

*The official Swedish wording of the text reproduced here has been published in the Swedish Code of Statutes (SFS) 1998:944, amended by 1998:1431, 1999:620, 1999:1392, 200:1319, 2002:273, 2003:1190, 2005:217, 2005:634, 2005:635, 2006:525, 2006:848, 2006:1075, 2007:987, 2007:988, 2007:1304, 2008:255, 2008:837, 2009:14, 2009:54, 2009:209 and 2009:654. The denomination of the last amendment is shown italicised in parenthesis after each changed Section.*

## **The Chemical Products (Handling, Import, and Export Prohibitions) Ordinance (1998:944)**

[In any dispute relating to this Ordinance, the Swedish text only shall apply]

issued 25 June 1998.

The Government prescribes

**Section 1** This Ordinance shall apply, in addition to the Chemical Products and Biotechnical Organisms Ordinance (1998:941), in respect of the following:

1. cadmium;
2. chlorinated solvents;
3. mercury;
- 4 cadmium, mercury, lead, hexavalent chromium and other chemical products in electrical and electronic products and in batteries;
5. heavy metals in packaging;
6. ammunition that contains lead,
7. textile detergents containing phosphates, and
8. certain other chemical products and goods dangerous to health or the environment.

This Ordinance is issued pursuant to Chapter 14 Section 8 of the Environmental Code with respect to Sections 3, 5–11, 11 b–14 and 14 b–20, pursuant to Section 36 of the Product Safety Act (2004:451) with respect to Sections 15 a–15 c and otherwise pursuant to Chapter 8 Section 13 of the Instrument of Government.

This Ordinance shall not apply to chemical products and biotechnical organisms which are governed by the Medicinal Products Act (1992:859, the Food Act (2006:804) or the Feeding-Substances and Animal Products Act (2006:805). *Ordinance (2009:654).*

**Section 2** Has been abrogated by *Ordinance (2008:654).*

### **Cadmium**

#### **Section 3**

Fertilisers covered by customs tariff numbers 25.10, 28.09, 28.35, 31.03 and 31.05 containing in excess of 100 grams of cadmium per tonne of phosphorus may not be offered for sale or transferred.

The Swedish Chemicals Agency may grant exemptions in individual cases from the prohibition in the first paragraph where exceptional reasons exist therefore. *Ordinance (2009:654).*

**Section 4** Has been abrogated by *Ordinance (2008:654).*

**Section 4 a** Has been abrogated by *Ordinance (2008:255).*

**Section 4 b** Has been abrogated by *Ordinance (2008:255)*.

**Section 4 c** Has been abrogated by *Ordinance (2008:255)*

### ***Chlorinated Solvents***

**Section 5** Chemical products which, in whole or in part, consist of methylene chloride, trichloroethylene, or tetrachloroethylene may not be offered for sale or transferred to consumers for private use.

The Swedish Chemicals Agency may prescribe that goods containing methylene chloride, trichloroethylene, or tetrachloroethylene may not be offered for sale or transferred to consumers for private use.

**Section 6** Chemical products which, in whole or in part, consist of methylene chloride, or trichloroethylene may not be offered for sale, transferred, or used professionally.

**Section 7** The Swedish Chemicals Agency may issue regulations regarding exceptions from the prohibitions set forth in Sections 5 and 6 where particular reasons exist therefore.

The Swedish Chemicals Agency may, in individual cases, grant exemptions from the prohibitions set forth in Sections 5 or 6 where exceptional reasons exist therefore.

### ***Mercury***

**Section 8** 'Mercury' in this Ordinance means mercury and chemical compounds and preparations in which mercury is used or to which mercury has been added.

'Goods containing mercury' in this Ordinance means goods and equipment in which mercury is used or to which mercury has been added. *Ordinance (2009:14)*.

**Section 9** Mercury may not be placed on the Swedish market, used in or professionally exported from Sweden.

Goods containing mercury may not be placed on the Swedish market or professionally exported from Sweden. *Ordinance (2009:14)*.

