

Publisher: Parliament
 Type of act: the law
 Type of text: full text
 Entry into force of the revision: 01.01.2024
 Expiry of revision: Currently valid
 Disclosure notice: RT I, 21.09.2023, 6

Packaging Act¹

Adopted 21.04.2004
 RT I 2004, 41, 278
 entry into force 01.06.2004

Amended by the following acts

Reception	Publication	Enforcement
15.12.2004	RT I 2004, 89, 611	07.01.2005, partially 01.05.2005
16.06.2005	RT I 2005, 37, 288	10.07.2005
24.01.2007	RT I 2007, 12, 66	01.01.2008
13.12.2007	RT I 2008, 1, 4	14.01.2008
24/04/2008	RT I 2008, 20, 138	31.05.2008, partially 01.01.2009
30.09.2009	RT I 2009, 49, 331	01.01.2010
17.02.2010	RT I 2010, 10, 45	15.03.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
20.05.2010	RT I 2010, 28, 145	19.06.2010
21.03.2012	RT I, 04.04.2012, 2	14.04.2012
20.02.2014	RT I, 06.03.2014, 1	16.03.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
07.05.2014	RT I, 17.05.2014, 1	27.05.2014, partially 01.01.2015
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ subsection 4 of the Government of the Republic Act.
09.12.2015	RT I, 23.12.2015, 2	01.01.2016
21.03.2017	RT I, 07.04.2017, 1	17.04.2017, partially 31.12.2018
21.11.2018	RT I, 12.12.2018, 3	01.01.2019
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
10.06.2020	RT I, 01.07.2020, 1	01.01.2021
17.06.2020	RT I, 10.07.2020, 2	01.01.2021
21.04.2021	RT I, 05.05.2021, 1	15.05.2021
13.02.2023	RT I, 07.03.2023, 1	01.05.2023, partially 01.01.2024
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; On the basis of § 105.19 subsection 6 of the Government of the Republic Act, the word "Environment Ministry" has been replaced throughout the text with the word "Climate Ministry" in the corresponding case

Chapter 1 general settings

§ 1. Scope of the Act

(1) This Act stipulates the general requirements for packaging and the use of packaging, measures to prevent and reduce packaging and packaging waste, the organization of the packaging and packaging waste recycling system, requirements for auditor control and recycling target numbers, requirements for the control of data submitted to the packaging register and the basis for state supervision of requirements and responsibility for non-fulfillment of established requirements for.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) This Act covers all packaging of goods placed on the market in the Republic of Estonia and packaging waste generated, regardless of whether they are in use or generated in industry, commercial activities, everyday life, public authorities or elsewhere, and regardless of the materials used.

(3) This Act regulates the handling of packaging waste to the extent that it is not regulated by the Waste Act. If there are requirements for the packaging in other legislation regarding safety, health protection and transport, the Packaging Act is applied with the differences arising from these legislations.

(4) The provisions of the Administrative Procedure Act apply to the administrative procedure prescribed by this Act, taking into account the specifics of this Act.

(5) The Act on the General Part of the Code of Economic Activities shall apply to the procedure for the activity permit provided for in this Act, taking into account the differences provided for in this Act.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(6) The provisions of the Product Conformity Act also apply to the provisions of this Act, taking into account the differences arising from this Act.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 2. Packaging

(1) Packaging is a product made of any material that is used to contain, protect, handle, deliver or present goods during the life cycle of the goods: from raw material to finished goods and from the producer to the consumer. Disposable packaging used for the same purpose is also considered packaging.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(2) Designation of a product as a package is based on the following criteria:

1) a product is considered a package if it meets the definition provided in subsection 1 of this section, without limiting other possible functions of using the package, except for the situation when the package is an integral part of the product contained in it and must contain, support or preserve the product and its parts throughout their useful life and if the package and the product inside it are intended for use, consumption or disposal together;

2) a product designed and designated for filling at the point of sale, and a single-use product that is sold, filled or designated for filling at the point of sale, are considered packaging if this product fulfills the function of packaging;

3) package components and additional elements permanently connected to the package are considered parts of the package to which they are connected. An additional element that hangs directly from the product or is attached to the product and fulfills the function of packaging is also considered packaging, unless this element is an integral part of the product and is intended for consumption or disposal together with the product.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(3) When defining a product as a package, the explanatory examples stipulated in Annex I of the European Commission Directive 2013/2/EU amending Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste (OJ L 037, 08.02. 2013, pp. 10–12).

[RT I, 06.03.2014, 1 - enters into force. 16.03.2014]

§ 3. Types of packaging

(1) The types of packaging within the meaning of this Act are the following:

1) sales packaging or primary packaging – a part of the sales unit assigned to be handed over to the end user or consumer at the point of sale. The packaging specified in § 2 (2) point 2 of this Act is also considered sales packaging;

2) group packaging or secondary packaging - intended for grouping a certain number of sales units at the point of sale, regardless of whether the group packaging is sold together with the goods to the end user or consumer or is used only to simplify the handling of the goods, protect or present the goods, whereas the group packaging can be removed without changing the product's properties;

3) transport packaging or third packaging - intended for handling and transport of a certain number of sales units or goods in group packaging in order to avoid physical damage to the goods during transport, road, rail, sea and air transport containers are not included here.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(2) Depending on the times of use of the packaging, the subtypes of the types of packaging specified in subsection 1 of this section are as follows:

[RT I, 17.05.2014, 1 - entered into force. 27.05.2014]

1) reusable packaging - packaging designed, manufactured and placed on the market for multiple transport or use during its life cycle, which is filled or reused for the same purpose for which it was manufactured;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2) disposable packaging - intended for one-time use only.

(3) The types of packaging material are as follows:

1) glass - all types of fused inorganic glass, the combined nomenclature group of which is 70 in accordance with Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and the unified customs tariff (OJ L 256, 07.09.1987 , pp. 1–675);

2) plastic - polymer of Regulation (EC) No. 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) and which establishes the European Chemicals Agency and amends Directive 1999/45/EC and repeals the Council Regulation (EEC) No. 793/93, 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/EC and 2000/21 /EC (OJ L 396, 30.12.2006, pp. 1–850), within the meaning of Article 3, point 5, and all materials based on natural or artificial polymers in both single- and multi-layered versions, whose combined nomenclature group is 39 in accordance with Council Regulation (EEC) no. 2658/87;

[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

3) ferrous metal - steel whose combined nomenclature group is 73 according to Council Regulation (EEC) No. 2658/87;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

3) non-ferrous metal - aluminum, the combined nomenclature group of which is 76, and other metals used as packaging materials belonging to division XV (base metals and products made from them) of the combined nomenclature according to Council Regulation (EEC) No. 2658/87;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

4) paper and cardboard, including laminated cardboard, whose combined nomenclature group is 48 in accordance with Council Regulation (EEC) No. 2658/87;

- 5) wood;
- 6) other material.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

1

(3) Composite packaging is packaging made of two or more layers of different materials that cannot be separated from each other by hand and that form an integral whole consisting of an inner container and an outer casing, which is filled, stored, transported and emptied.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

3

(3) Plastic that degrades under the action of oxidants is a plastic material within the meaning of § 7 subsection 3 of the Waste Act.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

3

3

(3) Biodegradable plastic is a plastic material within the meaning of § 7 subsection 4 of the Waste Act.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(4) A plastic carrier bag is a carrier bag made of plastic with or without handles, which the consumer receives at the point of sale.

[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

(5) The types of plastic carrier bag are as follows:

- 1) thin plastic carrier bag – plastic carrier bag that is thinner than 50 microns;
- 2) extra-thin plastic carrier bag – a plastic carrier bag that is thinner than 15 microns and is used to ensure hygiene or for the primary packaging of bulk food, if it helps to prevent food waste;
- 3) plastic carrier bag degradable by oxidants - plastic carrier bag made of plastic containing additives that cause decomposition into microparticles.

