

Regulation (2018:1462) on producer responsibility for packaging

up to and including SFS 2019:151 **SFS no.:** 2018:1462

Department/authority: The Ministry of the Environment and Energy

Issued: 28/06/2018

Amended: up to and including SFS 2019:151

Amendment record: [SFSR \(Government Offices\)](#)

Source: [Full text \(Government Offices\)](#)

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1 The purpose of this Regulation is

1. to reduce the amount of packaging waste by the following means
 - a) packaging must be produced in such a way that its volume and weight is restricted to the level required to maintain a good standard of safety and hygiene, and
 - b) packaging is used only when necessary,
2. to limit the harm to the environment caused by materials and substances contained in packaging,
3. for producers to provide or join a collection system that assumes operational and financial responsibility for collection and processing of packaging waste,
4. for packaging waste to be disposed of in an acceptable manner in environmental and health terms,
5. to achieve the recycling targets specified in paragraphs 17–25 .

2 This Regulation is issued pursuant to

- Chapter 15, section 12 of the Environmental Code as regards paragraph 42,
- Chapter 15, section 13 of the Environmental Code as regards paragraphs 37–41, 63, 72 and 73,
- Chapter 15, section 15 of the Environmental Code as regards paragraphs 42–53, 58, 59, 61, 62, first subparagraph 1, 64, 65, 71, 75 and 76,
- Chapter 15, section 18 of the Environmental Code as regards paragraph 67,
- Chapter 15, section 39 of the Environmental Code as regards paragraphs 66 and 68(1)(a) and 68(2),
- Chapter 15, section 40 of the Environmental Code as regards paragraphs 62, first subparagraph 2 and 3 and second subparagraph, 68(1)(b) and 74,
- Chapter 15, section 45 of the Environmental Code as regards paragraph 70,
- Chapter 8, section 11 of the Instrument of Government as regards paragraph 79, and

- Chapter 8, section 7 of the Instrument of Government as regards the other provisions.

3 The provisions stating that the municipality must assume responsibility for transport and recycling and disposal of household waste are contained in Chapter 15, paragraph 20 of the Environmental Code. That responsibility is limited by this Regulation only in the case of waste that is given to a party that is permitted to collect waste pursuant to this Regulation.

4 Provisions relating to the obligation to sort packaging waste from other waste and where to leave packaging waste are contained in paragraphs 24(a) and 24(b) of the Waste Regulation (2011:927).

A provision on the obligation for the owner of a residential property to facilitate collection of packaging waste is contained in paragraph 24(e) of the Waste Regulation.

5 Provisions on heavy metals in packaging materials are contained in paragraphs 12–14 of the Regulation (1998:944) on a prohibition etc. in certain cases in connection with handling, import and export of chemical products.

6 Provisions on materials in contact with food are contained in

1. The European Parliament and of the Council Regulation (EC) No 1935/2004 of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC,

2. Commission Regulation (EC) No 1895/2005 of 18 November 2005 on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food,

3. Commission Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice FOR materials and articles intended to come into contact with food,

4. Commission Regulation (EC) No 282/2008 of 27 March 2008 on recycled plastic materials and articles intended to come into contact with foods and amending Regulation (EC) No 2023/2006,

5. Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food,

6. Commission Regulation (EC) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food,

7. Commission Regulation (EU) 2018/213 of 12 February 2018 on the use of bisphenol A in varnishes and coatings intended to come into contact with food and amending Regulation (EU) No 10/2011 as regards the use of that substance in plastic food contact materials, and

8. The Food Regulation (2006:813) and the National Food Agency regulations which are issued pursuant to the Regulation and the Regulation (2008:245) on chemical products and biotechnical organisms.

