

## **Statutory Order on prohibiting the import and sale of products containing lead<sup>1)</sup>**

Pursuant to sections 30, 31, 45, and 59(4), and section 60 of the Act on Chemical Substances and Products, cf. Consolidated Act no. 1755 of 22 December 2006, the following shall be laid down:

### **Part 1**

#### *Scope*

- 1.** This Statutory Order covers import and sale of products containing lead.
- 2.-(1)** For the purpose of this Statutory Order, "lead" shall mean the element lead, both in metallic form and in chemical compounds.  
**(2)** "Products containing lead" shall mean products in which lead represents more than 100 ppm (mg/kg) of their homogeneous components.  
**(3)** The limit in subsection (2) above shall not, however, apply to lead carbonates and lead sulphates in paint.
- 3.** The rules of this Statutory Order shall not affect import and sale of products regulated under other rules issued in pursuance of the Danish Chemicals Act or other legislation.
- 4.** This Statutory Order shall not apply to import and sale of products exclusively for export.
- 5.** This Statutory Order shall not apply to:
  - 1) raw materials and semi-finished goods.
  - 2) second-hand products that complied with Danish requirements when first sold.

### **Part 2**

#### *Prohibition of import and sale*

#### *Chemical compounds of lead*

**6.-(1)** Import and sale of products containing chemical compounds of lead shall be prohibited from 1 March 2001.

**(2)** Notwithstanding the prohibition in subsection (1), import and sale of products containing chemical compounds of lead shall be permitted for the product categories specified in Annex 1 to this Statutory Order, until the dates stated in the Annex.

**(3)** The prohibition in subsection (1) shall not apply for products for repairing existing products, although not paint containing lead carbonate and lead sulphate.

#### *Metallic lead*

**7.-(1)** Import and sale of products containing metallic lead shall be prohibited for the product categories stated in Annex 2 to this Statutory Order from the dates stated in the Annex.

**(2)** The prohibition in subsection (1) shall not apply for products for repairing existing products.

### **Part 3**

#### *Control, exemptions and right of appeal*

**8.** The Danish Environmental Protection Agency may in exceptional cases permit derogations from the rules of this Statutory Order. The Danish Environmental Protection Agency may stipulate terms for such permits.

**9.-(1)** Supervision and control of compliance with the rules of this Statutory Order shall be carried out by the Danish Environmental Protection Agency, cf. the statutory regulations hereon.

**(2)** Appeals against decisions made by the Danish Environmental Protection Agency under section 8 may not be made to any other administrative authority.

### **Part 4**

#### *Penalties and entry into force*

**10.-(1)** Unless a more severe penalty is due under other legislation, fines shall be imposed for any person who

1) violates sections 6(1) and 7(1) of this Statutory Order, or

2) disregards the terms attached to a permit according to section 8 above.

**(2)** The penalty may be increased to imprisonment for up to two years if the violation is committed intentionally or through gross negligence, and if the violation

1) resulted in harm or risk of harm to the life or welfare of humans or livestock, or

2) caused damage to the environment or gave rise to the danger thereof, or

3) achieved or intended economic advantages, including savings, for the offender or for others.

**(3)** Companies etc. (legal persons) may incur criminal liability under the rules of Part 5 of the Criminal Code.

**11.-(1)** This Statutory Order shall enter into force on 1 November 2007.

**(2)** Statutory Order no. 1012 of 13 November 2000 shall be repealed.

*Ministry of the Environment, 13 September 2007*

Connie Hedegaard

\ Helge Andreasen

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## Annex 1

List of product categories containing chemical compounds of lead where - notwithstanding the prohibition in section 6(1) - import and sale shall be allowed until the dates stated in this Annex

<b>Product categories</b>	<b>Allowed until</b>
1. Highly flexible cables for engine components, including elevator cables	until further notice
2. Superconductors	until further notice
3. Primers for ammunition and bolt guns	until further notice
4. Red lead to restore historical objects	until further notice
5. High-intensity discharge lamps	until further

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		notice
6.	Paint for special purposes: - corrosion inhibiting paint containing less than 250 ppm of lead, although not in the form of lead carbonate and lead sulphate	until further notice
	- antifouling paint containing less than 1250 ppm of lead, although not in the form of lead carbonate and lead sulphate	until further notice
7.	Glass for special purposes: - Light sources - Optics - Radiation protection - Crystal - Silicate glass for sand blasting	until further notice
8.	Glazing on spark plugs for outdoor use	until further notice
9.	Glazing on tiles, bricks, vitrified bricks	until further notice
10.	Electronic components	until further notice
11.	Products for research, development and laboratory use	until further notice

## Annex 2

List of product categories containing metallic lead where - pursuant to section 7 - import and sale shall be prohibited as from the dates stated in this Annex

<b>Product categories</b>	<b>Prohibited from</b>
1. Products for hobby use	1 March 2001
2. Chafing dish candles and other candles	1 March 2001
3. Curtain, drapery weights	1 March 2001
4. Products for decorative use, including jewellery	1 March 2001
5. Security/safety seals	1 March 2001
6. Products for roofing on buildings	1 March 2001
7. Products for flashing and weathering on buildings	1 December 2002
8. Products for repairing, building and rebuilding of houses, with the exception of listed and preservation-worthy buildings and church buildings of cultural-historic significance	1 November 2007
9. Fishing equipment for commercial fishing: - Import of sinkers	1 December 2007
- Import of sinker lines and cables	1 December 2011
- Sale of sinkers	1 June 2008
- Sale of sinker lines and cables	1 June 2012
10. Fishing equipment for sports fishing	1 December 2002
11. Solder alloys for plumbing and metalwork applications, except for soldering zinc plates	1 December 2002
12. Mantles for underground electrical cables < 100 kV AC except for sea cables in water and on land	1 November 2007
Mantles for underground electrical cables < 150 kV DC except for sea cables in water and on land	1 November 2007
13. Lead in wheel weights for vehicles, except for vehicles used for carriage of passengers and comprising no more than eight seats in addition to the driver's seat (cars) and vehicles used for the carriage of goods and having a maximum weight not exceeding 3.5 tonnes (light trucks)	1 November 2009

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## **Official notes**

<sup>1)</sup> This Order was in a draft version notified in accordance with Directive 98/34/EC from the European Parliament and the Council (Information Procedure Directive), as last amended by Directive 98/48/EC of the European Parliament and the Council. This Statutory Order contains provisions implementing Council Directive 89/677/EEC (Official Journal L 398, p. 19).