1) the various producers' share of the annual flat rate per inhabitant;
- 2) the share of each product group referred to in section 48b in the producers' share of the cost referred to in paragraph 1, calculated on the basis of the weight, number of items, volume of the waste and litter, or a combination of these, or some other appropriate factor;
- 3) the share of the producer or producer organisation of products placed on the Finnish market and sold directly to users through distance selling and the share of other similar products that is considered reasonable given the producer's market share, irrespective of the date when they were placed on the market.

By way of derogation from what is provided in subsection 1 on the criteria for the calculation of the compensation paid by producers, the compensation paid by the producer of tobacco products with filters and tobacco filters referred to in section 48b(4) for the purchase costs of waste receptacles for tobacco waste shall be calculated on the basis of the actual costs incurred by the municipalities and allocated among the producers in accordance with subsection 1(3).

Further provisions on the following shall be laid down by Government Decree:

- 1) the annual flat rate per inhabitant referred to in section 48b and its allocation to the costs of waste collection, cleaning up litter, and information and advice services;
 - 2) the producers' share of the costs referred to in subsection 1(1);
 - 3) the allocation of costs by product group referred to in subsection 1(2).
- The Decree may be adopted for a maximum period of three years at a time.

Section 48e

Compensation procedure

To be entitled to the compensation paid by producers, the municipality must, by the last working day of May each year, submit to the Finnish Supervisory Agency a report on the waste management and cleaning up operations carried out in the previous year and their costs. The report must state:

- 1) the arrangements for the collection of the waste and its transport and treatment, including an estimate of the total costs involved;
- 2) the arrangements for cleaning up litter and its transport and treatment, including an estimate of the total costs involved;
- 3) the number and cost of purchased waste receptacles for tobacco waste;
- 4) the information and advice services relating to tobacco products with filters and tobacco filters and the waste resulting from them, and an estimate of the total costs involved;
- 5) the information and advice services relating to nicotine pouches and the waste resulting from them, and an estimate of the total costs involved.

The Finnish Supervisory Agency shall make a decision on the compensation to be paid to a municipality with reference to what is provided in sections 48b and 48d. The decision shall identify the compensation for each producer organisation and producer referred to in section 62 by product group, and shall indicate the total amount of compensation to be paid to each municipality. The decision shall be accompanied by a summary drawn up on the basis of the reports submitted by the municipalities describing in general terms the operations carried out by the municipalities and their costs. The Finnish Supervisory Agency may make a decision under section 34(2) of the Administrative Procedure Act (434/2003) without consulting the relevant parties, unless there are special grounds for doing so.

The Agency may derogate from the cost-allocation criterion laid down in the Decree referred to in section 48d(3) if the producer or producer organisation can show that the share of the product and product group in the collected or cleaned up litter is significantly less than what the cost-allocation criterion laid down in the Decree would indicate, due to changes in circumstances.

The producer organisation and the producer shall pay the compensation to the Finnish Supervisory Agency, which shall credit it to the accounts of the municipalities. The producer shall pay the costs of collecting the compensation and forwarding it to the authorities.

Section 48g

The municipality's responsibilities for preventing litter accumulation from tobacco products and nicotine pouches

The municipality shall organise the collection of waste from tobacco products referred to in section 48(1)(10) in the areas referred to in section 48c above and advice and information services relating to those products and waste and the products referred to in section 48(1)(12) plus the waste resulting from them, in accordance with section 51. Further provisions on the minimum number and location of waste receptacles for tobacco waste and the content of the

information and advice, with the exception of information on reusable alternatives, may be issued by Government Decree.

Section 51

Producer's obligation to provide information and advice

The producer shall advise the location and opening times of end-of-life product collection points, the waste received there, and other matters necessary for the smooth functioning of the facility. In addition, the producer shall also provide information and advice on measures concerning the reduction in the amount and harmfulness of waste, reuse, the preparatory procedures prior to reuse, the impact and prevention of litter, and the reusable alternatives available for the product, where applicable. The information and advice may be different for different product groups. Where necessary, the producer shall arrange information and advice services together with the municipality and other waste management actors. The producer's obligation to provide information and advice does not apply to a producer as referred to in section 48(1)(10) and (12).