Words and expressions in the Regulation

7 In this Regulation, "packaging" means a product that has been produced in order to

1. contain, protect or present a product or to be used to deliver or otherwise handle a product, from raw material to final product and from the producer to the user, if the product is

a) consumer packaging due to the fact that, at the point of sale, it constitutes a sales unit for the final user or consumer of the product,

b) group packaging due to the fact that, at the point of sale, it includes a group of a certain number of sales units and can be removed without affecting the goods, regardless of whether the sales units are sold as a group to the final user or consumer or whether the product is used only to complement the shelves at the point of sale,

c) transport packaging due to the fact that it facilitates handling and transport of a number of sales units or group packaging in order to prevent damage during physical handling or transport damage, or

d) service packaging due to the fact that it is filled at the time of sale or used for unprocessed products from agriculture or horticulture, or

2. used as a disposable article for a purpose referred to in 1.

8 In this Regulation, "producer" means a person that professionally

1. fills or otherwise uses packaging other than service packaging in order to protect, present or facilitate handling of a product,

2. imports a packaged product to Sweden,

3. manufactures packaging in Sweden, or

4. imports packaging to Sweden.

9 In this Regulation, "packaging waste" refers to packaging or packaging materials that are waste in accordance with Chapter 15, paragraph 1 of the Environmental Code.

10 In this Regulation, "collection system" means professional collection of packaging waste and "to release packaging on the Swedish market" means making packaging available to another person for the first time in Sweden.

11 In this Regulation, "recycling" means recycling of waste by processing in a production process of waste material for the original purpose of the material or for another purpose. Such processing involving biological treatment will be considered as recycling for the purposes of the Regulation.

Energy recovery will not be considered as recycling for the purposes of the Regulation.

12 In this Regulation "energy recovery" means recycling of waste through use of combustible packaging waste in order to generate energy through direct incineration, with or without other waste but with the use of heat.

13 In this Regulation, "biological treatment" means an aerobic (requiring oxygen) or anaerobic (not requiring oxygen) treatment of the biodegradable parts of packaging waste, if the treatment

1. takes place under controlled conditions using micro-organisms, and
2. means that stabilised organic residues or methane are produced.

For the purposes of this Regulation, depositing of waste will not be considered as biological treatment.

14 Words and expressions in this Regulation otherwise have the same meaning as in Chapter 15 of the Environmental Code.

Area of application

15 This Regulation must

1. not apply to road, rail, ship or air freight containers,
2. as regards paragraph 1(3) and paragraphs 42–62, 64–69, 71, 75 and 76, not apply to bottles or cans contemplated in Regulation (2005:220) on a deposit and return system for plastic bottles and metal cans, and
3. as regards paragraphs 42–69, 75 and 76, not apply to packaging that, due to its previous or remaining contents, constitutes hazardous waste in accordance with the Waste Regulation (2011:927).

Recycling targets

16 The provisions contained in paragraphs 17–25 specify targets for recycling. In order to calculate whether the targets are achieved, the number corresponding to the amount of waste recycled during a calendar year (the recycling amount) must be divided by the number corresponding to the amount of packaging that was manufactured in Sweden or that was imported to Sweden during the same calendar year (the production amount). The amounts must be specified in terms of weight. Any packaging professionally exported from Sweden will not be included when calculating the production amount. The result of the division is the recycling rate, which will be specified as a percentage.

For the purposes of the calculation, waste that was transported to a country outside the EU may be considered to have been recycled only if it is shown that the waste was recycled under conditions corresponding to the requirements of this Regulation.

17 In the case of all packaging waste, the target is a recycling rate of least 55 per cent by 1 January 2020 and thereafter at least 65 per cent.

18 In the case of packaging waste of paperboard, paper, cardboard and corrugated cardboard, the target is a recycling rate of at least 65 per cent by 1 January 2020 and thereafter at least 85 per cent.

19 In the case of packaging waste of plastic other than beverage packaging, the target is a recycling rate of least 30 per cent by 1 January 2020 and thereafter at least 50 per cent.

20 In the case of packaging waste that is beverage packaging of polymeric materials, the target is a recycling rate of at least 90 per cent.