[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

2

(6) A single-use plastic product is a plastic product within the meaning of § 22 of the Waste Act .

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(7) The types of single-use plastic products are the following:

- 1) beverage packaging – a beverage container with a cap or lid that can hold up to three liters of liquid;
- 2) beverage bottle – a beverage package with a cap or lid and a narrower neck or mouth that can hold up to three liters of liquid;
- 3) drinking cup - a drinking container with a cap or lid, which is intended either for filling at the point of sale or which is sold separately for personal use;
- 4) food packaging - a container with or without a lid, from which ready-made food is offered on the spot or for takeaway, which is usually consumed from the same container without additional cooking, boiling or heating;
- 5) package and packaging material made of flexible material – a package or packaging material intended for offering ready-made food intended for immediate direct consumption;
- 6) thin plastic carrying bag.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(8) A package containing more than one person's portion or a package containing one person's portion, which is sold in more than one item, is not considered to be a food package specified in Clause 7, Clause 4 of this section.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 4. Packaging waste

For the purposes of this Act, packaging waste is any packaging or packaging material that becomes waste within the meaning of § 2 of the Waste Act after the packaging has been used. Residues generated during the production of packaging and packaging material are not considered packaging waste.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

§ 5. Avoidance of packaging and packaging waste and restriction of placing single-use plastic products on the market

[RT I, 07.03.2023, 1 - entered into force. 01.05.2023]

(1) Prevention of packaging and packaging waste is prevention of waste generation within the meaning of § 22 of the Waste Act.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) At the point of sale of the packaging company:

1) thin and extra-thin plastic carrier bags may not be given to the consumer free of charge, with the exception of extra-thin plastic carrier bags that are used to ensure hygiene or for the primary packaging of bulk food, if this helps prevent food waste;

[RT I, 07.04.2017, 1 - enters into force. 31.12.2018]

2) the consumer must be offered other options for packaging the goods in addition to a thin plastic carrier bag, including an especially thin plastic carrier bag;

[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

3) the sale or free giving of plastic carrier bags that break down due to oxidants must be avoided;

[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

4) the end user and consumer must be given information about the availability of reusable food packaging and drink cups, including under what conditions the point of sale accepts the sale of ready-made food and drink without packaging in the end user's or consumer's reusable food packaging or drink cup.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(3) It is prohibited to place on the market packaging made of plastic that degrades under the action of oxidants, as well as the following disposable plastic products made of expanded polystyrene:

- 1) food packaging;
- 2) beverage packages;
- 3) drinking cups.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

8

(4) In subsection 3 of this section, placing on the market is considered within the meaning of § 23 subsection 1 of the Waste Act .
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(5) The packaging company shall take measures to achieve the ambitious and continuous reduction in the consumption of single-use plastic products specified in clauses 3 and 4 of § 3 (7) of this Act in accordance with the general objectives of the waste policy, especially the prevention of waste generation, which should significantly reverse the trend of ever-increasing consumption.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(6) With the measures specified in subsection 5 of this section, a measurable reduction in the consumption of single-use plastic products specified in clauses 3 and 4 of § 3 (7) of this Act must be achieved by 2026 compared to the calendar year for which the packaging company is obliged to submit data on single-use plastic products to the packaging register for the first time.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(7) In order to describe the measures specified in subsection 5 of this section, the packaging company must prepare an action plan, which will be published on the company's website if it exists.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(8) It is allowed to use only reusable containers and cutlery for serving food and drink at public events.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

1

§ 5 . Handling of packaging waste

Packaging waste management is waste management within the meaning of § 13 of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

§ 5 . Collection of packaging waste

The collection of packaging waste is the collection of waste within the meaning of § 14 (1) of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

3

§ 5 . Separate collection of packaging waste

Separate collection of packaging waste is separate collection of waste within the meaning of § 14 subsection 1 of the Waste Act .
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 6. Reuse of packaging

Reuse of packaging is reuse within the meaning of § 14 of the Waste Act .
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

§ 6 . Processing of packaging waste

Packaging waste processing is waste processing within the meaning of § 16 of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 7. Recycling of packaging waste

(1) The recycling of packaging waste is the recycling of waste within the meaning of § 15 of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

§ 8. Recycling of packaging waste

(1) Recycling of packaging waste is waste recycling within the meaning of § 15 subsection 4 of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

1

§ 8 . Disposal of packaging waste

The disposal of packaging waste is the disposal of waste within the meaning of § 17 (1) of the Waste Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 9. Energy use of packaging waste

The energy use of packaging waste is the use of combustible packaging material to produce energy by directly burning packaging waste separately or together with other waste, using the generated heat.

1

§ 9 . Launching packaged goods on the market

For the purposes of this law, placing packaged goods on the market in Estonia means making your own packaged goods or imported packaged goods available for distribution or use in Estonia for the first time. If the goods are repackaged, making the repackaged goods available for the first time in Estonia is also considered as placing the packaged goods on the market.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

§ 10. Packaging company

A packaging entrepreneur is a person who packages goods, imports or sells packaged goods as part of economic or professional activities.

1

§ 10 . Recycling organization

(1) A recycling organization is a legal entity whose founders and members are packaging companies or legal entities formed by them, whose members, partners or shareholders are packaging companies.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(2) The task of the recycling organization is to organize the nationwide collection and recycling of packaging and packaging waste

1

from packaging companies that have transferred their responsibilities to it on the basis of § 12 (2) of this Act, and to further develop the recycling system with the aim of ensuring the recycling of packaging waste at least to the extent of the recycling targets set out in § 36 of this Act.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

§ 10 . Proxy holder

An authorized representative within the meaning of this Act is a person who fulfills the obligations related to the extended producer responsibility systems of the packaging company in the territory of the Member State, if the packaging company does not have a location in the Member State. Powers of attorney are valid only if approved in writing by the authorized representative. The authorized representative performs the tasks specified in the authorization received from the packaging company.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 11. Participant in economic activity

For the purposes of this Act, a participant in economic activity is a packaging company, packaging manufacturer, a person who supplies, produces or processes packaging material, a recycling organization, a packaging waste handler and an administrative body.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 12. Consent for voluntary cooperation

Consent for voluntary cooperation is a cooperation agreement concluded between the Ministry of Climate and a participant in economic activity for the better implementation of the goals of this Act, which can be joined by all persons who wish to fulfill the conditions of cooperation. This cooperation agreement cannot transfer obligations or responsibilities arising from this law.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

1

§ 12 . The principle of extended producer responsibility

(1) The packaging company is obliged to ensure the packaging of the packaged goods placed on the market and the handling of the waste generated from the packaging and to bear the costs thereof.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) The packaging company can choose whether it fulfills the obligations individually or transfers them to a recycling organization with a written contract. If the packaging company transfers the obligations stipulated in subsection 1 of this section to the recycling organization, the recycling organization is responsible for fulfilling these obligations.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(3) The packaging company and the recycling organization must ensure the necessary financial or financial and organizational resources to fulfill the obligations stipulated in subsection 1 of this section.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(4) The packaging company is obliged to bear at least the costs incurred in the handling of packaging and packaging waste:

1) during the separate collection and subsequent transportation and processing of packaging and packaging waste, including the processing necessary to achieve the target figures set out in § 36 of this Act, taking into account the relevant products income from the reuse, sale or unclaimed deposit fees of secondary raw materials;

2) information activities, data collection and presentation.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

(4) In relation to the single-use plastic products specified in § 3 subsection 7 of this Act, the packaging company is also required to bear the costs related to:

1) the collection of waste from the relevant packaging discarded in public collection systems, including the infrastructure and its operation, and the further transport and handling of this packaging waste ;

2) by cleaning up the garbage from the relevant packaging and its further transport and handling.

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

2 1
(4) The costs described in subsection 4 of this section may not exceed the costs of the cost-effective provision of the services described in the said subsection. Costs are determined in a transparent manner between the relevant actors. In the case of garbage collection costs, it is limited to public sector institutions or their authorized activities.

