In case of any discrepancy between the original Danish text and the English translation of this Act, the Danish text shall prevail.

Order prohibiting the import and sale of products containing lead [1)](https://www.retsinformation.dk/eli/lta/2009/856%22%20%5Cl%20%22Not1)

Pursuant to section 30, section 31, section 45, subsection 1, § 59, para. 4, and section 60 of the Act on Chemical Substances and Products, cf. Executive Order no. 1755 of 22 December 2006, as amended by Act no. 97 of 10 February 2009, stipulates:

Chapter 1

*Area of ​​the Executive Order*

**§ 1.** This Executive Order covers the import and sale of products containing lead.

**§ 2.** By lead is meant the element lead, both in metallic form and in chemical compounds.

*PCS. 2.* Products containing lead means products in which lead is present at more than 100 ppm (mg / kg) in the homogeneous individual parts of the product.

**§ 3.** The rules of the Executive Order do not prevent the import and sale of products that are regulated by other rules issued pursuant to the Chemicals Act or other legislation.

**§ 4. The** Executive Order does not cover the import and sale of products exclusively for export.

**§ 5. The** Executive Order does not include:

1) Raw materials and semi-finished products.

2) Used products that met Danish requirements at the first sale.

3) Lead carbonates and lead sulphates as substances or constituents of chemical products intended for painting covered by Annex XVII to Regulation No 1907/2006 / EC of the European Parliament and of the Council of 18 December 2006.

Chapter 2

*Prohibition on import and sale*

*Chemical compounds of lead*

**§ 6.** Import and sale of products containing chemical compounds of lead is prohibited from 1 March 2001.

*PCS. 2.* Notwithstanding the prohibition in para. 1, the import and sale of products containing chemical compounds of lead is still permitted for the product categories mentioned in Annex 1 to this Order until the times specified in the Annex.

*PCS. 3.* The prohibition in para. 1 does not include products for the repair of existing products.

*Metallic lead*

**§ 7.** Import and sale of products containing metallic lead is prohibited for the product categories mentioned in Appendix 2 to this Executive Order, from the time specified in the appendix.

*PCS. 2.* The prohibition in para. 1 does not cover products for the repair of existing products.

Chapter 3

*Control, dispensation and right of appeal*

**§ 8.** Supervision and control of compliance with the rules in the Executive Order is exercised by the Danish Environmental Protection Agency, cf. the relevant provisions of the Act.

*PCS. (2)* In very special cases, the Danish Environmental Protection Agency may allow the rules in the executive order to be deviated from. The Danish Environmental Protection Agency may set conditions for the permit.

*PCS. 3. The* Danish Environmental Protection Agency's decisions pursuant to subsection 1 and 2 may not be appealed to another administrative authority.

Chapter 4

*Penalty and entry into force*

**§ 9.** Unless a higher penalty is due under other legislation, the person who:

1) importing or selling products in violation of § 6, paragraph 1, or § 7, paragraph 1, or

2) overrides conditions attached to a permit pursuant to section 8, subsection 2.

*PCS. 2.* The penalty may increase to imprisonment for up to 2 years if the offense is committed intentionally or by gross negligence, and if the offense is

1) caused damage to human life or health or caused danger thereof,

2) damage to the environment or risk of harm or

3) obtained or intended a financial benefit, including through savings, for the person himself or others.

*PCS. 3.* Companies etc. (legal persons) may be held criminally liable in accordance with the rules in Chapter 5 of the Criminal Code.

**§ 10. The** Executive Order enters into force on 14 September 2009.

*PCS. 2.* Executive Order no. 1082 of 13 September 2007 on a ban on the import and sale of products containing lead is repealed.

*Ministry of the Environment, 5 September 2009*

Troels Lund Poulsen

/ Claus Torp

**Annex 1**

**List of product categories containing chemical compounds of lead, where import and sale - notwithstanding the prohibition in § 6, para. 1 - is allowed until the stated times**

|  |  |
| --- | --- |
| **Product categories** | **Allowed until** |
| 1. | Highly flexible cables for machine parts, including elevator cables | so far |
| 2. | Superconductors | so far |
| 3. | Ignition set for ammunition and bolt guns | so far |
| 4. | Lead coin for restoration of historical objects | so far |
| 5. | Discharge lamps | so far |
| 6. | Special purpose paints: |   |
|   | - anti-corrosion paint with less than 250 ppm lead | so far |
|   | Anti-fouling paint with less than 1250 ppm lead | so far |
| 7. | Glass for special purposes: | so far |
|   | - light sources |   |
|   | - optics |   |
|   | Radiation protection |   |
|   | Crystal glass |   |
|   | Silicate glass for sandblasting |   |
| 8. | Glazes on spark plugs for outdoor use | so far |
| 9. | Glaze on bricks, bricks and tiles | so far |
| 10. | Electronic components | so far |
| 11. | Products for research, development and laboratory use | so far |

**Appendix 2**

**List of product categories containing metallic lead, where import and sale - in accordance with § 7, para. 1 - is prohibited from the stated times**

|  |  |
| --- | --- |
| **Product categories** | **Prohibited from** |
| 1. | Products for hobby purposes | March 1, 2001 |
| 2. | Tealights and other candles | March 1, 2001 |
| 3. | Curtain weights | March 1, 2001 |
| 4. | Products for decorative purposes, including jewelry | March 1, 2001 |
| 5. | Safety seals | March 1, 2001 |
| 6. | Products for roofing buildings | March 1, 2001 |
| 7. | Products for covering buildings | 1. december 2002 |
| 8. | Products for the repair and conversion and extension of houses, with the exception of listed and worthy of preservation buildings and church buildings of cultural-historical significance | 1. november 2007 |
| 9. | Fishing gear for commercial fishing: |   |
|   | - Import of sink | 1. december 2007 |
|   | Import of sinking lines and seine ropes | 1. december 2011 |
|   | - Sale of sink | June 1, 2008 |
|   | Sale of sink lines and seine ropes | June 1, 2012 |
| 10. | Fishing gear for angling | 1. december 2002 |
| 11. | Soldering alloys for plumbing and plumbing purposes, except for soldering zinc sheets | 1. december 2002 |
| 12. | Sheath for electric earth cables <100 kV AC, with the exception of submarine cables in water and on land | 1. november 2007 |
|   | Sheath for electric earth cables <150 kV DC, with the exception of submarine cables in water and on land | 1. november 2007 |
| 13. | Lead in wheel weights for motor vehicles other than cars designed for the carriage of not more than 9 persons, including the driver (passenger cars) and cars designed for the carriage of goods and having a maximum permissible laden weight not exceeding 3500 kg (vans) | 1. november 2009 |

Official notes

[1)](https://www.retsinformation.dk/eli/lta/2009/856%22%20%5Cl%20%22Henvisning_Not1) Executive Order no. 1082 of 13 September 2007, which replaces this executive order, has been notified as a draft in accordance with Directive 98/34 / EC of the European Parliament and of the Council (Information Procedures Directive) as amended by Directive 98/48 / EC.