



Finland

Extended Producer Responsibility (EPR) for Packaging in Finland

From 2024, packaging accountability in Finland expands to businesses of all sizes. Previously, only companies with a turnover of at least one million euros were subject to manufacturer liability. With the removal of the turnover limit, approximately 30,000 businesses that were formerly outside the realm of manufacturer responsibility will now need to contribute to the expense of recycling the packaging of the products they place on the market.

With the amendment of the Government Decree on Packaging and Packaging Waste (the Waste Act), (1029/2021), which became effective in July 2021, producer liability was also prolonged to online retailers who deliver products subject to producer responsibility via remote selling directly to a user in another country.

Accountability in Finland

Producer responsibility for packaging is applicable to companies that package in Finland, import packaged products, or vend their products into Finland through remote selling. A company is also accountable for its packaging when the packaging or logistics of its products are outsourced to another company.

Producer responsibility means that a company is liable for the entire life cycle of the packaging it introduces to the market. Producer responsibility for packaging is a legal obligation for companies.

The entity overseeing compliance is the ELY Center Pirkanmaa (Center for Economic Development, Transportation, and Environment).

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Definition of Packaging in Finland

Packaging in Finland encompasses the following materials:

- glass (e.g., jars, bottles)
- metal (for instance, cans, barrels, jerry cans, clips, roll cages)
- plastic (e.g., films, foil, bags, caps, canisters, boxes, binding rings, styrox, polystyrene foam)
- paper and cardboard (e.g., boxes, bags, wrappers, rolls, sleeves)
- wood (e.g., pallets, cable reels)

The producer's responsibility for packaging is applicable to all categories of packaging: commercial, group, and transport.

Thresholds

There are no lower quantity minimum quantities. The Waste Act mandates that caution must be exercised to ensure producer responsibility, even if the import volume is only modest.

Producer's Responsibilities under EPR in Finland

Producers dealing with EPR products must undergo registration with the relevant authority to obtain a packaging registration number. This procedure involves:

1 Registration

A company can be accepted into the register of manufacturers as an individual manufacturer. To achieve this, certain conditions must be met, and an application must be submitted to the body overseeing producer responsibility in Finland – the ELY Center in Pirkanmaa.

Alternatively, a company can join a maker community. In this case, the producer community will fulfill all producer responsibility obligations on its behalf for a fee. This is the simplest and most convenient approach. In Finland, there are

currently two producer communities (so-called PRO – producer responsibility organization) in the packaging industry.

2 Fee Payments

Currently, each PRO establishes different criteria to reward and/or penalize packers based on the type of packaging they place on the market.

3 Reporting

The producer shall independently maintain records of the type, quality, and quantity of products they place on the market, as well as the discarded products they receive, and the waste generated as a result. They then submit the specified reports to the regulatory authority.

To support self-monitoring, where necessary, regular checks should be conducted by an independent and professional individual.

Authorized Proxy

Online sellers registered in another country can handle producer liability by joining a manufacturer association or appointing an authorized representative in Finland who will manage producer liability obligations on behalf of the remote seller in accordance with Finnish law.

EPR Reporting Deadline in Finland

As usual, the producer submits annual EPR reports no later than June 30, 2022.

Sanctions

The ELY Pirkanmaa Producer Responsibility Center conducts routine audits to ensure that all producers, importers, remote sellers, and packagers of products covered by producer responsibility are fulfilling their obligations and that producer responsibility is not neglected, with payments shifted to others.

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If a producer liability company has neglected producer responsibility, ELY Center Pirkanmaa can impose a fine for negligence, amounting to 1% of the company's turnover for the previous year. However, the payment is a minimum of 500 euros and a maximum of 500,000 euros. Before determining the payment amount, a written request is sent to the producer to acknowledge producer responsibility.

Failure to provide tracking data may also result in a fine of no less than 500 euros and no more than 10,000 euros.



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