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

3 1 of this
(4) The methodology for uniform calculation of costs and the procedure for determining costs provided for in subsection 4 section shall be established by a regulation

of the minister responsible for the field .

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

(5) The costs specified in subsection 4 of this section may not exceed the costs necessary for the provision of cost-effective waste management services. Costs are determined in a transparent manner between the relevant actors.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(6) The packaging company has the obligation to bear the costs provided for in Clause 4, Clause 1 of this section only if the actions that caused the cost were performed by itself, they were performed under its authority, or it has previously refused to perform these actions or grant authorization without a legal basis.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(7) A packaging company whose registered office is not in Estonia, but which, regardless of the sales method, puts packaging on the market in Estonia in the course of economic or professional activity, must appoint an authorized representative, a natural or legal person residing or located in Estonia, who will fulfill the obligations imposed on the packaging company by this Act on his behalf.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(8) A packaging company that, in the course of economic or professional activity, places the single-use plastic products specified in subsection 3 (7) of § 3 of this Act on the market of another European Union member state, where it does not have a registered office, appoints an authorized representative who is a natural or legal person residing or having a registered office in that member state, who performs the obligations placed on the packaging company on his behalf in that Member State.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

Chapter 2 PACKAGING REQUIREMENTS

§ 13. General requirements for the manufacture and use of packaging

(1) The packaging must fulfill its purpose with the smallest possible volume and weight, ensure the required level of safety and hygiene, be suitable for the packaged goods and acceptable to the consumer.

(2) The packaging must be designed, manufactured and sold in such a way that its reuse or the recycling of packaging waste is possible, including recycling in accordance with the waste hierarchy specified in § 22 of the Waste Act , and the elimination of packaging waste or waste arising from its processing excludes a negative impact on the environment.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(3) The packaging must be made in such a way that the content and harmful effects of hazardous substances in the packaging material and other components of the packaging are reduced to a level that would minimize their presence in emissions, ash or leachate, if the packaging or the residues from its handling are burned or deposited in a landfill.

(4) The following requirements are simultaneously applied to reusable packaging:

- 1) the physical properties and technical solution of the packaging must enable the planned number of transport and use times;
- 2) used packaging must be able to be processed in accordance with occupational health and safety and other safety requirements;

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

3) if the packaging is no longer reusable and becomes waste, the requirements for reusable packaging set forth in subsection 5 of this section must be met.

(5) The following requirements apply to reusable packaging:

1) packaging, the recycling of waste of which is carried out by recycling the material, must be made in a way that allows a certain part of its material to be recycled and used in the production of salable goods, while the proportion of recyclable material may depend on the material used to make the packaging ;

2) the packaging, the purpose of which is the recycling of waste, is energy use, must have a minimum calorific value, which would enable the optimization of energy use;

3) the packaging, the waste of which is composted for the purpose of recycling, must be biodegradable, but this must not prevent the separate collection of packaging waste, composting or other operations intended for its handling;

4) biodegradable packaging must be made in such a way that most of the compost generated by the physical, chemical, thermal or biological decomposition of its waste breaks down into carbon dioxide, biomass and water.

(6) Plastic packaging that degrades due to oxidants is not considered biodegradable packaging.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1 § 13 . Presumption of compliance with packaging design and manufacturing requirements

(1) If a harmonized standard has been followed during the design and manufacture of the packaging, the announcement of which has been published in the Official Journal of the European Union, it is assumed that the packaging conforming to such a standard meets the requirements of § 13 of this Act with regard to the requirements covered by the standard.

(2) Information on the Estonian standards adopting the standards specified in subsection 1 of this section and the standards specified in subsection 3 of Article 9 of the Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste (OJ L 365, 31.12.1994, pp. 10–23) shall be published by Estonian standardization organization in the official publication made available on its website.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 14. Content of heavy metals in packaging

(1) The total content of the heavy metals lead, cadmium, mercury and hexavalent chromium in the packaging and in the ingredients of the packaging must not exceed 100 milligrams per kilogram.

(2) Subsection 1 of this section does not apply to packaging made of the kind of lead-containing crystal glass specified in Annex 2 of EC Council Directive 69/493/EC on the harmonization of crystal glass-related legislation of the member states (OJ L 326, 29.12.1969, p. 36).

(3) Paragraph 1 of this section does not apply to plastic boxes and trays in accordance with the decision of the European Commission 1999/177/EC, which establishes the conditions for an exception for plastic boxes and trays in relation to heavy metals established in Directive 94/62/EC of the European Parliament and the Council of the EU on packaging and packaging waste with concentration levels (OJ L 056, 04.03.1999, pp. 47–48), and for glass packaging in accordance with the European Commission's decision 2001/171/EC, which establishes exemption conditions for glass packaging in relation to packaging and packaging waste in the European Parliament and EU Council Directive 94/62/EC with the established heavy metal concentration levels (OJ L 062, 02.03.2001, pp. 20–21).

Chapter 3 ORGANIZING COLLECTION AND RECYCLING OF PACKAGING AND PACKAGING WASTE

§ 15. Obligations of the local self-government body in organizing the collection and recycling of packaging and packaging waste

(1) The local self-government body determines the collection methods of packaging and packaging waste in its administrative territory and stipulates them in the waste management regulations.

(2) The waste plan of the local government unit deals separately with the organization and development of the collection and recycling of packaging and packaging waste and the measures to achieve the set goals.

§ 16. Obligations of the packaging company in the collection and recycling of packaging and packaging waste

(1) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(2) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(3) A packaging company that places packaged goods with a packaging weight of more than five tons on the market per year and

1)

does not transfer the obligations specified in § 12 (subsection (1) of this Act to a recycling organization must organize the collection of packaging waste from its goods at each point of sale of its goods, inform consumers about the possibility of returning packaging waste to the point of sale and the collection and recycling of packaging waste for your goods separately for each point of sale.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

(3) The packaging company specified in subsection 3 of this section must submit the following data and documents at the request of the person with the right of supervision:

1) the mass of waste generated from the packaging of goods placed on the market by type of packaging material;

2) list of sales points;

3) data on the organization of the collection of packaging waste at each point of sale and the locations of the collection points;

4) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021] 5) written contracts concluded with an enterprise that recycles packaging waste. [RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

2

(3) [Repealed - RT I, 05.05.2021, 1 - entered into force. 15.05.2021]

(4) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(5) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(6) The procedure for calculating target figures for packaging reuse and recycling of packaging and packaging waste, including recycling, shall be established by a regulation of the minister responsible for the field , taking into account the provisions of Article 6a of Directive 94/62/EC of the European Parliament and of the Council.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

§ 17. Activity permit of a recycling organization

The recycling organization must have an activity permit.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

1

§ 17 . Requirements for packaging waste collection points

(1) When collecting packaging waste without a deposit, the recycling organization must ensure that the density of collection points for each recycling organization is as follows:

[RT I, 17.05.2014, 1 - entry into force. 01.01.2015]

1) if the population density in a densely populated area is more than 1,000 inhabitants per square kilometer - at least one collection

point within a radius of 500 meters from the waste holder;

2) if the population density in a densely populated area is more than 500 inhabitants per one square kilometer - at least one collection point within 1000 meters of the waste holder;

3) if the population density is less than 500 inhabitants per square kilometer - in settlements located on the territory of the local government, with the calculation of one collection point per 500 inhabitants.

1

(1) When evaluating the fulfillment of the conditions listed in subsection 1 of this section, only those deposit-free packaging waste collection points that are directed and available to the public for the transfer of packaging waste are taken into account.

[RT I 2010, 10, 45 - entry into force. 15.03.2010]

2

(1) The densely populated areas specified in subsection 1 of this section are designated on the basis of the Planning Act.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

3

(1) The collection points are determined in a written agreement concluded between the recycling organization and the local government body.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

(2) The local self-government body must enable recycling organizations to fulfill the conditions set forth in subsection 1 of this section.