Each year, the producer shall submit a report on the information arrangements to the Finnish Supervisory Agency.

The Pirkanmaa Centre for Economic Development, Transport and the Environment may impose an obligation that is narrower in scope than that laid down in subsections 1 and 2 for a producer that places on the market products intended only for corporate use, where this is appropriate given the nature and extent of the activity.

Further provisions on the producer's obligations referred to in subsections 1 and 2 may be issued by Government Decree.

This Act shall enter into force on [day] [month] 20...

The producer's liability for costs under section 48b of this Act shall apply to a producer of nicotine pouches as from 1 January 2027. To this end, the producer organisation, or the producer referred to in section 62(2), shall submit the application referred to in section 101 for approved entry in the producer register by 30 June 2026 at the latest.

The compensation paid by producers for the costs incurred by municipalities for 2025 is based on sections 48b, 48d and 48e in effect at the time of the entry into force of this Act and the Government Decree issued pursuant to section 48d in effect at the time of the entry into force of this Act, after which the compensation paid by producers to municipalities will be based on sections 48 b, 48 d and 48 e of this Act and the Government Decree issued pursuant to section 48d and 48e of this Act.

Helsinki xx xx 20xx

Prime Minister

First name Last name

Minister of ... First name Last name

Act

amending the Waste Act

In accordance with the decision of Parliament
section 6(1)(34), 48, 48a, 48b, 48d, 48e, 48g and 51 of the Waste Act (646/2011), as they
appear in Act 1096/2022; and, additionally, section 51, in Act 714/2021, are *amended*;
a new paragraph 35 is *added* to section 6(1), as it appears in Acts 714/2021 and 1096/2022,
as follows:

Existing Act

Section 6

Other definitions

For the purposes of this Act:

34) *tobacco product* means a tobacco product referred to in section 2(1) of the Tobacco Act (549/2016).

Proposal

Section 6

Other definitions

For the purposes of this Act:

34) *tobacco product* means a tobacco product referred to in section 2(1) of the Tobacco Act (549/2016);

35) **nicotine pouch** means a *smoke-free nicotine product within the meaning of Article 2(14a) of the Tobacco Act, packaged in a sachet and corresponding nicotine replacement therapy products under the Medicines Act*.

Section 48

Products and producers subject to producer liability

Irrespective of the method of sale, producer liability applies to the following products and the producers that place them on the market on a professional basis or sell them directly to users through distance selling:

1) tyres for power-driven and other

Section 48

Products and producers subject to producer liability

Irrespective of the method of sale, producer liability applies to the following products and the producers that place them on the market on a professional basis or sell them directly to users through distance selling:

1) tyres for power-driven and other

Existing Act

vehicles or equipment which are considered to be produced by the manufacturer, importer or retreader of such tyres or by the importer of a vehicle or equipment fitted with tyres;

2) passenger cars, vans and other comparable vehicles which are considered to be produced by the manufacturer or importer of such a vehicle or the party that imports vehicles into the country on behalf of domestic users;

3) electrical and electronic equipment which is considered to be produced by the manufacturer or importer of the equipment or a seller that sells the equipment under their own name or trademark;

4) batteries and accumulators, including those contained in electrical and electronic equipment, vehicles or other products, which are considered to be produced by the party placing them on the market;

5) newspapers, magazines, office paper and other similar paper products which are considered to be produced by the manufacturer or importer of paper used for the manufacture of paper products or the importer of printed paper products;

6) packaging the producer of which is considered to be the packer of the product or the importer of the packaged product; however, packaging used for the packaging of food and other products at the point of sale to consumers (service packaging) and packaging used for the packaging of unprocessed agricultural and horticultural products (farmer packaging) shall be considered to be produced by their manufacturer or importer;

