

Executive Order 830 30/10/1999 on labelling and restriction of the import, sale and use of surface treatment products¹⁾

The following provisions are laid down pursuant to Sections 22, 30, 31, 45, 59 and 60 of the Act on chemical substances and products; cf. Consolidated Act No. 21 of 16 January 1996, as amended through Act No. 424 of 10 June 1997, Act No. 431 of 10 June 1997 and Act No. 231 of 21 April 1999:

Chapter 1

Definitions

Section 1. This Executive Order covers paint, varnish and other similar products in the form of ready-to-use mixtures intended for indoor surface treatment in buildings.

Subsection 2. With code numbers, reference is made to the provisions for the determination thereof in Executive Order No. 301 of 13 May 1993.

Subsection 3. The provisions in this Executive Order that are a consequence of the code number determination shall also apply to chemical substances and products intended for surface treatment in buildings for which no code number should be established; cf. Executive Order No. 302 of 13 May 1993, Section 4.

Chapter 2

Prohibition

Section 2. The import, sale and use of chemical substances and products with the code number 3 or above before the hyphen is prohibited for the non-commercial treatment of indoor ceilings, walls and floors; however, cf. subsection 2.

Subsection 2. Notwithstanding the foregoing, the import, sale and use of chemical substances and products with the code number 3 before the hyphen is permitted for the non-commercial surface treatment of walls in wet rooms and floors.

Chapter 3

Labelling

Section 3. In connection with marketing that is wholly or partly aimed at the general public, chemical substances and products with the code number 4 or above before the hyphen shall be labelled in a legible and indelible way with the phrase "May not be used for walls, ceilings or floors indoors".

Section 4. In connection with marketing that is entirely or partly aimed at the general public, chemical substances and products with the code number 3 before the hyphen shall be labelled in a legible and indelible way with the phrase "When used indoors, for use on walls in wet rooms and on floors only".

Chapter 4

Monitoring

Section 5. The Danish Environmental Protection Agency shall carry out inspection and monitoring to ensure compliance with the regulations in this Executive Order; cf. Chapter 10 of the Act on chemical substances and products.

Chapter 5

Exemptions and appeals

Section 6. In exceptional cases, the Danish Environmental Protection Agency may permit deviations from the regulations in this Executive Order. Appeals against decisions of the Danish Environmental Protection Agency concerning this cannot be made to any other administrative authority.

Chapter 6

Penalties and entry into force

Section 7. Unless a greater penalty is prescribed in accordance with other legislation, a penalty of a fine shall be imposed on anyone who contravenes the regulations in this Executive Order or decisions made pursuant thereto.

Subsection 2. The penalty may be increased to a mitigated prison sentence or imprisonment if the infringement has been committed wilfully or due to gross negligence and if as a result of the infringement:

- 1) injury has been caused to human or animal life or health or a risk of such injury has arisen; or
- 2) damage has been caused to the environment or a risk of such damage has arisen; or
- 3) a financial gain has been obtained or was sought, through savings or other means, for the person in question or others.

Subsection 3. Criminal liability may be imposed on companies and other entities (legal persons) in accordance with the rules in Chapter 5 of the Criminal Code.

Section 8. This Executive Order enters into force on 1 February 2000.

Ministry of the Environment, 30 October 1999

Svend Auken

/Helge Andreasen

Official notes

¹⁾ This Executive Order has been notified in accordance with Directive 98/34/EC.