**Section 10** The prohibitions in Section 9 do not apply to

1. mercury that occurs naturally in coal, ore or ore concentrate,
2. batteries that are covered by the provisions of Section 11 c,
3. packaging and packaging components that are covered by the provisions of Sections 12 and 14,
4. motor vehicles and trailers for these vehicles that are covered by the provisions on type approval in the Vehicles Ordinance (2002:925),
5. light goods vehicles and passenger cars other than European Community type-approved passenger cars that are covered by the Ordinance (2003:208) Prohibiting Certain Metals in Vehicles,
6. products for in-vitro diagnostics that are not covered by the Medical Devices Act (1993:584),
7. medicinal products for human and veterinary use that are covered by the Medicinal Products Act (1992:859) and by the Regulation of the European Parliament and of the Council (EC) No 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency,
8. the uses referred to in Annex XVII (18) of the Regulation of the European Parliament and of the Council (EC) No 1907/2006 of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council

Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EEC and 2000/21/EC, where use in research and development or for analytical purposes or placing on the market for such use is concerned, or

9. professional exporting or importing of

a) goods in connection with repair or calibration abroad,

b) military equipment in connection with exercises, training or international activity, or

c) spare parts and other components for repair and maintenance of equipment

for a specific military purpose, or

10. waste containing mercury exported from Sweden for recycling or disposal.

*Ordinance (2009:654).*

**Section 10 a** Has been abrogated by *Ordinance (2008:654)*.

**Section 11** The Swedish Chemicals Agency may issue regulations concerning exceptions to and, in individual cases, grant exemptions from, the prohibitions in Section 9, if the exception or exemption does not signify any manifest contribution to humans or the environment being exposed to mercury and

1. the use meets an essential public need and no other alternatives are available on the market, or

2. there are special reasons.

A regulation or exemption in accordance with the first paragraph may not be formulated in such a way that it contravenes such prohibitions of discrimination as follow from Sweden's membership of the European Union. *Ordinance (2009:14)*.

### ***Chemical products in electrical and electronic products and in batteries***

**Section 11 a** 'The meaning of 'electrical and electronic products' in this Ordinance is the same as in the Ordinance (2005:209) on Product Responsibility for Electrical and Electronic Products.

The meaning of 'batteries and portable batteries' in this Ordinance is the same as in the Ordinance (2008:834) on Product Responsibility for Batteries.

The meaning of 'batteries of the button cell type' in this Ordinance is small round portable batteries with a greater diameter than height that are used in hearing aids, in watches, in small portable appliances, as back-up power or for other special purposes. *Ordinance (2009:54)*.

**Section 11 b** Without prejudice to what follows from Sections 3, 4, 10 and 11, cadmium, mercury, lead, hexavalent chromium, polybrominated biphenyls or polybrominated diphenyl ethers may not be contained in goods that are placed on the market if the goods are

1. electrical or electronic products that are included in any of the product categories 1-7 or 10 in Annex 1 to the Ordinance (2005:209) on Product Responsibility for Electrical and Electronic Products,

2. luminaires for use in households, or

3. incandescent lamps. *Ordinance (2009:14)*.

**Section 11 c** It is prohibited professionally to offer for sale, transfer or import into Sweden

1. batteries that contain more than 0.0005 per cent by weight of mercury, and

2. portable batteries that contain more than 0.002 per cent by weight of cadmium.

These prohibitions also apply to batteries that are built into electrical or electronic products. *Ordinance (2008:837)*.

**Section 11 d** The prohibition in Section 11 b does not apply to

1. spare parts intended for repair or re-use of electrical and electronic products placed on the market before 1 July 2006,

2. products that are included in or that are manufactured and sold solely to be included in an article not covered by Section 11 b, or

3. products or parts of products related to the protection of essential security interests in a Member State of the European Union, weapons, ammunition or war materiel, if the products have been manufactured for a specific military purpose. (*Ordinance (2008:837)*).

**Section 11 e** The prohibition in the first paragraph of Section 11 c does not apply to batteries of the button cell type that contain no more than 2 per cent by weight of mercury.

The prohibition in the first paragraph of Section 11 c, item 2, does not apply to portable batteries intended to be used in

1. emergency and alarm systems including emergency lighting systems,
2. medical equipment, or
3. cordless portable appliances intended for maintenance, building or construction activity or gardening (electronic hand tools). (*Ordinance (2008:837)*).

**Section 11 f** The Swedish Chemicals Agency may issue such regulations on maximum concentrations and exceptions to Sections 9 and 11 b as are compatible with Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment, most recently amended by Directive 2008/35/EC. (*Ordinance (2009:14)*).

### ***Heavy metals in packaging material***

**Section 12** Packaging and packaging components may not be manufactured, offered for sale, or transferred where the total concentrations of lead, cadmium, mercury, and hexavalent chromium exceed the following values:

1. 600 µg/g,
2. 250 µg/g, after 30 June 1999;
3. 100 µg/g, after 30 June 2001.

Special provisions are set forth in Sections 3 and 4 in respect of use of cadmium substances for surface treatment or as stabilisers or as colouring agents.

