

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

ELECTRICAL & ELECTRONICS

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## AGREEMENT ON WEEE DIRECTIVE REVISION HAS BEEN ACHIEVED

The European Parliament and European Council have reached an agreement in December 2011 regarding the revision of the WEEE Directive (covering the Waste of Electrical & Electronic Equipment)<sup>1</sup>. The agreement was approved by the European Parliament on 19 January 2012<sup>2</sup>. Key amendments concern the basis for calculating collection rates.

The [Directive 2002/96/EC](#) on Waste Electrical and Electronic Equipment (WEEE) was first implemented in the EU in 2003. The Directive seeks to reduce the environmental impact of the disposal of electrical and electronics products and to encourage the separate collection and recycling of such materials. Under the directive, producers that place such products on the market are also required to be financially responsible for their safe removal from the environment.

Nine years later, the Directive has not achieved all the outlined goals, so it has been recently under review. The European Parliament and the Council had made an agreement on 20 December 2011, regarding the amendments to the Directive, however, this agreement still needed to be approved during a second-reading vote which took place on 19 January 2012.

Before the proposed amendments, the method for calculating the collection rates was four kg / inhabitant / year. This method will be kept for another four years starting from the moment the amended Directive comes into force. However from the fifth year, during the next three years, collection rates will be calculated based on 45% of the weight of E & E products that have entered the market. These first seven years will constitute the transitional period. Once the transitional period is over, the EU member states will be given the option to choose the collection calculation method. The two options will be: 65% of the weight of equipment that was placed on the market or 85% of the weight of waste equipment. The aim is for the EU to recycle at least 85% of electrical and electronics waste equipment by 2016.



<sup>1</sup> [Statement by Commissioner Potočnik on the new directive on waste electrical and electronic equipment \(WEEE\)](#)

<sup>2</sup> [European Parliament legislative resolution of 19 January 2012](#)

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The Directive has been simplified and would include only six categories of equipment after the transition period, according to Article 2, 1, (b) and Annex III, instead of ten categories. This is somewhat in contradiction of the revised sister [Directive 2011/65/EU](#) (Restriction of Hazardous Substances "RoHS"), which promotes 11 categories. Initially WEEE and RoHS covered identical 10 categories but according to Article 2, 1, (b) and Annex I of the WEEE recast, the 10 categories will be part of the scope only for a transition time. Alignment between the two Directives is provided by another major change of WEEE, the introduction of an 'open scope' after six years. Under the old Directive, only certain products were covered, but the open scope means that all equipment that meets the definition outlined in the directive will now be covered.

Another significant amendment is the one to the definition of a producer of electrical and electronic waste, which has been extended from 'an entity that introduces equipment in a given state' to include 'any entity placing equipment on the market'. Harmonised registers of all producers will now have to be stored online and member states will have the ability to share information in this regard.

An important new regulation introduced is also the obligation of large E & E retailers to create collection points for small used equipment, which means that consumers will now share the responsibility of safely disposing of their equipment and taking one more step in ensuring that these materials are collected, recycled and reused.

The proposed changes to the Directive have now received an overwhelming support by the European Parliament and they only need to be formally approved by the Council of Ministers in the upcoming weeks.

SGS as the world's leader in third party testing has established procedures to cover a large variety of legal requirements related to your products. The global footprint of SGS will provide solutions wherever you are. Our experts may support you in product compliance with WEEE, RoHS (EU, China, Korea, US, etc.), CE marking, REACH/SVHC, battery regulations and many more consumer product related requirements. Regardless if you are in need of chemical testing or services in the fields of inspection, certification, compliance assurance, outsourcing, training or auditing SGS is dedicated to satisfy your needs. Providing service to help your products to be fit for the market requirements of the future – whatever the legal frameworks might be.

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