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, use and export of goods containing pentachlorophenol (PCP) [1)](https://www.retsinformation.dk/eli/lta/2009/854" \l "Not1)

Pursuant to section 8, section 30, section 45, subsection 1, § 59, para. 4, and section 60 of the Act on Chemical Substances and Products, cf. Executive Order no. 1755 of 22 December 2006, as amended by Act no. 97 of 10 February 2009, stipulates:

Chapter 1

*Area of ​​the Executive Order*

**§ 1.** This Executive Order covers the import, sale, use and export of goods containing pentachlorophenol (PCP) or salts and esters thereof.

Chapter 2

*Prohibition on import, sale use and export*

**§ 2.** Import, sale, use and export of goods containing pentachlorophenol (PCP) or salts and esters thereof in a concentration of 5 ppm (mg / kg) or more is prohibited.

Chapter 3

*Control, dispensation and right of appeal*

**§ 3.** Supervision and control of compliance with 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 for research, development and analysis purposes. The Danish Environmental Protection Agency may set conditions for the permit.

*PCS. 3. The* Danish Environmental Protection Agency's decisions pursuant to subsection 1 and 2 may not be appealed to another administrative authority.

Chapter 4

*Penalty and entry into force*

**§ 4.** Unless a higher penalty is due under other legislation, the person who:

1) imports, sells, uses or exports goods in violation of § 2 or

2) overrides conditions attached to a permit pursuant to section 3, subsection 2.

*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 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.

**§ 5. The** Executive Order enters into force on 14 September 2009.

*PCS. 2.* Executive Order no. 420 of 21 April 1996 on the restriction of the sale and use of pentachlorophenol (PCP) is repealed.

*Ministry of the Environment, 5 September 2009*

Troels Lund Poulsen

/ Claus Torp

Official notes

[1)](https://www.retsinformation.dk/eli/lta/2009/854" \l "Henvisning_Not1) Executive Order No 420 of 21 April 1996, which replaces this Executive Order, has been notified as a draft in accordance with Council Directive 83/189 / EEC (Information Procedures Directive), as amended mainly by Council Directive 88/182 / EEC and the European Parliament and Council Directive 94/10 / EC.