In case of any discrepancy between the original Danish text and the English translation of this Act, the Danish text shall prevail.

Order prohibiting the import, sale and export of mercury and mercury-containing products [1)](https://www.retsinformation.dk/eli/lta/2016/73" \l "idc48e9c66-8be3-4398-b0a4-1a998d8bbd59)

Pursuant to section 8, subsection 1, § 30, § 45, para. 1, 2nd sentence, and § 59, para. 4 of the Chemicals Act, cf. Executive Order no. 849 of 24 June 2014, shall be determined after authorization in accordance with section 45, subsection 1, 1st sentence:

*Area of ​​the Executive Order*

**§ 1.** Import, sale and export of mercury and mercury-containing products is prohibited.

*PCS. 2.* Mercury means the element mercury, both in metallic form and in chemical compounds.

*PCS. 3.* Mercury-containing products means products in which mercury is present at more than 100 ppm (mg / kg) in the homogeneous individual parts of the product.

*PCS. 4.* Notwithstanding the prohibition in paragraph 1, the import, sale and export of mercury-containing products that are listed in the Annex allowed.

*PCS. 5. The* Executive Order does not cover the following:

1) Natural pollution in coal.

2) Used mercury-containing products that met Danish requirements at the first sale.

3) Products regulated by other legislation, unless stated in the Annex.

*Administrative provisions*

**§ 2.** Supervision and control of the rules in the executive order is exercised by the Danish Environmental Protection Agency, cf. the rules of the Act in this regard.

*PCS. (2)* In very special cases, the Danish Environmental Protection Agency may allow the rules in the executive order to be deviated from.

*PCS. 3. The* Danish Environmental Protection Agency's decisions pursuant to subsection 2 can not be appealed to another administrative authority.

*Punishment*

**§ 3.** Unless a higher penalty is due under other legislation, anyone who violates the rules in § 1 of the Executive Order will be fined.

*PCS. 2.* The penalty may increase to imprisonment for up to 2 years if the offense is committed intentionally or by gross negligence, and if the offense is

1) caused damage to human or domestic life or health or caused danger thereof,

2) damage to the environment or risk of harm or

3) obtained or intended a financial benefit, including through savings, for the person himself or others.

*PCS. 3.* Companies etc. (legal persons) may be held criminally liable in accordance with the rules in Chapter 5 of the Criminal Code.

*Entry into force*

**§ 4. The** Executive Order enters into force on 31 January 2016.

*PCS. 2.* Executive Order no. 627 of 1 July 2003 on a ban on the import, sale and export of mercury and mercury-containing products is repealed.

*The Danish Environmental Protection Agency, 25 January 2016*

Michel Schilling

/ Peter Østergård Have

**Annex 1**

**List of mercury-containing products where import, sale and export - notwithstanding the prohibition in § 1 - are permitted**

1. Products for dental filling of permanent cheek teeth, where there is wear on the filling.

2. Mercury-wetted film switches and relays complying with EN 119000, for special applications in enterprises:

Telecommunications and data communications

- process control

- PLC remote control of energy supply

Electrical test systems.

3. Special light sources:

Discharge lamps, including low energy light bulbs

- for analysis work

- for graphic work.

4. Indicators for safety systems on railways.

5. Electrodes for special applications:

- polarographic analysis

- potentiometric analysis

- calomel reference

6. Mercury-containing chemicals for special applications:

Raw material for analytical reagents

Assay reagents

Standards

Preservation of starch for laboratory use

– isotopfortyndingsanalyse

Catalysts.

7. Products for research, including odontological.

8. Products for teaching.

9. Products for vital uses in aircraft.

10. Products for the repair of existing mercury-containing equipment.

Official notes

[1)](https://www.retsinformation.dk/eli/lta/2016/73" \l "Henvisning_idc48e9c66-8be3-4398-b0a4-1a998d8bbd59) The draft has been notified as a draft in accordance with Directive 98/34 / EC of the European Parliament and of the Council (Information Procedures Directive), as last amended by Directive 98/48.