21 In the case of packaging waste of glass, the target is a recycling rate of at least 70 per cent by 1 January 2020 and thereafter at least 90 per cent.

22 In the case of packaging waste of metal other than beverage packaging, the target is a recycling rate of at least 70 per cent by 1 January 2020 and thereafter at least 85 per cent.

23 In the case of packaging waste that is beverage packaging of metal, the target is a recycling rate of at least 90 per cent.

24 In the case of packaging waste of wood, the target is a recycling rate of at least 15 per cent.

25 In the case of packaging waste of materials other than those specified in paragraphs 18–24, the target is a recycling rate of at least 15 per cent.

The assessment of whether a product is packaging

26 A product will be considered as packaging in accordance with this Regulation if the product has the functions specified in paragraph 7, even if the product also has other functions.

The first subparagraph does not apply if

1. the product forms a fixed part of the goods that the product encloses, protect or presents,
2. the product is needed to contain, support or preserve goods throughout their lifetime, and
3. all parts are intended to be used, consumed or disposed of together.

27 For the purposes of paragraph 26, the following types of products will be considered as packaging:

1. flower pots intended only for sales and transport of plants and not intended to accompany the plant throughout its life,
2. CD spindles sold with CDs and not intended for storage,
3. glass bottles for injection solutions,
4. capsules used in coffee and cocoa or milk beverage systems or other beverage systems and which are left empty after use,
5. coat hangers sold with an item of clothing,
6. confectionery boxes,
7. plastic foil around CD cases,

8. mail bags intended for catalogues and periodicals and that contain a periodical,
9. rolls, tubes and cylinders in which flexible materials are rolled, but not rolls, tubes or cylinders which are intended to form parts of manufacturing equipment and which are not used to present goods as a sales unit,
10. a sterile barrier system in the form of bags, trays or other materials required to maintain the sterility of the goods,
11. cake doilies sold with pastries,
12. matchboxes,
13. re-fillable steel cylinders for gas, but not fire extinguishers, and
14. products other than those referred to in 1–13, if the products meet the criteria to be considered as packaging.

28 For the purposes of paragraph 26, the following types of products will not be considered as packaging:

1. flower pots intended to accompany the plant throughout its life,
2. CD, DVD and video film cases sold containing CDs, DVDs or video films,
3. CD spindles sold empty and intended for storage,
4. grave lamps which are containers for candles,
5. coffee capsules for beverage systems, foil bags for coffee and coffee pads made of filter paper which are thrown out along with the coffee product used,
6. coat hangers sold separately,
7. sausage casings,
8. mechanical milling systems that are integrated in refillable containers such as refillable pepper mills,
9. printer cartridges,
10. tea bags,
11. water soluble bags for cleaning agents,
12. wax layers such as those surrounding cheese,
13. toolboxes, and
14. products other than those referred to in 1–13, if the products do not meet the criteria to be considered as packaging.

29 A product will be considered as packaging in accordance with this Regulation if the product is designed for and intended to be filled at the point of sale and serves a packaging function.

If a disposable article is filled when it is sold at the point of sale, it will also be considered as packaging in accordance with this Regulation.

30 For the purposes of paragraph 29, the following types of products will be considered as packaging:

1. aluminium foils,
2. paper or plastic carrier bags,
3. disposable plates and disposable cups,
4. plastic foils,
5. plastic foils for washed clothes in laundries,
6. sandwich bags, and
7. products other than those referred to in 1-6, if the products meet the criteria to be considered as packaging.

31 For the purposes of paragraph 29, the following types of products will not be considered as packaging:

1. baking cases of paper sold without contents,
2. disposable cutlery,
3. stirrers,
4. wrapping paper sold separately,
5. cake doilies sold without pastries, and
6. products other than those referred to in 1-5, if the products do not meet the criteria to be considered as packaging.