7) beverage containers and their caps and lids in the category of single-use plastic products sold empty to end-users, the producer of which is considered to be the manufacturer or importer of the product;

8) wet wipes for personal hygiene and consumer use in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

9) air balloons for consumer use in the category of single-use plastic products, the

Proposal

vehicles or equipment which are considered to be produced by the manufacturer, importer or retreader of such tyres or by the importer of a vehicle or equipment fitted with tyres;

2) passenger cars, vans and other comparable vehicles which are considered to be produced by the manufacturer or importer of such a vehicle or the party that imports vehicles into the country on behalf of domestic users;

3) electrical and electronic equipment which is considered to be produced by the manufacturer or importer of the equipment or a seller that sells the equipment under their own name or trademark;

4) batteries and accumulators, including those contained in electrical and electronic equipment, vehicles or other products, which are considered to be produced by the party placing them on the market;

5) newspapers, magazines, office paper and other similar paper products which are considered to be produced by the manufacturer or importer of paper used for the manufacture of paper products or the importer of printed paper products;

6) packaging the producer of which is considered to be the packer of the product or the importer of the packaged product; however, packaging used for the packaging of food and other products at the point of sale to consumers (service packaging) and packaging used for the packaging of unprocessed agricultural and horticultural products (farmer packaging) shall be considered to be produced by their manufacturer or importer;

7) cups for beverages and their caps and lids in the category of single-use plastic products sold empty to end-users, the producer of which is considered to be the manufacturer or importer of the product;

8) wet wipes for personal hygiene and consumer use in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

9) air balloons for consumer use in the category of single-use plastic products, the

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producer of which is considered to be the manufacturer or importer of the product;

10) tobacco products with filters and tobacco filters in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

11) fishing gear containing plastic, the producer of which is considered to be the manufacturer or importer of the product.

Producer liability does not, however, apply to producers of bale feed packaging material.

Further provisions on what the products referred to in subsection 1 and who the producers referred to in that subsection are may be issued by Government Decree. Further provisions on the application of the provisions on producer liability may also be laid issued by Government Decree if the products are acquired from another country or exported via electronic means or other methods of distance selling.

Section 48a

Cost liability of producers of certain single-use plastic products

By way of derogation from section 46(1), the following producers shall only be liable for the costs of waste management and cleaning up operations carried out by municipalities in accordance with section 48b:

1) producers of wet wipes made for personal hygiene and consumer use in the category of single-use plastic products

2) producers of balloons consumer use in the category of single-use plastic products;

3) producers of filtered tobacco products and tobacco filters in the category of single-use plastic products.

The cost liability of producers under subsection 1 above applies to products placed

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producer of which is considered to be the manufacturer or importer of the product;

10) tobacco products with filters and tobacco filters in the category of single-use plastic products, the producer of which is considered to be the manufacturer or importer of the product;

11) fishing gear containing plastic, the producer of which is considered to be the manufacturer or importer of the product;

12) *nicotine pouches that are considered to be produced by the manufacturer or importer of the product.*

Producer liability does not, however, apply to producers of bale feed packaging material.

Further provisions on what the products referred to in subsection 1 and who the producers referred to in that subsection are may be issued by Government Decree. Further provisions on the application of the provisions on producer liability may also be laid issued by Government Decree if the products are acquired from another country or exported via electronic means or other methods of distance selling.

Section 48a

Cost liability of producers of certain single-use plastic products and nicotine pouches

By way of derogation from section 46(1), the following producers shall only be liable for the costs of waste management and cleaning up operations carried out by municipalities in accordance with section 48b:

1) producers of wet wipes made for personal hygiene and consumer use in the category of single-use plastic products

2) producers of balloons consumer use in the category of single-use plastic products;

3) producers of tobacco products with filters and tobacco filters in the category of single-use plastic products;

4) *producers of nicotine pouches.*

The cost liability of producers under subsection 1 above applies to products placed

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on the Finnish market and sold directly to users through distance selling by the producer and to a proportion of other similar products that is considered reasonable given the producer's market share, irrespective of the date they were placed on the market.

