

SAFEGUARDS

CONSUMER GOODS AND RETAIL

ELECTRICAL & ELECTRONICS

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NEW FAQ DOCUMENT FOR EU WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) DIRECTIVE

The Directorate General (DG) for the Environment of the European Commission has published a first draft of a Frequently Asked Questions (FAQ)¹ document on the new WEEE Directive 2012/19/EU² with the purpose of providing assistance to competent public authorities and economic operators in the interpretation of the provisions of the Directive, which entered into force on 13 August 2012.

The draft FAQ was created following a consultation with stakeholders such as economic operators and Member States. In the drafting process, two important criteria have been considered: the answers provided should not deviate from the previous FAQ document, unless the situation or the legal text have changed or if an adjustment of interpretation is required and they should not contrast from answers to identical questions comprised in the RoHS2 FAQ document, unless the issue is different.

Member States must implement the new WEEE Directive by 14 February 2014, when the 2002 WEEE Directive will be revoked. The new Directive outlines a transitional period (from 13 August 2012 – 14 August 2018) and an 'open-scope' period (from 15 August 2018 onward), which are also reflected in the two sections of the FAQ document.

The draft clarifies that from 15 August 2018, all categories of EEE (e.g. lamps and luminaries, consumables, components, printer cartridges and inverters) will fall under the new WEEE Directive. The recast Directive is intended to increase the collection, reuse and recycling of EEE and thus expands the definition of 'manufacturer' to include 'importer'. This measure provides EU Member States with the instruments to combat illegal shipments of WEEE disguised as used equipment, which are meant to by-pass EU waste regulations.

A clarification of the responsibilities of retailers in regards to discarded equipment is also outlined. Any retail store with an EEE sales area of at least 400 m² has the obligation to accept discarded items when an equivalent is purchased and it must also collect small WEEE (less than 25cm) free of charge to end consumers.

The FAQ document is not intended to be legally binding and it is subject to updates when necessary. The European Commission is accepting comment submissions on the draft until 30 August 2013. These comments could be considered as input for the preparation of the consolidated version of the FAQ document.



¹ [DRAFT-Frequently Asked Questions on- Directive 2012/19/EU on Waste Electrical and Electronic Equipment-\('new WEEE Directive'\)](#)

² [DIRECTIVE 2012/19/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 July 2012 on waste electrical and electronic equipment \(WEEE\)](#)

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