32 Packaging components and subordinate elements integrated in the packaging will be considered as part of the packaging in which they are integrated. Subordinate elements that are hung on or attached to a product and that serve a packaging function will be considered as packaging in accordance with this Regulation.

The first subparagraph does not apply to packaging components or subordinate elements that form fixed parts of the product if all parts are intended to be consumed or disposed of together.

33 For the purposes of paragraph 32, the following types of products will be considered as part of packaging:

1. dosage measures that form part of the enclosure of the packaging for cleaning agents,
2. staples,
3. mascara brushes which form part of the enclosure of the packaging,
4. mechanical milling systems that are integrated in filled disposable containers such as pepper mills filled with pepper,
5. plastic sleeves,
6. self-adhesive labels attached to other packaging objects, and
7. products other than those referred to in 1–6, if the products meet the criteria to be considered as part of packaging.

34 Labels hung directly on or attached to goods will be considered as packaging for the purposes of paragraph 32.

35 Radio frequency identification labels (RFID tags) will not be considered as packaging for the purposes of paragraph 32.

Unnecessary packaging

36 In order to reduce the amount of waste in accordance with Chapter 2, paragraph 5 of the Environmental Code, a producer must take advantage of the opportunities existing in the producer's business to limit the use of unnecessary packaging.

Producer responsibility for design of packaging

37 A producer must ensure that the packaging

1. has a volume and weight that is limited to the minimum required to maintain a satisfactory level of safety and hygiene,
2. can be reused or recycled, and
3. is produced in such a way as to minimise emissions of harmful substances and to limit the impact on the environment in general when the packaging waste is processed or residues from processing of the packaging waste are disposed of.

38 Packaging will be considered as reusable in accordance with paragraph 37(2) if the physical characteristics and design of the packaging make it possible to

1. re-use packaging on multiple occasions under normal foreseeable conditions of use,
2. process used packaging in accordance with hygiene and safety requirements for workers, and
3. recover the packaging when it is no longer used.

39 Packaging will be considered as recyclable in accordance with paragraph 37(2) through

1. recycling, if the packaging is produced in such a way that it is possible to use a particular weight percentage of the packaging material for production of saleable products,
2. energy recovery if the packaging waste has a minimum calorific value to provide optimum energy recovery, or
3. composting, if the packaging waste is biodegradable to such a degree that it does not hinder separate collection or hinder the composting process or composting activity that the waste is subject to and is of such a nature that it can be subjected to physical, chemical, thermal or biological degradation in such a way that most of the finished compost is finally broken down to carbon dioxide, biomass and water.

40 /Ceases to apply U:15/04/2019/ Packaging will be considered to meet the requirements in paragraphs 37–39 if

1. it complies with relevant criteria in the harmonised standards
 - SS-EN 13427:2004 edition 2,
 - SS-EN 13428:2004 edition 2,
 - SS-EN 13429:2004 edition 2,
 - SS-EN 13430:2004, edition 2, and
 - SS-EN 13431:2004, edition 2, or
2. the producer otherwise shows that the requirements have been met.

40 /Enters into force I:15/04/2019/ Packaging will be considered to meet the requirements in paragraphs 37–39 if

1. it complies with relevant criteria in the harmonised standards
 - SS-EN 13427:2004 edition 2,
 - SS-EN 13428:2004 edition 2,
 - SS-EN 13429:2004 edition 2,
 - SS-EN 13430:2004 edition 2,
 - SS-EN 13431:2004, edition 2, and
 - SS-EN 13432:2000, edition 1, or
2. the producer otherwise shows that the requirements have been met.

Regulation (2019:151).

Labelling of packaging

41 If a producer labels packaging with information on the packaging materials used, the labelling must take place in accordance with Commission Decision 97/129/EC of 28 January 1997 establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste.

Producer responsibility for handling of packaging waste

42 A producer who releases or provides packaging on the Swedish market must

1. provide a collection system which means that the packaging is collected when it becomes waste and ensure that the system complies with the requirements of this Regulation, or
2. ensure that another person who has a licence to operate a collection system in accordance with paragraph 43 has undertaken to collect the packaging when it becomes waste.