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on the Finnish market and sold directly to users through distance selling by the producer and to a proportion of other similar products that is considered reasonable given the producer's market share, irrespective of the date they were placed on the market.

Section 48b

Producer's cost liability for certain waste management and cleaning operations carried out by municipalities

Producers of single-use plastic products referred to in section 48(1)(6) to (10) shall cover the costs of waste management and cleaning up operations resulting from the products to municipalities in the areas referred to in section 48c on an annual basis and by product group, as provided in paragraphs 2 to 4.

Section 48b

Producer's cost liability for certain waste management and cleaning up operations carried out by municipalities

Producers of single-use plastic products referred to in section 48(1)(6-10) and *nicotine pouches referred to in section 48(1)(12)* shall reimburse municipalities annually the costs of waste management and cleaning up operations resulting from the products in the areas referred to in section 48c, as provided in subsections 2 to 5. *The compensation is based on an annual flat rate per inhabitant, the amount for which is determined on the basis of the information available on the costs of waste management and cleaning up operations incurred by the municipalities and the number of inhabitants in the municipality on 31 December in the year in which the costs were incurred.*

Producers of wet wipes and balloons in the category of single-use plastic products shall reimburse municipalities for the costs of cleaning up litter from those products and its transport and treatment.

Producers of *nicotine pouches*, tobacco products with filters and tobacco filters in the category of single-use plastic products shall reimburse municipalities for the costs they incur, as follows:

Producers of wet wipes and balloons in the category of single-use plastic products shall cover the costs incurred by the municipalities in cleaning up litter resulting from those products and its transport and treatment.

The producer of tobacco products with filters and tobacco filters in the category of single-use plastic products shall bear the costs incurred by the municipality, as follows:

1) the organisation of the collection, transport and treatment of waste to prevent litter accumulation resulting from these products, *plus waste containers for tobacco waste*;

2) the cleaning up of litter resulting from those products and the transport and

1) the organisation of the collection, transport and treatment of waste to prevent litter accumulation resulting from the products concerned;

2) the cleaning up of litter resulting from those products and the transport and treatment of the cleaned up litter;

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treatment of the cleaned up litter;

3) information and advice on the measures referred to in paragraphs 1 and 2 and on the prevention of litter.

In addition to what is provided on producer liability in section 46(1), the producer of packaging in the category of single-use plastic products referred to in the Annex and the producer of beverage containers sold empty to end-users that are in the same category shall bear the costs incurred by municipalities associated with litter accumulation resulting from these products, as follows:

1) the collection, transport and treatment of waste organised for prevention purposes;

2) the cleaning up, transport and treatment of litter.

Section 48d

Determination of the producer's liability for costs

The producer's liability for costs referred to in section 48b shall be determined on the following grounds:

1) the producers' share of the costs declared by municipalities for waste management and cleaning up operations carried out in the areas referred to in

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3) information and advice on the measures referred to in paragraphs 1 and 2 and on the prevention of litter.

In addition, the producer of tobacco products with filters and tobacco filters in the category of single-use plastic products shall reimburse municipalities for the costs of acquiring waste receptacles for tobacco waste. By way of derogation from what in paragraph 1 is provided on basing compensation basis on an annual flat rate per inhabitant, the producer shall reimburse the purchase costs of waste receptacles for tobacco waste which are deemed necessary for the prevention and reduction of litter, to reflect the actual costs to the municipalities.

In addition to what is provided on producer liability in section 46(1), the producer of packaging in the category of single-use plastic products referred to in the Annex and the producer of beverage containers sold empty to end-users that are in the same category shall reimburse municipalities for the costs associated with litter accumulation resulting from these products, as follows:

1) the collection, transport and treatment of waste organised for prevention purposes;

2) the cleaning up, transport and treatment of litter.

