

1.

E-waste is growing at a rate of 3-5 % a year in Europe!



电子废物在欧洲的年增长率为百分之3 -5 !

- The e-waste is the fastest growing source of municipal waste on Earth!
- 电子废物是地球废物最快的增长源!
- According to Greenpeace by 2010 there will be 178 million new computer users in China and 80 million new users in India alone!
- 根据绿色和平组织预测, 到2010年在中国将有1.78亿个新的电脑用户, 在印度将有8000万个新的电脑用户!

According to latest data the e-waste is the fastest growing source of municipal waste on Earth.

According to Greenpeace, e-waste today represents 5 % of the world's municipal waste stream that is approximately 50 million tons per year. These numbers are going to get bigger, according to Greenpeace. Per year in Europe e-waste levels are growing approximately 3-5 %. In the next five years e-waste levels are expected to triple.

According to Greenpeace by 2010 there will be 178 million new computer users in China and 80 million new users in India alone. This is mainly due to that people hanging on to the same gadgets are getting less. In 1997 the average lifespan of computers was six years; in 2005 it was only two years, Cnn reports. According to a recent article by the UK's Observer newspaper, average lifespan of a mobile phone now is just 18 months.

The reason for increase in dumping the e-waste has not so much to do with flaws in the hardware itself, but more to do with the software that is running the machines, Cnn reports.

Source: EVERTIQ.COM

2.

Update on WEEE implementation in the EU and the Review of the Directive!

WEEE指令欧洲实施的更新及回顾!

- By 1st January 2008 all EU States had implemented national WEEE legislation with Italy being one of the last!
- There is WEEE legislation outside of the EU, for example in Japan and some US States and China has recently published a draft of China-WEEE!



- 到2008年1月1日为止，所有欧盟国家都已开始实施国家WEEE法律指令，意大利是最后开始实施的国家之一!
- 欧盟以外也有WEEE法律指令，例如，在日本和美国的一些国家，中国最近发表了中国-WEEE法律指令草案!

The European Union WEEE (Waste Electrical and Electronic Equipment) Directive was adopted in 2003 and should have come into force on 13th August 2005 although most Member States missed the deadline. By 1st January 2008 all EU States had implemented national WEEE legislation with Italy being one of the last. Unfortunately for manufacturers, there are many significant differences between Member States, and requirements vary considerably. Some States have been warned by the European Commission (EC) that their legislation does not transpose the WEEE Directive correctly and they will need to change it or face prosecution by the European Court. The WEEE Directive appears to be straightforward having only 19 Articles whereas the much longer EU REACH regulation has 141 Articles. However, the implementation of WEEE is very complex because of the different approaches adopted by EU Member States.

At present, the EC is carrying out a comprehensive review of the WEEE directive and its implementation. Consultants have been employed to review how it has been implemented and to make recommendations for improvements. Two studies were published recently carried out by Okopol and by the United Nations University, and the interim findings from a third study carried out by Ecolas are available. These studies clearly show the wide variation in implementation and also highlight that the approaches adopted by some States do not meet the main intention of the legislation. An example would be to make "Producers" responsible for their own products when they reach end of life. In many EU States, WEEE is seen simply as an additional cost that does not encourage better eco-design. In 2005, over 9 million tonnes of electrical equipment was put onto the EU market with recycling rates varying from as low as ~20% of electrical tools being collected for recycling, to nearly 70% of monitoring and control equipment. The performance of EU States also varies considerably, Norway collects over 13 kg per inhabitant, the UK almost 10 kg but several Eastern European States collect less than 1 kg per inhabitant.

WEEE is implemented nationally within EU Member States each of which has its own system and rules. All States have national Producer Compliance Schemes (PCS), which producers can join and who meet all of the obligations of their members for a fee. Most schemes operate only in single States although there are a few schemes that operate in several States. It is possible for producers to meet their obligations individually but very few find that this is feasible. Some States have many PCS, the UK has over 30, whereas other States have a few schemes and in most of these (e.g. Holland) there is only one scheme for each type of product. A few States, including Belgium, have only one national PCS although producers can meet their obligations alone if they wish.

The first aspect of WEEE legislation to understand is the difference between products sold to “households” – so-called B2C and products sold to businesses – B2B.

Requirement	B2C	B2B
Obligation to collect	From municipal waste sites and from retailers	From customers
Historical Waste	Responsibility based on market share	1:1 exchange when buying new except in France, Germany and Holland where the user is responsible
Producer Guarantee	Required in all EU States	Required in some EU States
Responsibility at end of life	Always the producer	Can be transferred to user in many, but not all member states

Producer obligations for B2C and for B2B are clearly different but these obligations are not the same in all EU States. To confuse matters further, each State uses its own definition of B2C and B2B. A few have produced lists of products that are regarded as being B2C whereas anything not listed are assumed to be B2B. Some States allow producers to decide and there are several other different definitions that are used.