(3) In order to fulfill the conditions listed in subsection 1 of this section, recycling organizations may enter into agreements with each other or with the packaging company specified in subsection 16 of this Act, whereby the collection of all types of packaging material must be ensured at each collection point.

(4) The location of collection points specified in subsection 1 of this section, the minimum number and minimum volume of collection containers for each collection point, and their emptying frequency shall be agreed upon between the recycling organization and the local government body. In agreement with the local government body, the collection of packaging waste can also be organized as collection at the point of origin. In this case, with the consent of the local government body, the density of packaging waste collection points and the number and volume of containers intended for collection may be reduced.

[RT I 2008, 20, 138 - entry into force. 01.01.2009]

1

(4) A local government unit may organize the handling of overflowing public packaging waste containers and the packaging waste accumulated around them.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

1

(4) Before starting the activity specified in subsection 4 of this section, the local government unit must give the recycling organization the opportunity to fulfill its obligations. If the recycling organization does not fulfill its obligations, the local government unit

1

organizes the handling of packaging waste and submits an invoice for the activities specified in subsection 4 of this section to the recycling organization.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(5) When collecting packaging waste without a deposit, the recycling organization must ensure that all types of packaging material are collected at each collection point.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

2

§ 17 . Activity license inspection subject

(1) In order to obtain an activity permit, a person must:

1

1) be able to fulfill the obligations set out in § 12 subsection 1, § 20 subsection 2 and § 36 of this Act nationwide;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

2) have an action plan for fulfilling the obligations of packaging companies provided for in § 12 subsection 1 and § 24 of this Act;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

4

3) be able to fulfill the obligations provided for in § 17 subsection 1 and § 17 of this Act .

(2) The parts of the action plan specified in point 2 of subsection 1 of this section are:

1) a plan for how different regions will be included in the packaging and packaging waste collection system nationwide;

2) a financial plan, which indicates the sources of financing, investments in packaging waste collection infrastructure and increasing capacity and capacity, money kept for future investments, and service fees to be paid to other persons involved in packaging waste collection;

3) conditions to be submitted when purchasing services related to the handling of packaging and packaging waste;

4) the strategy of how other packaging companies are involved in the recycling organization;

5) a sample of the contract to be concluded between the recycling organization and the packaging company, whereby the contract

1

must include ensuring the transfer of the packaging company's obligations set out in § 12 subsection 1 of this Act to the recycling organization, ensuring the fulfillment of the obligations by the recycling organization and reimbursement of costs, including an indication of how the fee paid by the packaging company is calculated;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

6) media plan for informing end users and consumers about the options for returning packaging and packaging waste and the collection and recycling system.

(3) In a recycling organization, its member, partner or shareholder may not hold more than 25 percent of the votes determined by membership, shares or shares, nor may a person whose main activity is waste management within the meaning of § 13 of the Waste Act have a controlling influence within the meaning of the Competition Act.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

3

§ 17 . Application for an activity permit

In order to obtain an activity permit, the applicant must submit the following data and documents to the Ministry of Climate, in addition to the data specified in subsection 2 of § 19 of the General Part of the Code of Economic Activities:

[RT I, 30.06.2023, 1 - entry into force. 01.07.2023]

- 1) a copy of the articles of association;
- 2) list of members, partners or shareholders;
- 3) statement of bank account balance;

4) a copy of the action plan specified in Clause 2 of Clause 2 of § 17 of this Act

5) copies of contracts concluded with collectors, transporters and processors of packaging.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

4

§ 17 . Responsibilities of the recycling organization

(1) The task of the recycling organization is to ensure:

- 1) nationwide collection of packaging and packaging waste;
- 2) reuse of collected reusable packaging and recycling of packaging waste;
- 3) access to the services of the recycling organization for all packaging companies;

4) in accordance with § 12¹ subsection 2 of this Act, collecting fees from packaging companies that have transferred their responsibilities on equal terms and offering services to them, based on the mass of packaging waste of packaged goods placed on the market by the packaging companies and the service charge rates disclosed by the recycling organization; [RT I, 05.05.2021, 1 - enters into force. 15.05.2021] 4¹) calculation of the waste management service fee in accordance with § 12¹ subsection 4 of this Act; [RT I,

05.05.2021, 1 - enters into force. 15.05.2021] 4²) when calculating the waste management service fee for the packaging company, taking into account the durability, repairability, reusability and recyclability of the packaging, as well as the presence of hazardous substances, based on the life cycle approach; [RT I, 05.05.2021, 1 - enters into force. 15.05.2021] 5) purchase of a service related to the handling of packaging and packaging waste on the basis of competition, based on the principle of economical use of funds, transparency and controllability of procurement and equal treatment of service providers, and proof of reuse through a service provider

selected on the basis of competition; 5¹) disclosure of the selection procedure provided for in point 5 of this paragraph on the website of the recycling organization; [RT I, 05.05.2021, 1 - enters into force. 15.05.2021] 6) in the event that the recycling organization deals with the purchase of packaging material, the publication of its price list on its website; 7) presentation of the price of the service charge

for the obligations transferred in accordance with § 12¹ (2) of this Act per ton of packaging weight placed on the market, including, if possible, separately for different types of plastic and other materials; [RT I, 05.05.2021, 1 - enters into force. 15.05.2021] 8) according

to § 12¹ subsection 2 of this Act, the availability of data related to the collection and recycling of packaging companies and packaging and packaging waste to the Ministry of Climate and the person having the right of supervision; [RT I, 30.06.2023, 1 - enters into force. 01.07.2023] 9)

reinvesting the profit of the recycling organization into the activities of the recycling organization and not distributing the profit to members, partners or shareholders;

10) transparency of financial relations between the recycling organization and its members, partners or shareholders;

11) informing the public and consumers about the procedure and requirements for returning packaging and packaging waste and preventing waste generation and littering, including the impact of littering single-use plastic products and other inappropriate disposal of these wastes on the environment, especially the marine environment;

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

12) submission of a written review of the activities of the previous calendar year to the minister responsible for the field by July 31 of each year.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(2) The review specified in point 12 of subsection 1 of this section must include, among other things, information on:

- 1) packaging waste collected at the point of origin and collected and recycled through the public container network by waste handlers;
- 2) regarding the agreements specified in point 1 of subsection 1 of this section;

1

3) regarding the provisions of § 17

of this Act; 4) regarding packaging recycling service fees and changes in the purchase price of packaging material during the previous calendar year;

5) regarding the return of packages with a deposit and information activities and their cost.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(3) The overview specified in point 12 of subsection 1 of this section and the annual report of the recycling organization must be available on the website of the recycling organization.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(4) The recycling organization is obliged to submit to the minister responsible for the field, upon the latter's request, data on the transactions made by members, partners or shareholders, which were necessary to check the fulfillment of the obligations stipulated in clause 1, clause 9 of this section.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(5) The expenses incurred for the notification specified in point 11 of subsection 1 of this section must amount to at least two percent of the turnover of the recycling organization for the calendar year, while the deposit is not taken into account when calculating the amount of turnover.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(6) In order to inform the public and consumers specified in Clause 1, Clause 11 of this section, at least national media channels, county and local government newspapers and outdoor advertising must be used.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

5

§ 17 . Issuance of an activity permit

The minister responsible for the field issues an activity license within 63 days, from the receipt of a proper application. If the minister responsible for the field does not resolve the application within the aforementioned term or an extended term, the license is not deemed to have been granted to the entrepreneur by default upon the expiry of this term.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 18. Packaging Commission

[Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

1

§ 18 . Self-checking system of packaging company and recycling organization

(1) The packaging company and the recycling organization must implement a self-control system that ensures at least the availability of the following data:

1) regarding the correctness of the financing of obligations provided for in subsection 1 of § 12 of this Act ; 2) according to § 17⁴ subsection 1 point 4² of this Act , regarding the correctness of the requirements for the calculation of the waste management service fee for the packaging company; 3) on the correctness of the data entered in the packaging register; 4) regarding the correctness of the data collected on the waste shipment in accordance with Regulation (EC) No. 1013/2006 of the European Parliament and of the Council on waste shipments (OJ L 190, 12.07.2006, p. 1–98).