Obligation to hold a licence for a collection system

43 A licence is required to operate a collection system.

No licence is required for collection of sorted packaging waste arising in or in connection with professional activities.

Conditions for a licence

44 A licence in accordance with paragraph 43 may only be granted if the collection system

1. includes packaging waste of all materials,
2. means that anyone who wants to give packaging waste to the system can do so easily and without any payment, and
3. is suitable and nationwide.

When assessing whether a collection system must be considered to be suitable and nationwide in accordance with paragraph 45–51, what emerges from consultation in accordance with this Regulation must be taken into consideration.

Suitable collection systems

45 */Ceases to apply U:01/04/2025/* In order for a collection system to be considered suitable, it must, alone or along with other collection systems that hold a licence,

1. offer removal of household packaging waste of paperboard, paper, cardboard, corrugated cardboard, plastic, glass and metal from at least sixty per cent of all residential properties, and
2. remove packaging waste from properties that have been offered removal and have not declined removal.

If it is suitable according to the circumstances, the requirement for removal from a residential property may be met through collection from a place in the vicinity of the property (local area collection).

45 */Enters into force I:01/04/2025/* In order for a collection system to be considered suitable, it must, alone or along with other collection systems that hold a licence,

1. offer removal of household packaging waste of paperboard, paper, cardboard, corrugated cardboard, plastic, glass and metal from all residential properties, and
2. remove packaging waste from properties that have not declined removal.

If it is suitable according to the circumstances, the requirement for removal from a residential property may be met through collection from a place in the vicinity of the property (local area collection). Regulation (2018:1470).

46 /Ceases to apply U:01/04/2025/ The requirement for removal in accordance with paragraph 45 does not apply to large packaging that seldom exists in a household (bulky rarely-used packaging).

46 /Enters into force I:01/04/2025/ The requirement for removal in accordance with paragraph 45 does not apply

1. to large packaging that is normally seldom used in a household (bulky rarely-used packaging), or
2. if such removal is unsuitable according to the design or location of the property, road safety or other circumstances and the waste is instead collected in a place that, according to circumstances, is as close to the residential property as possible. Regulation (2018:1470).

47 /Ceases to apply U:01/04/2025/ In order to be considered suitable, the collection system must have collection points for the portion of the household packaging waste that is not collected in accordance with paragraph 45. The collection points must be easily accessible for those who wish to dispose of the packaging waste.

47 /Enters into force I:01/04/2025/ In order to be considered suitable, the collection system must have collection points for the portion of household packaging waste that is not collected in accordance with paragraphs 45 or 46(2). The collection points must be easily accessible for those who wish to dispose of the packaging waste.

Regulation (2018:1470).

48 In order to be considered suitable, the collection system must provide collection points for packaging waste deriving from professional activities.

49 In order to be considered suitable, the collection system must process packaging waste collected, promote recycling and make an effective contribution towards the achievement of the recycling targets.

50 In order to be considered suitable, the collection system must

1. provide security equal to the costs of running the business in a way that meets the requirements of this Regulation,
2. cooperate with others that hold a licence to operate a collection system with regard to how costs for handling the packaging waste collected are to be distributed,
3. give producers the opportunity to allow packaging to be included in the system without conditions that discriminate against any producer,
4. be operated so as to meet the requirements for a collection system set out in this Regulation, and
5. otherwise be operated in a way that is acceptable in environmental and health terms.

Nationwide collection system

51 In order to be considered nationwide, the collection system must collect packaging waste in each municipality. Collection points in accordance with paragraphs 47 and 48 must be geographically located wherever reasonable in terms of population density, location of businesses and other circumstances.

Preliminary consultation on a collection system

52 A person who intends to operate a collection system must, before applying for a licence pursuant to paragraph 43, consult others who hold or have applied for a licence under this Regulation or under Regulation (2018:1463) on producer responsibility for recycled paper to operate a collection system and, in that consultation, examine the possibility of coordinating the systems.

