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CASE STUDY & POLICY SPOTLIGHT

Finland: Making Tobacco Extended Producer Responsibility (EPR) Align with Article 5.3

Finland's 2021 government draft proposal to the Parliament to amend the Waste Act and the Maritime Environmental Protection Act, meant to implement the EU Single-Use Plastics Directive, would have allowed tobacco companies to participate in waste operations and consumer information on cigarette butts, and even to sit in joint monitoring with municipalities.^[1] On 7th March 2022, ASH Finland filed a complaint to the Parliamentary Ombudsman, arguing that this violated WHO FCTC Article 5.3, which Finland had ratified, and the Finnish Tobacco Act. The complaint stressed that any cooperation with tobacco producers in policymaking, monitoring, or public communication would create an irreconcilable conflict of interest.

On 10th December 2022, Parliament adopted the amended 1096/2022 Act Amending the Waste Act, removing these provisions. The final law assigns all operational responsibilities for tobacco waste collection and public information to municipalities, limits producers' role to paying costs only, and entrusts cost-related decisions to an independent authority (Pirkanmaa ELY).^[2]

The outcome: Finland aligned its EPR system with FCTC Article 5.3 by ensuring tobacco industry exclusion from policy, monitoring, and consumer communication.

References:

[1] "In addition, the representatives of key producers and the Association of Finnish Local and Regional Authorities have agreed to establish a joint monitoring group, whose task is, among other things, to prepare instructions for municipalities in this regard. to reliably monitor costs and promote the development and implementation of best waste and litter collection and cleaning practices in municipalities." Source: HE 141/2022. Government proposal to Parliament to amend the Waste Act. Available at: <https://www.finlex.fi/fi/hallituksen-esitykset/2022/141>

[2] "The municipality shall arrange for the collection of waste caused by tobacco products referred to in Section 48, subsection 1, point 10, in the areas referred to in Section 48 c above, as well as for advice and information related to the said products and waste in accordance with Section 51." Source: 1096/2022. Act amending the Waste Act. Available at: <https://www.finlex.fi/fi/lainsaadanto/saaduskokoelma/2022/1096?utm>



Acknowledgements and Authorship

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GGTC empowers change-makers with cutting-edge strategies and tools to ensure that the health of millions around the world would not suffer at the hands of the tobacco industry.