(2) Persons who have an environmental management and auditing system that meets the requirements stipulated in Regulation (EC) No. 1221/2009 of the European Parliament and of the Council on the voluntary participation of organizations in the Community environmental management and auditing system are exempted from the obligation specified in subsection 1 of this section. (EMAS) and repealing Regulation (EC) No. 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, pp. 1-45).

(3) The data of the self-control system must be documented and updated at least once every 12 months.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

Chapter 4 IMPLEMENTATION OF ECONOMIC MEASURES

§ 19. Economic measures

For the functioning of the packaging and packaging waste collection and recycling system, the packaging take-back obligation, deposit and packaging excise duty are applied as economic measures.

§ 20. Taking back the package

(1) The packaging company is obliged to take back the transport and group packaging of its goods free of charge.

(2) A packaging company that sells packaged goods to an end user or consumer is obliged to take back the sales packaging and packaging waste of the sold goods from the end user or consumer free of charge. The claim for return only covers the packaging, the type, shape and size of which correspond to the packaging of the goods sold at this point of sale and the packaging of the goods

delivered by the seller of these goods.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

1

(2) A packaging company that sells packaged goods to an end user or consumer informs about the place of return of the packaging with an understandable written notice placed in a visible place at the point of sale and provides information on the prevention of waste generation and littering. A packaging company that sells single-use plastic products to the end user or consumer will share information about the impact of littering and other inappropriate disposal of these products on the environment, especially the marine environment.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

2

(2) A packaging company that places packaged goods on the market is obliged to take back the packaging and packaging waste of the goods it has placed on the market free of charge from the packaging company that sells the packaged goods to the end user or consumer.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(3) A packaging company that sells packaged goods and uses the postal service or other goods transferor operating in economic or professional activities to deliver them, is obliged to inform the end user and the consumer about the place where packaging and packaging waste can be returned free of charge.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

1

(3) A packaging company that sells packaged goods and uses the postal service or another goods transferor operating in economic or professional activities for its delivery may arrange for the end user and consumer to return the packaging and packaging waste free of charge from the end user and consumer through the goods transferor by notifying the end user and consumer of such a possibility in advance.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

2

(4) The packaging company may transfer the obligations specified in subsections 1, 2 and 2 of this section only to a recycling organization on the basis of a written contract. If the packaging company has transferred the obligations set forth in subsections 1, 2

2

and 2 of this section to the recycling organization, the recycling organization is responsible for fulfilling said obligations, and the recycling organization may not refuse to accept the collected packaging or packaging waste. A packaging company that sells packaging with a deposit to an end user or consumer cannot transfer the obligation to take back the packaging with a deposit to a recycling organization.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

1

(4) Packaging and packaging waste do not have to be taken back by a person selling packaged goods if the size of the sales place is less than 20 square meters and it is located in a densely populated area.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

2

(4) The end user or consumer is obliged to return the packaging and packaging waste empty and sorted according to the procedure established in the waste management regulations of the local government and the requirements of the packaging company or recycling organization.

3

(4) The seller of packaged goods, whose sales location is 200 square meters or more than 200 square meters, must organize the withdrawal of such packaging, for which a deposit has been established, at the sales location or its service area during the trading hours of the sales location.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

4

(4) A seller of packaged goods, whose sales location is less than 200 square meters, may organize the withdrawal of such packaging, for which a deposit has been established, outside the boundaries of the service territory of his sales location, but during the trading hours of the sales location and only with the consent of the local government body. In doing so, it must be taken into account that in an area with a population density of less than 500 inhabitants per square kilometer, there would be at least one packaging take-back point in settlements located on the territory of the local government.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

5

3

4

(4) The obligation established in subsections 4 and 4 of this section is considered to be fulfilled by the seller of packaged goods if two or more sales points are in close proximity to each other and the sellers of packaged goods have agreed to jointly organize the return of packages with the established deposit at the sales point or service area of one seller of packaged goods or elsewhere in the immediate vicinity of the point of sale.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

6

5 of this section, are jointly responsible for the operation of

(4) Sellers of packaged goods operating jointly, specified in subsection 4 the packaging take-back point with a deposit established in solidarity.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(5) The packaging company is obliged to prevent returnable packaging and packaging waste collected by type or sorted by packaging materials from mixing with other waste or packaging materials.

(6) The packaging company is obliged to provide the end user and consumer with the possibility of returning their packaging and packaging waste containing hazardous substances, taking into account the handling requirements stipulated in the Waste Act and the Chemicals Act and the legislation established on the basis thereof.

(7) [Repealed - RT I, 07.03.2023, 1 - entry into force. 01.05.2023]

§ 21. Security deposit

(1) A deposit is assigned to the package, which is a fee for one package added to the price of one sales unit.
[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(2) The security deposit is established for the reusable packaging of beer, low-ethanol alcoholic drink, cider, perry and soft drink, which are:

- 1) glass packaging;
- 2) plastic packaging.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(3) The security deposit is established for single-use packaging of beer, low-ethanol alcoholic drink, cider, perry and soft drink, which are:

- 1) glass packaging;
- 2) plastic packaging;
- 3) metal packaging.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

1

(3) In addition to the provisions in subsections 2 and 3 of this section, the security deposit may also be applied to single-use and reusable packaging of strong and light alcoholic beverages and syrup.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

(3) In addition to the provisions in subsections 2 and 3 of this section, the deposit may be applied to disposable and reusable food packaging and drinking cups.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(4) Beer and low-ethanol alcoholic beverage specified in subsections 2 and 3 of this section are understood in the sense of the Alcohol Act, cider and perry in the sense of the requirements established on the basis of § 4 (2) of the Alcohol Act, and soft drink in the

1

sense of the Packaging Excise Act. The strong and light alcoholic beverages specified in subsection 3 of this section are understood within the meaning of the Alcohol Act, and syrup is understood as a juice concentrate or a drink made from sugar or other syrup.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

(4) The packaging company does not add a deposit:

[RT I, 17.05.2014, 1 - entry into force. 27.05.2014]

1) on the exported packaging, if its export is certified by the export customs declaration;
2) for packaging that is delivered from Estonia to another member state and on board a watercraft or aircraft making international trips for consumption or as goods to be sold;

[RT I 2010, 28, 145 - entry into force. 19.06.2010]

3) for packaging with a volume of more than 3.0 liters and for packaging with a volume of less than 0.1 liters;

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

4) to the packaging specified in subsections 2 and 3 of this section, if its withdrawal is not technically possible.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

2

1

(4) In the case of packaging provided for in points 1 and 2 of subsection 4 of this section , the mark of the amount of the deposit established on the basis of subsection 23 (6) of this Act may only be used in coordination with the holder of the mark.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(5) The minister responsible for the field establishes the amount of the deposit by regulation.

(6) The security deposit cannot be less than 0.03 euros.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(7) The amount of the security deposit may be changed if at least 12 months have passed since the previous change.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(8) The security deposit does not include costs related to the return of packaging and packaging waste and its organization.

(9) When selling a package with a deposit, the amount of the deposit is published, taking into account the requirements set forth in § 7 of the Consumer Protection Act.

(10) The paid deposit will be returned if the end user or consumer takes a reasonable amount of packaging, on which a deposit has been set, to the point of sale of the goods or to a place designated for that purpose in its immediate vicinity. The security deposit is not returned:

1

1) in the cases provided for in § 23 subsections 2 and 2 of this Act ;

2) if 24 months have passed since the packaging was put on the market.

[RT I, 04.04.2012, 2 - entered into force. 14.04.2012]

(11) The packaging company must ensure that the established deposit is added to the price of the packaged goods throughout the entire sales cycle, and chargebacks are made during each return transaction.