53 A person who intends to operate a collection system must, before applying for a licence in accordance with paragraph 43, consult the municipalities and, in that consultation,

1. provide a detailed report on how the system will be organised and operated,
2. provide a detailed report on how the system is intended to be coordinated with other collection systems that hold or that have applied for a licence under this Regulation or under Regulation (2018:1463) on producer responsibility for recycled paper and with the municipalities' obligations with regard to refuse collection,
3. provide a report on any exemptions, licenses or permits existing or to be sought for the activities, and
4. carry out a study on the municipalities' ability to facilitate the creation of the system by allocating locations for collection or adopting other measures.

The municipality must be given an opportunity to comment on the reports referred to in the first subparagraph 1–3.

Examination of applications for a licence to operate a collection system

54 Matters concerning licenses in accordance with paragraph 43 are examined by Naturvårdsverket [the Swedish Environmental Protection Agency].

55 An application for a licence must be submitted in writing and must contain details of

1. the applicant's name, contact details and personal identity or corporate ID number or, if no such number exists, the applicant's national or European tax registration number,
2. how the collection system will be designed and operated,
3. how satisfactory security will be given for the costs associated with collection and processing of the packaging waste that the system will collect in accordance with the undertaking contemplated in paragraph 42(2),
4. what has emerged from the consultation in accordance with paragraphs 52 and 53, and

5. what is otherwise needed for an examination of whether the system is suitable and nationwide in accordance with this Regulation.

56 A licence may only be granted to a person that

1. has the personal, technical, organisational and financial means to operate a collection system that meets the requirements of this Regulation,
2. is a producer or, in accordance with paragraph 42(2), has undertaken to collect packaging waste, and
3. has carried out consultations in accordance with paragraphs 52 and 53.

57 A licence must be limited in time and must be associated with the conditions required for the collection system to meet the requirements of this Regulation throughout the licence period.

Equivalent licences in other countries

58 A person in another country in the EU or European Economic Area who is entitled to collect packaging waste in accordance with a licence or other approval granted in that country (foreign licence) may, instead of applying for a licence in accordance with paragraph 43, ask the Swedish Environmental Protection Agency to examine whether the foreign licence is equivalent to a licence in accordance with paragraph 43 and meets the requirements in this Regulation.

59 If a foreign licence is equivalent to a licence in accordance with paragraph 43 and meets the requirements of this Regulation, the Swedish Environmental Protection Agency will decide that the foreign licence is valid as a licence in accordance with paragraph 43.

Information on licences issued

60 The Swedish Environmental Protection Agency must inform the general public of who holds licences to operate a collection system in accordance with paragraphs 43 or 59.

The operation of a collection system

61 The operator of a collection system must

1. continuously ensure that the system meets the requirements of this Regulation,
2. inform the Swedish Environmental Protection Agency as soon as possible of any changes in the system that may affect the assessment of how the system meets the requirements of this Regulation,
3. inform the Swedish Environmental Protection Agency as soon as possible on what emerges from consultation in accordance with paragraphs 64 and 65, and

4. provide the municipality with the information it requires in order to meet the requirements in paragraph 70 of this Regulation and paragraph 76(a) of the Waste Regulation (2011:927).

62 The operator of a collection system must, by 31 March each year, provide the Swedish Environmental Protection Agency with

1. details of which producers allow packaging to be included in the system, with details of each producer's personal identity or corporate ID number or, if no such number exists, the producer's national or European tax registration number,

2. in the case of packaging waste handled by the system, information on the amount of waste that, during the preceding calendar year, was

a) collected,

b) processed in Sweden,

c) transported to another country for processing and

d) processed in another country, and

3. details otherwise required to report to the European Commission in accordance with European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste worded in accordance with Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018 amending Directive 94/62/EC on packaging and packaging waste.