Who is responsible?

The WEEE Directive states that “Producers” are responsible for financing the disposal of their products at end of life. Producers can be the manufacturer, importer or a distributor. However, responsibilities are not the same in all EU States. In some States, the manufacturer, re-branding or importer are classified as the producer and must meet the financial obligations. In several States however, the responsibilities of a producer can be met by the exporter based in other States or, in some cases, outside the EU. For example, in the UK, Belgium, Holland, and a few other countries, a distributor who imports equipment is regarded as being the producer but can decide not to register if the foreign manufacturer meets all of the producer obligations by registering and joining compliance schemes.

Distance sellers

The situation with distance sellers is complex. These are companies that export equipment directly to users in other countries.

Distance sellers may have obligations in their home EU States or in the States where their products are sold. The table below illustrates the main situations that exist.

Suppliers location	Obligations in sellers State	Customer location	Obligation in customers State
UK	UK supplier is the producer and must join a UK compliance scheme	UK	N/A
UK	Keep records of sales data. Report to UK government only if requested	Germany	Distance seller expected to register in Germany and is responsible for waste equipment at end of life
Finland	Must report sales data to Finish authorities	Netherlands	Join Dutch compliance scheme

Germany	None, no obligations for exporters	Spain	None, only Spanish entities can register
USA	None	France	B2C - Join French compliance scheme B2B – No obligations

About half of EU States require (or allow) “distance sellers” to register and take on financial responsibility whereas some States allow only nationals to register. Some States require manufacturers who export to other EU States to provide data on exports and this means that in some circumstances, distance sellers have to register twice and in others not at all. Countries that encourage foreign distance sellers that are located in other countries to register or to join national PCS include:

- France (not necessary for B2B, B2C is by joining a PCS)
- Germany
- Ireland
- Portugal
- Sweden
- UK (by joining a PCS)

Of course, distance sellers based in one State are outside of the jurisdiction of the WEEE authorities in other Member States and currently there is no mechanism to enforce national WEEE laws outside of national boundaries.

Obligations in four example Member States

Most producers comply with WEEE by joining a PCS. In many States, this is sufficient as the PCS registers members on their behalf, but producers must register themselves in eleven EU States including Austria, Germany, Ireland, Portugal and Sweden. The main requirements for equipment manufacturers who are also producers in four of the EU States are summarised below:

France: Has seven compliance schemes and these register members on their behalf; there is no registration fee. Manufacturers are required to print the crossed wheelie bin symbol and the producers name on products. France is one of the few countries that has a mandatory requirement to show “visible fees” at the point of sale of new B2C products. The visible fee informs the customer of the actual cost of collection, recycling and disposal at end of life and is part of the product price. French law requires that the French producer’s name be printed on products. This means that distributors who import equipment should apply labels with their name on each individual piece of equipment. In practice this is not done as it means re-packaging, and it has been claimed that this requirement could be illegal as it restricts the free movement of goods within the EU. Producers have to report on weight and number of unit sales annually

Germany: Has many compliance schemes but producers must also register with the authorities for which there is a complex fee structure. Unlike in other States, it is also necessary to pay a financial guarantee for B2C using the national guarantee scheme. Financial guarantees are required to ensure that the cost of disposal of WEEE at end of life can be met if the original seller has ceased trading. Manufacturers should print the crossed wheelie bin symbol and producers name on products although, unusually, the wheelie bin symbol appears not to be required for B2B. German producers are required to report on the weight and number of unit sales monthly for B2C and annually for B2B. The German authorities use a long list of product types to decide if equipment is B2C or B2B although B2B producers must also prove that equipment will not become municipal waste. This is important as there are separate fees and reporting requirements for B2C and B2B.

Netherlands: Most producers (both Dutch and from outside the Netherlands) join one of the three Dutch PCS and this is accepted as registration. It is possible to comply without joining a PCS but this is quite

onerous and very few producers have adopted this approach. There is no registration fee in the Netherlands. The types of products accepted by each PCS are limited and so in reality there is usually a choice of only one scheme. Despite this, the Netherlands is one of the lowest cost countries for WEEE compliance in the EU. Dutch PCS require quarterly reporting but producers that comply individually report annually. In the Netherlands, deciding whether a product is B2B or B2C is not what it may appear at first sight. IT and telecom products weighing over 35 kg are classified as B2B whereas lighter equipment is B2C, irrespective of the customer. Deciding whether other types are B2C or B2B is decided by a lengthy list from the NVMP scheme.