Section 48d

Criteria for calculating the compensation payable to municipalities by producers

The compensation paid by producers to municipalities referred to in section 48b shall be calculated using the following criteria:

1) the various producers' share of the annual flat rate per inhabitant;

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section 48c, as well as for the advice and information given considered necessary for the prevention and reduction of litter accumulation.

2) the share of each product group referred to in section 48b of the costs referred to in paragraph 1, calculated on the basis of the weight, number of items, volume of the waste and litter, or a combination of these, or some other appropriate factor;

3) the share of the producer or producer organisation of products placed on the Finnish market and sold directly to users through distance selling and the share of other similar products that is considered reasonable given the producer's market share, irrespective of the date when they were placed on the market.

Further provisions on the producers' share of costs referred to in subsection 1(1) and on the allocation of costs by product group referred to in subsection 1(2) may be issued by Government Decree. A derogation from the cost-allocation criterion laid down in the Decree may be made if the producer or producer organisation can show that the share of the product and product group in the collected or cleaned up litter is significantly less than what the cost-allocation criterion laid down in the Decree would indicate, due to changes in circumstances.

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2) the share of each product group referred to in section 48b in the producers' share of the cost referred to in paragraph 1, calculated on the basis of the weight, number of items, volume of the waste and litter, or a combination of these, or some other appropriate factor;

3) the share of the producer or producer organisation of products placed on the Finnish market and sold directly to users through distance selling and the share of other similar products that is considered reasonable given the producer's market share, irrespective of the date when they were placed on the market.

By way of derogation from what is provided in subsection 1 on the criteria for the calculation of the compensation paid by producers, the compensation paid by the producer of tobacco products with filters and tobacco filters referred to in section 48b(4) for the purchase costs of waste receptacles for tobacco waste shall be calculated on the basis of the actual costs incurred by the municipalities and allocated among the producers in accordance with subsection 1(3).

Further provisions on the following shall be laid down by Government Decree:

1) the annual flat rate per inhabitant referred to in section 48b and its allocation to the costs of waste collection, cleaning up litter, and information and advice services;

2) the producers' share of the costs referred to in subsection 1(1);

3) the allocation of costs by product group referred to in subsection 1(2).

The Decree may be adopted for a maximum period of three years at a time.

Section 48e

Reporting and reimbursement of municipal waste management and cleaning costs

To be eligible for the compensation paid by the producer, the municipality must report its waste management and cleaning up costs

Section 48e

Compensation procedure

To be entitled to the compensation paid by producers, the municipality must, by the last working day of May each year, submit to the

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referred to in section 48d for the previous year to the Pirkanmaa Centre for Economic Development, Transport and the Environment by the end of May each year. The notification shall specify the costs incurred in:

- 1) the collection, transport, and treatment of waste organised to prevent littering;
- 2) cleaning up litter and its transport and treatment;
- 3) the acquisition of separate waste receptacles for tobacco waste and the information and advice services referred to in section 48b(3)(3).

The Pirkanmaa Centre for Economic Development, Transport and the Environment shall decide on the compensation to be paid to the municipality with reference to what is provided in section 48d. The decision shall identify the compensation for each producer organisation and producer referred to in section 62 by product group, and shall indicate the total amount of compensation to be paid to each municipality. The producer organisation and the producer shall pay the compensation to the Pirkanmaa Centre for Economic Development, Transport and the Environment, which shall credit it to the accounts of the municipalities. The producer shall pay the costs of collecting the compensation and forwarding it to the authorities.