Details of amounts in accordance with the first subparagraph must be specified in terms of weight. The details in accordance with the first subparagraph 2(b) and 2(d) must be specified in terms of how much has been recycled, how much has been recovered in other ways and how much has been disposed of.

63 With regard to achievement of the targets in this Regulation for packaging waste exported from Sweden to a country outside the EU, the person operating the collection system must be able to show that recycling has taken place in the manner specified in this Regulation.

Consultation during the operation of a collection system

64 A person who operates a collection system must, if necessary, consult others who hold or have applied for a licence to operate a collection system under this Regulation or under Regulation (2018:1463) on producer responsibility for recycled paper on how the systems can be coordinated.

65 The operator of a collection system must, if so required or if a municipality so requests, consult the municipality on

1. how the system is organised and operated,

2. how the system is coordinated with the municipality's refuse collection obligation and with other collection systems that hold or that have applied for a licence under this Regulation or under Regulation (2018:1463) on producer responsibility for recycled paper, and

3. other important matters relating to the system.

Collection of packaging waste by municipalities

66 A municipality may collect sorted packaging waste on behalf of a collection system that holds a licence in accordance with paragraph 43.

Collection of packaging waste from professional activities

67 Sorted packaging waste deriving from or in connection with professional activities may also be collected by a person other than the person that holds a licence in accordance with paragraph 43 if the person collecting the packaging waste notifies the Swedish Environmental Protection Agency and provides details of

1. the collector name, contact details and personal identity or corporate ID number, and
2. the municipalities in which the collection will be operated.

The collector must notify the Swedish Environmental Protection Agency of any changes relating to the details provided in the notification.

68 The person collecting in accordance with paragraph 67 must

1. ensure that
 - a) the packaging waste is processed and handled in a suitable manner so as to promote recycling, and
 - b) the Swedish Environmental Protection Agency receives data corresponding to the data to be submitted in accordance with paragraph 62, first subparagraph 2 and 3 by 31 March each year, or
2. give the packaging waste to a collection system that holds a licence in accordance with paragraph 43 without requesting payment, unless otherwise agreed.

69 The Swedish Environmental Protection Agency must provide the details contemplated in paragraph 67, first subparagraph 1 to the municipalities for which the Swedish Environmental Protection Agency has received notification in accordance with paragraph 67.

The municipality's responsibility to inform

70 § The municipality must inform households of

1. the obligation in accordance with paragraphs 24(a) and 24(b) of the Waste Regulation (2011:927) to sort packaging waste from other waste,
2. how the sorting must be carried out,
3. available collection systems,
4. how households can help to increase recycling, and 5. the recycling results that sorting contributes to.

The municipality must give the operator of a collection system the opportunity to submit comments on the design of the information.

The collection system's responsibility to inform

71 The operator of a collection system must

1. ensure that persons other than households receive corresponding information contemplated in paragraph 70,
2. inform households of the obligation in accordance with paragraphs 24(a) and 24(b) of the Waste Regulation (2011:927) to sort packaging waste from other waste, the aim of recycling packaging waste and the possibility of recycling different packaging materials,
3. inform the producers that allow packaging to be included in the system of the available possibilities for recycling different packaging materials.

Obligation for producers to provide information

72 A producer must provide the Swedish Environmental Protection Agency with details of its name, contact details and personal identity or corporate ID number and, if the producer is subject to the requirements of paragraph 42, how the producer intends to meet the requirements.

The producer must notify the Swedish Environmental Protection Agency of changes relating to the details that have been provided.

73 A producer must submit a report to the Swedish Environmental Protection Agency by 31 March each year if the producer

1. fills or otherwise uses packaging other than service packaging in order to protect, present or facilitate handling of a product,
2. imports a packaged product to Sweden,
3. manufactures service packaging in Sweden, or
4. imports service packaging to Sweden.

The report must contain details of the amount of packaging that the producer has provided or released on the Swedish market in the preceding calendar year.