§ 22. Packaging excise duty

The Packaging Excise Act stipulates packages subject to packaging excise and their corresponding excise rates.

Chapter 5 PACKAGING LABELING

§ 23. Labeling of the package

(1) A packaging company that places packaged goods on the market shall place a deposit mark on the packaging on which a deposit has been established or on the label of the package. A packaging company that has transferred its responsibilities to a recycling

organization in accordance with § 12¹ (2) of this Act shall, in addition to the deposit symbol, put a bar code registered in the recycling organization on the packaging or label. A packaging company that has not transferred its responsibilities to a recycling organization may not use the bar code registered in the recycling organization.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) If the package, on which a deposit has been established, does not have a deposit symbol or barcode, or it is not clearly visible and legible on the package or label, or is physically damaged, the package is liable to be taken back in accordance with the procedure provided for in § 20 of this Act, and the deposit for this package will not be returned .

[RT I, 04.04.2012, 2 - entered into force. 14.04.2012]

¹

(2) If the deposit sign changes on the package on which a deposit has been established, the deposit for the package with the previously valid sign will be returned within 24 months from the date the new sign comes into force, after which the package is subject to withdrawal in accordance with the procedure provided for in § 20 of this Act, and the deposit for this package will not be returned.

[RT I, 04.04.2012, 2 - entered into force. 14.04.2012]

(3) In order to simplify the collection, reuse and recycling of packaging and packaging waste, the packaging company may put on the packaging or label:

¹

1) a mark indicating the transfer of the packaging company's obligations in accordance with § 12 subsection 2 of this Act;

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2) the marking characterizing the packaging material in accordance with the decision of the European Commission 97/129/EC, which, in accordance with the directive 94/62/EC of the European Parliament and the Council of the EU on packaging and packaging waste, establishes a packaging material identification system (OJ L 050, 20.02.1997, p. 28 –31), and information about the time of decomposition of the corresponding packaging in nature;

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

3) other data that the packaging company deems necessary and that do not contradict the law or make it difficult to understand the main text.

(4) The marking applied to the package and label must be clearly visible, easily readable, wear-resistant and permanent, including when the package is opened.

(5) The sale of goods in packaging that does not have the proper labeling specified in subsection 1 of this section is prohibited.

(6) The minister responsible for the field shall establish deposit tokens, which are required to be used by packaging companies that have transferred their responsibilities to a recycling organization, taking into account the recycling organization's proposal.

[RT I, 04.04.2012, 2 - entered into force. 14.04.2012]

(7) A packaging company that has not transferred its obligations to a recycling organization and releases packaging with a deposit on the market, is obliged to inform the Ministry of Climate in writing about its labeling before releasing the packaging with a deposit on the market.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(8) If the deposit sign changes on the package on which a deposit has been established, the packaging company that sells the packaged goods to the end user or consumer shall stop selling the package with the previously valid sign after 12 months have passed from the establishment of the new sign.

[RT I, 04.04.2012, 2 - entered into force. 14.04.2012]

¹

§ 23 . Labeling of single-use plastic drinking cups

The single-use plastic drinking cup is marked with the requirements established by Commission Implementing Regulation (EU) 2020/2151 establishing rules for harmonized labeling requirements for single-use plastic products listed in Part D of Annex D of Directive (EU) 2019/904 of the European Parliament and of the Council (on reducing the environmental impact of certain plastic products) (OJ L 428, 18.12.2020, pp. 57–67).

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

Chapter 6 PACKAGING INFORMATION SYSTEM

§ 24. Keeping records of packaging and packaging waste

(1) A packaging manufacturer, an importer and exporter of empty packaging, a packaging company that places packaged goods on the market, a person who transports packaged goods, and a packaging waste handler are obliged to keep a continuous record of the weight of the packaging material specified in subsections 1-3 of § 3 of this Act, and by type of packaging material, including separately for packages provided in the Packaging Excise Act, as follows:

- 1) produced empty packaging and imported and exported empty packaging;
- 2) the packaging of packaged goods and the packaging of imported and exported packaged goods;
- 3) the packaging of the goods placed on the market;
- 4) generated packaging waste;
- 5) reusable packaging;
- 6) Packaging waste recycled in Estonia and imported and exported packaging waste;
- 7) packaging containing heavy metals.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(2) [Repealed - RT I 2008, 20, 138 - entry into force. 31.05.2008]

(3) The original documents and the summary data compiled on the basis of the calculation specified in subsection 1 of this section shall be stored for at least seven years. For the purposes of this Act, the original documents are the following:

- 1) original accounting documents concerning the production, sale, import and export of packaging;
- 2) documents concerning the sale, import and export of packaged goods;
- 3) documents proving the purchase of the package;
- 4) original accounting documents, acceptance documents, acts and certificates of recycling issued by enterprises recycling packaging and packaging waste in a way that enables written reproduction;

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

5) customs declarations accepted by customs and accompanying documents in accordance with Regulation (EC) No. 1013/2006 of the European Parliament and of the Council regarding import and export of packaging, packaged goods and packaging waste.

[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

(4) A packaging company that places packaged goods on the market and has not transferred its responsibilities to a recycling organization is required to submit the following verified data for entry in the packaging register for the calendar year by type of packaging and packaging material, including separately for packaging provided for in the Packaging Excise Act:

[RT I, 05.05.2021, 1 - by force. 15.05.2021]

- 1) mass of reusable packaging;
- 2) the packaging weight of the goods placed on the market;
- 3) data on the recycling of packaging waste;
- 4) data on the content of recycled plastic in plastic beverage bottles placed on the Estonian market, calculated as the average of plastic bottles placed on the market.

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

1

(4) In addition to the data listed in subsection 4, the packaging company specified in subsection 4 of this section submits data on the quantity of single-use plastic products to the packaging register.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

1) (

(5) A packaging company that has transferred its obligations to a recycling organization in accordance with § 12 (2) of this Act shall submit the data specified in subsection (4) points (1), (2) and (4) of this section for the calendar year to the recycling organization.

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

(6) The recycling organization submits the data specified in clauses 1, 2 and 4 of subsection 4 of this section for each packaging company that has transferred responsibilities to it and the data specified in clause 3 as aggregate data for entry into the packaging register for the calendar year.

[RT I, 07.03.2023, 1 - enters into force. 01.01.2024]

(7) An enterprise that recycles packaging waste and an enterprise that mediates the recycling of packaging waste prepares a packaging waste recycling certificate for each calendar year in the packaging register for each packaging enterprise or recycling organization that has entered into a contract with it, or an enterprise that mediates the recycling of packaging waste.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

§ 24 . Auditor control of the financial management of the packaging company and the recycling organization and the data submitted to the packaging register

[RT I, 05.05.2021, 1 - entered into force. 15.05.2021]

(1) The purpose of the financial management of the packaging company and the recycling organization and the audit of the data submitted to the packaging register (hereinafter referred to as *the audit*) is to provide an assessment of:

1) the availability of sufficient financial resources to finance the obligations provided for in subsection 1 of § 12 of this Act ; 2) in accordance with § 17⁴ subsection 1 point 4² of this Act , regarding the fulfillment of the requirements for the calculation of the waste management service fee for the packaging company; 3) on the correctness of the data entered in the packaging register; 4) According to Regulation (EC) No. 1013/2006 of the European Parliament and the Council on the correctness of the data collected on the waste shipment. [RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) Auditor inspection is performed by a sworn auditor within the meaning of the Act on Auditor Activities to the extent specified in subsection 1 of this section.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(3) A packaging company that markets packaged goods with a packaging weight of more than twenty tons per year and a recycling organization organize an audit inspection as a limited assurance engagement within the meaning of the Act on Auditor Activities.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

(3) A packaging company whose audit report summary is submitted unmodified is exempted from organizing an audit in the following three calendar years.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(4) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(5) The packaging company submits the summary of the assurance engagement of the independent sworn auditor to the packaging register. If the packaging company has transferred the responsibilities to the recycling organization, the packaging company forwards the assurance engagement summary of the independent sworn auditor to the recycling organization, which submits it to the packaging register.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(6) When verifying the data submitted to the packaging register of the recycling organization, the summary of the sworn auditor of the packaging company that transferred the responsibilities is taken into account.