The first paragraph does not apply to packaging which was in use before December 1994.

**Section 13** The provisions set forth in Section 12 shall not apply to packaging or packaging components which are exclusively manufactured from such lead crystal as referred to in Council Directive 69/493/EEC of 15 December 1969 on the approximation of laws of the Member States relating to crystal glass, most recently amended by a Council Decision of 1 January 1973.

**Section 14** The Swedish Chemicals Agency may issue regulations regarding exceptions or, in individual cases, grant exemptions from the provisions set forth in Sections 12 and 13, to the extent necessary in order to comply with decisions adopted by the European Commission in accordance with Article 11 of the European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste.

### ***Ammunition that contains lead***

**Section 14 a** This Ordinance defines

*ammunition* as cartridges loaded with shot or with bullets,

*wetlands* as areas covered by vegetation in which the water level lies just below, at the same height as, or just above ground level, and where the water level is allowed to vary according to natural seasonal variations, and

*practical shotgun* as firing at metal targets on a predetermined trail.

*Ordinance (2007:988)*.

**Section 14 b** Cartridges which are loaded with lead shot shall not be used

1. in shooting which is not hunting,
2. in hunting over wetlands, or
3. in hunting over shallow parts of open water. *Ordinance (2007:988).*

**Section 14 c** If, in consideration of purpose or safety in use, there is no acceptable lead-free alternative ammunition, shot which contains lead may, by way of derogation from prohibition contained in Section 14 b (1) be used in

1. test firing,
2. practical shotgun, and
3. tests relating to the hunter's examination for approval as test director.

*Ordinance (2007:988).*

**Section 14 d** The Swedish Environmental Protection Agency may issue regulations concerning

1. exemptions from the prohibition contained in Section 14 b for
  - a) historical shooting
  - b) shooting in the shooting sports disciplines of trap, double trap and skeet, if the rules of the International Shooting Sports Federation do not allow the use of lead-free ammunition in these disciplines,
2. implementation of Section 14 b (3), and
3. in relation to others than the Swedish Armed Forces and the Swedish Defence Materiel Administration, measures which shall be taken in a shooting gallery and on a shooting range where ammunition containing lead is used so that the lead does not cause harm or inconvenience to human health or the environment.. *Ordinance (2007:988).*

### ***Textile detergents containing phosphates***

**Section 14 e** Textile detergents containing phosphates may not be offered for sale or provided to consumers for their private use, if the total concentration of phosphorus exceeds 0.2 per cent by weight (w/w). *Ordinance (2007:1304).*

**Section 14 f** New denomination Section 14 d by *Ordinance (2008:988).*

### ***Certain other products and goods dangerous to health and the environment***

**Section 15** The following chemical products or goods may not be offered for sale or transferred:

1. matches the head composition of which contains white or yellow phosphorus;
2. drain cleaning goods, where the good contains in excess of ten percent acid by weight, or contains in excess of two percent liquid base (lye) by weight;
3. motor radiator fluid, windscreen cleaner fluid, or other automotive care fluid containing methanol, unless the fluid also contains ethanol and the methanol content does not exceed five percent by weight of the quantity of ethanol.

**Section 15 a** The provisions of Sections 15 b and 15 c shall be applied only in respect of products and articles intended for natural persons mainly purchasing for reasons falling outside the scope of trade and industry (consumers). *Ordinance (2009:209).*

**Section 15 b** It is prohibited professionally to make available chemical products, articles or parts of articles, which according to available information contain dimethylfumarate or where the concentration of dimethylfumarate exceeds 0.1 mg/kg. *Ordinance (2009:209).*

**Section 15 c** Anyone who in a professional activity has made available chemical products, articles or parts of articles, which according to available information contain dimethylfumarate or where the concentration of dimethylfumarate exceeds 0.1 mg/kg shall

1. Withdraw the products, articles or parts of articles from the market,
2. Adequately inform consumers of the risks posed by dimethylfumarate,
3. Recall the products, articles or parts of articles. *Ordinance (2009:209)*.

**Section 16** The following type of goods may not be offered for sale or transferred where they contain or have been treated with a chemical product and may thereby be apprehended to cause harm to humans:

1. medical and sanitation items;
2. garments and materials for such;
3. household goods. *Ordinance (1999:620)*.

**Section 16 a** Has been abrogated by *Ordinance (2006:525)*.

**Section 17** In individual cases, the Swedish Chemicals Agency may grant exemptions from Sections 15, 16, or 16a where particular reasons exist therefore. *Ordinance (1999:620)*.