The details of amounts must be specified in terms of weight.

Reporting

74 The Swedish Environmental Protection Agency must report to the European Commission in accordance with Directive 94/62/EC, in accordance with the wording of Directive (EU) 2018/852.

Review and revoking of licences

75 The Swedish Environmental Protection Agency may, on its own initiative, review a licence in accordance with paragraph 43 if so required in order for the collection system to meet the requirements of this Regulation.

76 The Swedish Environmental Protection Agency may revoke a licence in accordance with paragraph 43 if the collection system fails to meet the requirements of this Regulation.

A licence may not be revoked if the deficiencies are only of minor significance.

Supervision

77 Provisions on supervision are contained in Chapter 26 of the Swedish Environmental Code and in the Environmental Supervision Regulation (2011:13). Provisions concerning the operational supervisory responsibility associated with this Regulation are contained in Chapter 26, paragraph 3, third subparagraph of the Swedish Environmental Code and Chapter 2, paragraphs 4, 24, 29 and 30 of the Environmental Supervision Regulation.

Penalties

78 Provisions on environmental penalty charges are contained in the Regulation (2012:259) on environmental penalty charges.

Authorisation

79 The Swedish Environmental Protection Agency may issue regulations on the enforcement of this Regulation.

Appeals

80 Provisions on appeals are contained in Chapter 19, paragraph 1, third subparagraph of the Swedish Environmental Code.

Transitional provisions

2018:1462

1. This Regulation enters into force on 1 January 2019.
2. This Regulation repeals Regulation (2014:1073) on producer responsibility for packaging.
3. The provision in paragraph 42 is applied for the first time in relation to packaging and goods that are enclosed in or protected or presented by packaging released or provided on the Swedish market after the end of December 2020.

4. The provisions of paragraphs 43–51, 59–61, 63–65, 67, 68(1)(a) and 68(2), 75 and 76 are applied for the first time in relation to collection systems intended to be operated after the end of December 2020.

5. The provisions in paragraphs 52–58 are applied for the first time in relation to applications for licences submitted after the end of December 2019.

6. The provisions in paragraph 66 are applied for the first time in relation to packaging waste collected after the end of December 2020.

7. The provisions in paragraphs 70 and 71 are applied for the first time in relation to information issued after the end of December 2020. 8. The provisions in paragraphs 69 and 72 are applied for the first time in relation to details to be provided after the end of December 2020.

9. The provisions contained in paragraphs 62, 68(1)(b) and 73 are applied for the first time in relation to details relating to the 2021 calendar year.

10. The provisions contained in paragraphs 25–27 of the repealed Regulation (2006:1273) on producer responsibility for packaging still apply to packaging and goods enclosed in or protected or presented by packaging manufactured, sold or imported to Sweden before the end of December 2020. For the purposes of these provisions, a person who professionally manufactures, sells or imports to Sweden packaging or goods enclosed in, protected or presented by packaging is considered to be a producer.

11. The provisions contained in paragraph 28 of the repealed Regulation (2006:1273) on producer responsibility for packaging still apply to waste that has occurred before the end of December 2020. For the purposes of this provision, a person who professionally manufactures, sells or imports to Sweden packaging or goods enclosed in, protected or presented by packaging is considered to be a producer.

12. The provisions contained in paragraphs 29 and 30 of the repealed Regulation (2006:1273) on producer responsibility for packaging still apply to packaging waste that has been collected before the end of December 2020. For the purposes of these provisions, a person who professionally manufactures, sells or imports to Sweden packaging or goods enclosed in, protected or presented by packaging is considered to be a producer.

13. The provisions contained in paragraph 31 of the repealed Regulation (2006:1273) on producer responsibility for packaging still apply to details relating to calendar years up to and including 2020. For the purposes of this provision, a person who professionally manufactures, sells or imports to Sweden packaging or goods enclosed in, protected or presented by packaging is considered to be a producer.