(7) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

2

§ 24 . Keeping records of thin plastic carrier bag consumption

The packaging company is obliged to keep records of the thin and extra thin plastic carrier bags sold and given to consumers free of charge at the point of sale and to submit the data to the packaging register.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 25. Packaging register

(1) The packaging register is a database where data is entered, stored and processed about the packaging of packaged goods placed on the market, the consumption of thin and extra thin plastic carrier bags, the generated packaging waste, the reuse of packaging, the recycling of packaging waste, and the evidence of the fulfillment of recycling target numbers and the evidence of recycling arising from this Act and the Packaging Excise Act to perform tasks, to submit information on packaging waste to the European Commission and to carry out supervision.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(2) The packaging register is established and its statutes are established by a regulation of the Government of the Republic .

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

(3) The data entered in the package register, the procedure for their submission, access to the register data and the original documents on which the calculation is based, and the procedure for transferring data resulting from international obligations shall be established by the statute specified in subsection 2 of this section.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

(4) The controller in charge of the packaging register is the Ministry of Climate.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(5) The responsible processor of the packaging register, the Environmental Board and the Tax and Customs Board have the right to consult the original accounting documents specified in subsections 1, 3, 4 and 6 of § 24 of this Act and the summary data prepared on the basis of them in the performance of the tasks assigned to them by law.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(6) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

Chapter 7 STATE SUPERVISION

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 26. State supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) The Environmental Board, the Consumer Protection and Technical Supervision Board, the Tax and Customs Board, the Agriculture and Food Board, and municipal and city governments exercise state supervision over the implementation of this Act.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) The Consumer Protection and Technical Supervision Agency supervises the fulfillment of the obligation to take back packaging and packaging waste and the take-back requirements in accordance with the procedure laid down in the Consumer Protection Act.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(3) The municipal and city government has the right to supervise compliance with the restriction on the return, collection and reuse of packaging and packaging waste and the release of single-use plastic products on the market in its administrative territory.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(4) The Environmental Board and the Tax and Customs Board have the right to inspect the places of business of packaging companies and persons involved in the collection and recycling of packaging and packaging waste.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(5) When carrying out supervision over the fulfillment of the requirements set forth in Chapters 2 and 5 of this Act, the differences provided for in Regulation (EC) No. 765/2008 of the European Parliament and of the Council, which lays down the requirements for accreditation and market surveillance in connection with the marketing of products and repeals Regulation (EEC) shall be taken into

account No. 339/93 (OJ L 218, 13.08.2008, pp. 30–47).
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

§ 26 . Special measures of state supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

The law enforcement agency may apply the special measures of state supervision provided for in §§ 30, 31, 32, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the basis and in the manner provided for in the Law Enforcement Act to carry out the state supervision provided for in this Act.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

2

§ 26 . Extortion rate

In the case of failure to comply with the injunction, the maximum amount of the fine to be applied in accordance with the procedure laid down in the Substitute Enforcement and Fines Act is 32,000 euros.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

3

§ 26 . Reporting obligation

[Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

4

§ 26 . An audit performed for the purpose of supervision

(1) The Environmental Board may request an audit at the expense of the packaging company or recycling organization, the purpose of which is to provide an assessment of:

1) the availability of sufficient financial resources to finance the obligations provided for in subsection ¹ of § 12 of this Act ; 2) in accordance with § 17 ⁴ subsection 1 point 4 ² of this Act , regarding the fulfillment of the requirements for the calculation of the waste management service fee for the packaging company; 3) on the correctness of the data entered in the packaging register; 4) According to Regulation (EC) No. 1013/2006 of the European Parliament and the Council on the correctness of the data collected on the waste shipment.

(2) The auditor inspection specified in subsection 1 of this section is performed by a sworn auditor as a limited assurance engagement within the meaning of the Act on Auditor Activities.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

Chapter 8 RESPONSIBILITY

§ 27. Failure to fulfill the requirements for the manufacture and use of packaging

[Repealed - RT I, 17.05.2014, 1 - entered into force. 27.05.2014]

§ 28. Ignoring the restrictions on the content of heavy metals in the package

[Repealed - RT I, 05.05.2021, 1 - entered into force. 15.05.2021]

§ 29. Failure to fulfill the obligation to recycle packaging waste

(1) Failure to fulfill the obligation to recycle packaging waste, including the target number of recycling - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 200,000 euros.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

§ 29 . Submission of false and incomplete data in the certificate of reuse

[Repealed - RT I, 05.05.2021, 1 - entered into force. 15.05.2021]

§ 30. Failure to fulfill the obligation to take back packaging and packaging waste and violation of take-back requirements

(1) Failure to fulfill the obligation to take back packaging and packaging waste or violation of the take-back requirements - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 200,000 euros.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

1

§ 30 . Violation of the requirements for keeping records of packaging and packaging waste and failure to implement a self-control system

(1) Violation of the requirements for keeping records of packaging and packaging waste or failure to implement a self-checking system - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 100,000 euros.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

§ 30 . Failure to fulfill the obligation to prevent packaging and packaging waste and limit the placing of single-use plastic products on the market

(1) Failure to fulfill the obligation to prevent packaging and packaging waste or to limit the release of single-use plastic products to the market - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 200,000 euros.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 31. Sale of goods in packaging without proper marking [Repealed - RT I, 17.05.2014, 1 - entered into force. 27.05.2014]

§ 32. Failure to fulfill the obligation to keep records and submit data on packaging and packaging waste [Repealed - RT I, 17.05.2014, 1 - entered into force. 27.05.2014]

§ 33. Procedure

(1) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(2) The Environmental Board is the non-judicial processor of the misdemeanors specified in §§ 29–30² of this Act .
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

(3) [Repealed - RT I, 05.05.2021, 1 - entry into force. 15.05.2021]

(4) The Tax and Customs Board is also the extrajudicial investigator of the misdemeanors specified in §§ 29–30¹ of this Act.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(5) The Consumer Protection and Technical Supervision Agency is also the non-judicial investigator of the misdemeanor specified in § 30 of this Act.
[RT I, 12.12.2018, 3 - enters into force. 01.01.2019]

(6) The municipal and city government is also the extrajudicial processor of misdemeanors specified in §§ 29, 30 and 30² of this Act.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

Chapter 9 IMPLEMENTATION PROVISIONS

§ 34. – § 35. [Omitted from this text.]

§ 36. Target figures for recycling

(1) As of May 1, 2004, a packaging company, with the exception of a person who sells packaged goods, must ensure the recycling of packaging waste from its own packaged goods and imported packaged goods to the following extent:

- 1) at least 50 percent of the total mass of packaging waste per year;
- 2) recycling at least 25 percent of the total mass of packaging waste per year and at least 15 percent of the total mass of each type of packaging material per year.