UK: All producers must join one of the approved PCS of which there are over 30 in the UK. The PCS registers producers on their behalf and pays the registration fees. Manufacturers should print the crossed wheelie bin symbol and producers name on all products. Quarterly reporting of sales in terms of weight and number of units is required. Showing the visible fee is optional in the UK but it is not used, mainly as it is strongly disliked by retailers. At the time of writing about 3200 producers have joined UK PCS, which is lower than expected implying that many have not yet joined schemes. Over 6000 organisations have registered in Germany and over 3700 in France which has a smaller electronics industry than the UK. The shortfall in the UK is probably because some manufacturers have assumed their products are not in scope but others may be unaware that they should have joined a scheme.

Scope of WEEE legislation

The scope of the WEEE Directive is listed in Annex IA and is ten broad categories of product. Annex IB lists “products that should be taken into account for the purposes of this Directive”. However, it is not clear what this means. It is not the same as “examples” or “indicative examples” and so has been interpreted differently by EU States. Annex IA is the minimum scope and Member States can have a wider outlook if they wish. However, it is not clear from national legislation whether individual States intend to broaden the scope or if this is being interpreted more broadly by civil servants. There are some significant differences between States as well as some types of products for which it is not clear if they are included or not:

- Some states such as Finland include as much equipment as possible and find a category to fit.
- Others such as the UK only include products if they clearly fit within a category although some interpretation of the product function and what is meant by the category are required. Where there is doubt, authorities tend to include rather than exclude.
- Equipment that is part of something else that is not included within the scope of WEEE is itself excluded (Article 2.1). This excludes, for example communications equipment installed in aircraft because aircraft are not in any of the 10 categories.
- Commercial kitchen equipment – included in the scope of WEEE and usually regarded as “household appliances” even though it is not used in households.
- Large-scale stationary industrial tools (LSIT) – this is a sub-category of category 6 that is excluded from the scope of WEEE. The EC has published a definition of LSIT and this indicates that the intention is to regard these as manufacturing processes in factories. Processes that produce equipment, food, magazines, chemicals, oil and probably power are regarded as LSIT and all permanently installed parts are therefore excluded from WEEE.
- Large machine tools – the status is not clear. UK believes that as these are large, stationary industrial tools, they should be excluded as LSIT but many States do not agree and include these in the scope of WEEE unless they are used as part of a production line.
- Process control equipment – this is used to monitor and control and is often installed in process control panels. However when used as part of a production process this should be excluded as LSIT components, but some States regard these products as being in Category 9, irrespective of

how they are used.

- Fixed installations – this is one of the biggest topics of debate and is based on Article 2.1 which excludes equipment that is part of other equipment that is not within the scope of WEEE. The debate concerns what if the “other equipment” is a building? Several Trade Associations have stated that Article 2.1 excludes fixed installations. However there is strong disagreement between EU Member States on what should, and should not, be included. Some States such as those in Scandinavia include all fixed installation equipment. Germany excludes any equipment that has to be installed by a professional and the UK’s opinion is that if dismantling and damage to parts of the building is required to remove the equipment, then it is excluded.
- Car radios – this is another Article 2.1 issue. Most States exclude these from WEEE as they are within the scope of the End of Life Vehicles directive and this is stated in guidance published by the EC. However, the Netherlands and a few other States include these within the scope of WEEE if they are sold directly to consumers (these are included in the Netherlands because they are included in the NVMP list of B2C products).

EC WEEE Review

The European Commission is currently reviewing all aspects of the WEEE Directive. This review will consider whether any changes are required to harmonise the approaches taken by Member States and how to make producers more responsible for their own products.

The review will eventually result in an amendment to the WEEE Directive although not before 2010. Aspects that may well change include:

- Scope – hopefully “grey areas” will be clarified, the status of fixed installations confirmed (probably as being in-scope). It is possible but less likely that LSIT could be included in scope or alternatively, all B2B equipment could be excluded. One option being seriously considered is making the scope Article 95 so that it must be the same in all EU Member States.
- Harmonisation of requirements – the current diversity of national legislation almost certainly inhibits the free movement of goods within the EU and so changes are likely to correct this situation. A variety of options are being considered such as streamlining registration and data requirements so that these are the same in all EU States. Registration only once in the EU instead of all States where sales are made is another option being considered. Definitions should also be clarified and the same in all EU States such as the difference between B2C and B2B.
- Promotion of individual producer responsibility – this was supposed to be a cornerstone of the WEEE directive but in practice, WEEE is no more than a tax with no incentives to design equipment for easier recycling. The Okopol study considers a number of financial models, some of which are intended to encourage better design for the environment. Manufacturers should be able to make cost savings while making products that have less environmental impact and are simpler to recycle.
- Mechanisms that account for the Global Market nature of electrical equipment need to be implemented. Equipment made in one EU State is often sold in many others and can reach end of life in different States to where it was originally sold. Systems that cover more than individual EU States and that can cope with cross-border transactions are required.
- Collection and recycling targets – these may be revised, but also the way equipment is collected could be changed to increase recovery rates. The items in Annex II are also being reviewed and these could be changed to benefit the environment.