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Finnish Supervisory Agency a report on the waste management and cleaning up operations carried out in the previous year and their costs. The report must state:

- 1) *the arrangements for the collection of the waste and its transport and treatment, including an estimate of the total costs involved;*
- 2) *the arrangements for cleaning up litter and its transport and treatment, including an estimate of the total costs involved;*
- 3) *the number and cost of purchased waste receptacles for tobacco waste;*
- 4) *the information and advice services relating to tobacco products with filters and tobacco filters and the waste resulting from them, and an estimate of the total costs involved;*
- 5) *the information and advice services relating to nicotine pouches and the waste resulting from them, and an estimate of the total costs involved.*

The Finnish Supervisory Agency shall make a decision on the compensation to be paid to a municipality with reference to what is provided in sections 48b and 48d. The decision shall identify the compensation for each producer organisation and producer referred to in section 62 by product group, and shall indicate the total amount of compensation to be paid to each municipality. The decision shall be accompanied by a summary drawn up on the basis of the reports submitted by the municipalities describing in general terms the operations carried out by the municipalities and their costs. The Finnish Supervisory Agency may make a decision under section 34(2) of the Administrative Procedure Act (434/2003) without consulting the relevant parties, unless there are special grounds for doing so.

The Agency may derogate from the cost-allocation criterion laid down in the Decree referred to in section 48d(3) if the producer or producer organisation can show that the share of the product and product group in the collected or cleaned up litter is

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significantly less than what the cost-allocation criterion laid down in the Decree would indicate, due to changes in circumstances.

The producer organisation and the producer shall pay the compensation to the Finnish Supervisory Agency, which shall credit it to the accounts of the municipalities. The producer shall pay the costs of collecting the compensation and forwarding it to the authorities.

Section 48g

The municipality's responsibilities for preventing litter accumulation from tobacco products

The municipality shall organise the collection of waste from tobacco products referred to in section 48(1)(10) in the areas referred to in section 48c above and advice and information services relating to those products and waste, in accordance with section 51. Further provisions on the minimum number and location of waste receptacles for tobacco waste and the content of the information and advice, with the exception of information on reusable alternatives, may be issued by Government Decree.

Section 51

Producer's obligation to provide information and advice

The producer shall advise the location and opening times of end-of-life product collection points, the waste received there, and other matters necessary for the smooth functioning of the facility. In addition, the producer shall also provide information and advice on measures concerning the reduction in the amount and harmfulness of waste, reuse, the preparatory procedures prior to reuse, the impact and prevention of litter, and

Section 48g

*The municipality's responsibilities for preventing litter from tobacco products **and** nicotine pouches*

The municipality shall organise the collection of waste from tobacco products referred to in section 48(1)(10) in the areas referred to in section 48c above and advice and information services relating to those products and waste *and the products referred to in section 48(1)(12) plus the waste resulting from them*, in accordance with section 51. Further provisions on the minimum number and location of waste receptacles for tobacco waste and the content of the information and advice, with the exception of information on reusable alternatives, may be issued by Government Decree.

Section 51

Producer's obligation to provide information and advice

The producer shall advise the location and opening times of end-of-life product collection points, the waste received there, and other matters necessary for the smooth functioning of the facility. In addition, the producer shall also provide information and advice on measures concerning the reduction in the amount and harmfulness of waste, reuse, the preparatory procedures prior to reuse, the impact and prevention of litter, and

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the reusable alternatives available for the product, where applicable. The information and advice may be different for different product groups. Where necessary, the producer shall arrange information and advice services together with the municipality and other waste management actors. The producer's obligation to provide information and advice shall not apply to a producer as referred to in section 48(1)(10).

The producer shall submit an annual report on the information provided to the Pirkanmaa Centre for Economic Development, Transport and the Environment.

The Pirkanmaa Centre for Economic Development, Transport and the Environment may impose an obligation that is narrower in scope than that laid down in subsections 1 and 2 for a producer that places on the market products intended only for corporate use, where this is appropriate given the nature and extent of the activity.

Further provisions on the producer's obligations referred to in subsections 1 and 2 may be issued by Government Decree.

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the reusable alternatives available for the product, where applicable. The information and advice may be different for different product groups. Where necessary, the producer shall arrange information and advice services together with the municipality and other waste management actors. The producer's obligation to provide information and advice does not apply to a producer as referred to in section 48(1)(10) and (12).

Each year, the producer shall submit a report on the information arrangements to the Finnish Supervisory Agency.