¹
(1) [Repealed - RT I 2008, 20, 138 - entry into force. 31.05.2008]

(2) As of January 1, 2009, packaging waste must be recycled as follows:
1) at least 60 percent of the total weight of packaging waste per calendar year;
2) at least 55 and no more than 80 percent of the total mass of packaging waste is recycled in a calendar year.
[RT I 2008, 20, 138 - entry into force. 31.05.2008]

¹
(2) At least 65 percent of the total mass of packaging waste must be recycled by December 31, 2025 at the latest.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

²
(2) At least 70 percent of the total mass of packaging waste must be recycled by December 31, 2030 at the latest.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(3) In order to ensure the fulfillment of the recycling target figures established in subsection 2 of this section, as of January 1, 2009, the packaging company must recycle the types of packaging material per calendar year at least to the following extent:

- 1) 70 percent of the total mass of glass waste recycled;
- 2) 70 percent of the total weight of paper and cardboard waste, with 60 percent of the total weight being recycled;

- 3) 60 percent of the total mass of metal waste as recycled;
- 4) 55 percent of the total mass of plastic waste, with 45 percent of the total mass of plastic waste recycled and 22.5 percent of the total mass of plastic waste reprocessed into plastic;
- 5) 45 percent of the total weight of wood waste, with 20 percent of the total weight being recycled.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

1

1

(3) In order to ensure the fulfillment of the target number established in subsection 2 of this section , the packaging company must recycle different types of packaging materials per calendar year at least to the following extent by December 31, 2025 at the latest:

- 1) plastic - 50 percent;
- 2) wood - 25 percent;
- 3) ferrous metal - 70 percent;
- 4) aluminum – 50 percent;
- 5) glass - 70 percent;
- 6) paper and cardboard - 75 percent.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

2

(3) In order to ensure the fulfillment of the target number established in subsection 2 of this section , the packaging company must recycle different types of packaging materials per calendar year at least to the following extent by December 31, 2030 at the latest:

- 1) plastic - 55 percent;
- 2) wood - 30 percent;
- 3) ferrous metal - 80 percent;
- 4) aluminum – 60 percent;
- 5) glass - 75 percent;
- 6) paper and cardboard - 85 percent.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

2

(4) Other packaging material not mentioned in subsections 3–3 of this section must be reused in the largest possible quantity according to the available technical possibilities and economic justification.

[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

(5) A packaging company that places single-use plastic beverage bottles on the market must ensure the separate collection of beverage bottles for the purpose of recycling to the following extent:

- 1) by 2025 at the latest, 77 percent of the quantities placed on the market;
- 2) 90 percent of the quantities placed on the market by 2029 at the latest.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

1

§ 36 . Labeling of the package

§ 23 subsection 5 and § 31 of this Act shall apply from October 1, 2005.

[RT I 2005, 37, 288 - entry into force. 10.07.2005]

2

§ 36 . Requirements for disposable plastic beverage packaging

(1) From July 3, 2024, it is permitted to place a single-use plastic beverage package with a plastic cap or lid on the market only if the cap or lid remains attached to the package during the intended use stage of the product.

(2) When applying subsection 1 of this section, metal caps or lids with a plastic seal are not considered to be made of plastic.

(3) As of January 1, 2025, the composition of such beverage bottles, the main component of which is polyethylene terephthalate, must contain at least 25 percent recycled plastic, calculated as an average of polyethylene terephthalate bottles placed on the market.

(4) From January 1, 2030, beverage bottles must contain at least 30 percent recycled plastic, calculated as the average of beverage bottles placed on the market.

(5) The requirements set out in subsections 1, 3 and 4 of this section shall not be applied to glass or metal beverage packaging and bottles, the cap or lid of which is made of plastic, and to the food, medical regarding food intended for use in the indication and daily food substitutes intended for weight reduction, which repeals Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No. 41/2009 and (EC) No. 953/2009 (OJ L 181, 29.06.2013, pp. 35-56), for the medical indication defined in Article 2, point g on beverage packaging and bottles intended for use in the liquid form of food and used in this way.

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 37. Obligation to withdraw

The obligation to take back the packaging provided for in § 20 of this Act and § 30 shall enter into force on May 1, 2005.

[RT I 2004, 89, 611 - entry into force. 07.01.2005]

1

§ 37 . Requirements for packaging waste collection points

1

§ 17 of this Act enters into force on January 1, 2009.

[RT I 2008, 20, 138 - entry into force. 31.05.2008]

§ 38. Establishment of security deposit

§ 21 of this Act enters into force on May 1, 2005.
[RT I 2004, 89, 611 - entry into force. 07.01.2005]

§ 39. Packaging register

The register established on the basis of § 15 (1) of the Packaging Act shall be treated as the register specified in § 25 (1) of this Act until such time as the register has not been established on the basis of § 25 (2) of this Act.

1

§ 39 . Requirements for an accredited recycling organization

(1) An accredited recycling organization that does not meet the conditions specified in § 17 (2) point 2¹ of this Act shall be brought into compliance with the conditions specified in § 17 (2) point 2¹ of this Act by July 1, 2010 at the latest.

(2) If the accredited recycling organization is not brought into compliance with the conditions specified in § 17 (2) point 2¹ of this Act by July 1, 2010 at the latest, the Minister of the Environment shall declare the accreditation decision invalid.
[RT I 2010, 10, 45 - entry into force. 15.03.2010]

2

§ 39 . Implementation of auditor control of data submitted to the packaging register

§ 24¹ of this Act enters into force on January 1, 2015.
[RT I, 17.05.2014, 1 - enters into force. 27.05.2014]

3

§ 39 . Consumption reduction and analysis of thin plastic carrier bag

(1) By March 31, 2018, the Ministry of the Environment shall analyze the effectiveness and purposefulness of the measures provided for in § 5 subsection 2 of this Act, considering that the consumption of thin plastic carrier bags must remain below 90 thin plastic carrier bags per person per year by December 31, 2019 and by December 31, 2025. by December, less than 40 thin plastic carrier bags per person per year, and if necessary, submits proposals to amend the legislation.

(2) Especially thin plastic carrier bags are excluded from the consumption goals specified in subsection 1 of this section.
[RT I, 07.04.2017, 1 - enters into force. 17.04.2017]

4

§ 39 . Implementation of the exemption from auditor control of the packaging company

§ 24¹ subsection 3¹ of this Act shall apply to the packaging company from the submission of the summary of the auditor's inspection report prepared for the year 2020 to the packaging register.
[RT I, 05.05.2021, 1 - enters into force. 15.05.2021]

5

§ 39 . Implementation of the transition to reusable packaging at public events

The requirements contained in § 5 subsection 8 of this Act shall be implemented from January 1, 2024.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

6

§ 39 . A follow-up evaluation of reducing the consumption of single-use plastic food packaging and drinking cups

By December 31, 2024, the Ministry of Climate will analyze the effectiveness and purposefulness of the measures provided for in subsections 5-8 of § 5 of this Act, considering that the consumption of single-use plastic food packaging and drinking cups must decrease by 2026 compared to 2022, and, if necessary, submit proposals to amend the legislation.
[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

7

§ 39 . Submission of data on the quantity of single-use plastic products to the packaging register

The packaging company must submit the data specified in § 24 subsection 4¹ of this Act to the packaging register for the year 2023, adding the said data for the year 2022 if possible.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

8

§ 39 . Preparation of an action plan for measures to reduce the consumption of single-use plastic products

The requirements contained in § 5 subsection 7 of this Act are applied to the packaging company from September 1, 2023.
[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]

§ 40. Repeal of the Packaging Act

[Omitted from this text.]

§ 41. Entry into force of the Act

This Act enters into force on June 1, 2004.

1

Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste (OJ L 365, 31.12.1994, pp. 10–23), amended by Directives 2004/12/EC (OJ L 047, 18.02.2004, pp. 26–32), 2005/20/EC (OJ L 070, 16.03.2005, pp. 17–18), 2013/2/EU (OJ L 037, 08.02.2013, pp. 10–12), (EU) 2015/720 (OJ L 115, 06.05.2015, pp. 11–15) and (EU) 2018/852 (OJ L 150, 14.06.2018, pp. 141–154);

Directive 2008/98/EC of the European Parliament and of the Council concerning waste and repealing certain directives (OJ L 312, 22.11.2008, pp. 3-30), amended by Directive (EU) 2018/851 (OJ L 150, 14.06. 2018, pp. 109–140);

Directive (EU) 2019/904 of the European Parliament and of the Council on reducing the environmental impact of certain plastic products (OJ L 155, 12.06.2019, pp. 1–19).

[RT I, 07.03.2023, 1 - enters into force. 01.05.2023]