The Commission plan to hold a Stakeholder Consultation on WEEE proposals and then carry out an impact assessment, probably in early 2008.

There is WEEE legislation outside of the EU, for example in Japan and some US States and China has recently published a draft of China-WEEE.

Source: Farnell

3.

UK meeting WEEE Directive target, figures suggest !

- UK is meeting its European targets for the collection of waste electrical and electronic equipment (WEEE) from households!
- In total, the figures show that 115,826.06 tonnes of WEEE was collected between July to September 2007!

数据显示，英国实现了WEEE目标！

- 英国实现了废旧家用电子电气设备欧洲回收目标！
- 数据显示，2007年7月到9月之间总共有115,826.06吨废旧电子电气设备得到了回收！



Provisional figures from the Environment Agency suggest the UK is meeting its European targets for the collection of waste electrical and electronic equipment (WEEE) from households.

The collection data for the first three months of the new producer responsibility system for WEEE - which started July 1, 2007 - shows old household appliances being collected at the rate of about 6.25 kg of WEEE per capita per year.

This would comfortably meet the 4kg per capita per year target set by the WEEE Directive for household WEEE.

The data is provisional, with three small producer compliance schemes given warnings because they have not managed to submit their data yet. These schemes were given until Tuesday to send in their figures, or the Agency will start enforcement proceedings. It is understood that two have now complied.

The Agency pointed out that being three-month statistics, other seasons of the year could produce different results.

Nevertheless, a spokesman for the Agency said: "It's good to see that we appear to be meeting our targets - especially on the consumer side, as there hasn't been as big a push on consumers yet. Once everything beds in, there will be more information going out to consumers - and then collection will go up even more."

The Agency said it will issue updated information once the data is complete.

Collection

In total, the figures show that 115,826.06 tonnes of WEEE was collected between July to September 2007, from the 1,543 designated collection facilities under the supervision of the 37 producer compliance schemes.

This included 81,724.87 tonnes of household WEEE deposited at a DCF, 12,989.23 tonnes collected by retailers, and 21,111.96 tonnes of business WEEE.

Tony Pedrotti, director of sustainable development at BERR, said on Wednesday that: "We have done quite well - as required by the Directive we have an 'adequate network', and we have indicative figures that we are already meeting the targets set for us by the European Union. This is very encouraging indeed - we weren't expecting that so soon."

Mr Pedrotti confirmed that 2008 would see the WEEE recycling message promoted further among consumers, to give them more information on what to do with their old electronic equipment.

Producers

Speaking at the same event, the Environment Agency's policy advisor for producer responsibility, Adrian Harding, said that the Agency would soon begin targeting those producers that have not signed up to contribute towards WEEE collection and recycling, for possible enforcement proceedings.

With more than 4,000 producers registered under the WEEE Regulations, he said the Agency's policy of education rather than prosecution in the first compliance period had produced results.

He explained: "In the first round of our telephone campaign we tried to contact 4,000 businesses, managed to contact 2,000 businesses and about 40% agreed they were probably producers and should register. More asked for information, which we sent to them, and only a small proportion said no, they were definitely not producers."

With producers being brought to the Agency's attention by their competitors, Mr Harding was confident of rounding up those not complying with their legal duties under the Regulations.

However, he warned: "The clock is ticking - and it is about to stop ticking. Where we have been regulating with a light touch will soon be regulating with a big stick."

Figures

The collection figures issued by the Agency were as follows:

WEEE collected in the UK, July 2007 to September 2007 - draft figures as of 06/12/2007:

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	WEEE Category	Household WEEE deposited at a DCF (t)	Household WEEE returned under regulation 32 (t)	Non-household WEEE collected (t)	Total WEEE collected (t)
1	Large Household	50,631.44	8,135.04	3,306.62	62,073.1
2	Small Household	2,827.52	41.87	328.2	3,197.59
3	IT and Telcomms	1,542.08	130.96	1,893.96	3,567
4	Consumer	1,389.73	255.46	378.24	2,023.43
5	Lighting	49.55	3.22	14.27	67.04
6	Tools	615.32	43.9	170.73	829.95
7	Leisure/Sports	21.73	3.52	87.94	113.19
8	Medical Devices	0	0	307.2	307.2
9	Monitoring/Control	134.46	1.23	453.69	589.38
10	Dispensers	740.04	0	219.13	959.17
11	Display	10,973.31	286.77	4,284.85	15,544.93
12	Cooling	12,728.92	4,073.68	8,849.61	25,652.21
13	Lamps	70.77	13.56	817.52	901.85
	Total	81,724.87	12,989.23	21,111.96	115,826.06

Source: Letsrecycle.com