The *Finnish Supervisory Agency* may impose an obligation that is narrower in scope than that laid down in subsections 1 and 2 for a producer that places on the market products intended only for corporate use, where this is appropriate given the nature and extent of the activity.

Further provisions on the producer's obligations referred to in subsections 1 and 2 may be issued by Government Decree.

This Act shall enter into force on [day] [month] 20...

The producer's liability for costs under section 48b of this Act shall apply to a producer of nicotine pouches as from 1 January 2027. To this end, the producer organisation, or the producer referred to in section 62(2), shall submit the application referred to in section 101 for approved entry in the producer register by 30 June 2026 at the latest.

The compensation paid by producers for the costs incurred by municipalities for 2025 is based on sections 48b, 48d and 48e in effect at the time of the entry into force of this Act and the Government Decree issued pursuant to section 48d in effect at the time of the entry into force of this Act, after which the compensation paid by producers to municipalities will be based sections 48 b, 48 d and 48 e of this Act and the Government

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Decree issued pursuant to section 48d and 48e of this Act.



Government Decree

establishing the basis for the calculation of the compensation paid to municipalities by producers of certain plastic products in the period 2026 to 2028

By decision of the Government, the following is enacted under section 48 e of the Waste Act (646/2011):

Section 1

Scope

This Decree lays down the criteria for calculating the compensation paid to municipalities by producers of the products referred to in Section 48b of the Waste Act (646/2011) on the basis of a fixed annual cost per inhabitant for measures taken to prevent and clean up litter.

Section 2

Flat rate per inhabitant and its allocation by operation

The annual flat rate per inhabitant referred to in section 48b(1) of the Waste Act shall be EUR xx per inhabitant, consisting of:

- 1) the costs of waste collection, transport and treatment organised to prevent litter (*collection costs*) at EUR XX per inhabitant;
- 2) the costs of cleaning up litter and its transport and treatment (*cleaning up costs*) at EUR XX per inhabitant;
- 3) the costs of information and advice relating to tobacco products with filters and tobacco filters and the resulting waste at EUR XX per inhabitant;
- 4) the costs of information and advice relating to nicotine pouches and the resulting waste at EUR xx per inhabitant.

Section 3

Allocation of collection costs by product group

The collection costs are allocated by product group as follows, and the remaining costs are borne by the municipalities:

Product group	Share of collection costs
Food packaging in the category of single-use plastic products	xx %
Packaging and wrappers made of flexible material in the category of	xx %

single-use plastic products		
Returnable beverage containers with a capacity of up to 3 litres in the category of single-use plastic products	xx %	
Non-deposit beverage containers with a capacity of up to three litres in the category of single-use plastic products	xx %	
Lightweight plastic carrier bags in the category of single-use plastic products	xx %	
Cups for beverages and their caps and lids in the category of single-use plastic products	xx %	
Tobacco products and filters included in the category of single-use plastic products	xx %	
Nicotine pouches	xx %	

Section 4

Breakdown of cleaning up costs by product group

The cleaning up costs are divided into product groups as follows, and the remaining costs are borne by the municipalities:

Product group	Share of cleaning up costs
Food packaging in the category of single-use plastic products	xx %
Packaging and wrappers made of flexible material in the category of single-use plastic products	xx %
Returnable beverage containers with a capacity of up to three litres in the category of single-use plastic products	xx %
Non-deposit beverage containers with a capacity of up to three litres in the category of single-use plastic products	xx %
Lightweight plastic carrier bags in the category of single-use plastic products	xx %
Cups for beverages and their caps and lids in the category of single-use plastic products	xx %
Tobacco products and filters in the category of single-use plastic products	xx %
Wet wipes in the category of single-use plastic products	xx %
Balloons in the category of single-use plastic products	xx %
Nicotine pouches	xx %

Section 6

Entry into force

This Decree shall enter into force on [date] [month] 20xx.

Directive (EU) 2019/904 of the European Parliament and of the Council (32019L0904); OJ L 155, 12.6.2019, p 1