**Section 18** In respect of the spreading of lime or other substances for purpose of counteracting acidification in lakes or watercourses, the County Administrative Board may issue regulations regarding:

1. the precautions to be observed in conjunction with such spreading;
2. the monitory measures otherwise required.

A copy of the County Administrative Board's decision shall be sent to the municipal board(s) which perform duties within the environment and health protection area.

**Section 19** A chemical product which is intended for counteracting oil which has escaped into, or adjacent to, an area of water, or for cleanup as a consequence of such outflow, may only be used in accordance with regulations issued by the Swedish Environmental Protection Agency.

**Section 20** Sewerage sludge for agricultural purposes may be offered for sale and transferred only where the metal content does not exceed the following values:

<i>Metal</i>	<i>mg/kg total solids</i>
Lead	100
Cadmium	2
Copper	600
Chromium	100
Mercury	2.5
Nickel	50
Zinc	800

The Swedish Environmental Protection Agency, taking into consideration Sweden's obligations pursuant to the European Economic Area Treaty as approved by the Swedish Parliament, may grant exemptions from the provisions of paragraphs one and two where particular reasons exist therefore.

### ***Implementation Regulations***

**Section 21** Further regulations regarding the implementation of this Ordinance shall be issued by the Swedish Chemicals Agency.

***Supervision and Fees***

**Section 22** Provisions regarding supervision and fees are set forth in the Environmental Code (Supervision) Ordinance (1998:900), the Environmental Code Fees (Examination/ Determination and Supervision) Ordinance (1998:940), and the Chemical Charges Ordinance (1998:942). *Ordinance (1998:1431)*.

***Appeals***

**Section 23** Chapter 19, Section 1 of the Environmental Code prescribes rules regarding appeals.

***Penalties and Forfeiture***

**Section 24** Chapter 29 of the Environmental Code prescribes rules regarding penalties and forfeiture.

***Transitional provisions***


---

1998:944

This Ordinance comes into force on 1 January 1999 and thereby revokes:

1. The Cadmium Ordinance (1985:839);
  2. The Ordinance on Certain Products Hazardous to Health and to the Environment Etc. (1985:840);
  3. The Chlorinated Solvents (Certain) Ordinance (1991:1289);
  4. The Mercury-containing Products (Certain) Ordinance (1991:1290),
  5. The Ordinance on Highest Permitted Concentration of Heavy Metals (Certain) in Packaging (1997:186)
- 

1999:620

This Ordinance shall enter into force on 1 August 1999. Toys and childcare articles as referred to in Section 16 a, first sentence, in respect of which purchase agreements have been concluded prior to the date of entry into force, may be offered for sale and transferred up to and including 31 March 2000.

As a result of 1999:1392, which comes into force on 1 January 2000, the transitional provisions to 1999:620 have the following wording:

Toys and childcare articles as referred to in Section 16 a, first sentence, in respect of which purchase agreements have been concluded prior to 1 August 1999, may be offered for sale and transferred up to and including 31 March 2000. However, the offer for sale and transfer may not take place with respect to toys and childcare articles which are intended to be placed in the mouth by children under three years of age and which are manufactured, or partially manufactured, of soft PVC plastic which contains more than 0.1 percent by weight of one or more of the following substances: di-iso-nonyl phthalate (DINP), CAS no. 28553-12-0, EINECS no. 249-079-5, di(2-ethylhexyl) phthalate (DEHP), CAS no. 117-81-7, EINECS no. 204-211-0, di-n-octyl phthalate (DNOP), CAS no. 117-84-0, EINECS no. 204-214-7, di-iso-decyl phthalate (DIDP), CAS no. 26761-40-0, EINECS no. 247-977-1, butylbenzyl phthalate (BBP), CAS no. 85-68-7, EINECS no. 201-622-7 and dibutyl phthalate (DBP), CAS no. 84-74-2, EINECS no. 201-557-4.

---

2007:1304

1. This Ordinance comes into force on 1 March 2008.
  2. Notwithstanding the prohibition in Section 14 e, textile detergents that were manufactured before 1 March 2008 may be offered for sale or provided up to and including 31 August 2008.
- 

2009:14

1. This Ordinance comes into force on 1 June 2009.
2. For chloralkali production, mercury may, despite the prohibition in the first paragraph of Section 9, be placed on the market in Sweden up to and including 31 December 2013.



---

2009:54

This Ordinance (2008:837) comes into force on 1 January 2009. The prohibition in Section 11 c does not apply to batteries that were placed on the market before 26 September 2008.