



CROWBERRY CONSULTING

Environment, Ethics and Corporate
Responsibility Management

The Waste Electrical and Electronic Equipment Directive (WEEE) FAQ's (Including RoHS and Battery Directive)



This publication is intended for guidance purposes only and further legal support should be sought where necessary. Whilst every effort has been made to ensure this document is factually correct at the time of publication, its content is not intended for use without substantiating investigations by the users. No part of this publication may be reproduced, stored or transmitted in any way without prior permission from the publisher

What is it?

The Waste Electrical and Electronic Equipment Directive (WEEE Directive) was introduced into UK law in January 2007 by the [Waste Electronic and Electrical Equipment Regulations 2006](#). It aims to reduce the amount of electrical and electronic equipment being produced and to encourage everyone to reuse, recycle and recover it. It also aims to improve the environmental performance of businesses that manufacture, supply, use, recycle and recover electrical and electronic equipment.

I am an importer, rebrander or manufacturer – how do the Regulations affect me?

If your product uses electricity for its main purpose, then it's likely to be covered by the WEEE regulations which you need to comply with.

The WEEE regulations apply to electrical and electronic equipment which:

- Is dependent on electric currents or electromagnetic fields in order to work properly, including equipment for the generation, transfer and measurement of such currents and fields.
- Is designed for use with a voltage rating not exceeding 1,000V for alternating current and 1,500V for direct current.
- Falls into one of the [10 categories in Schedule 1](#) to the WEEE regulations (the [finished product](#) list).

Advice on how to comply with the regulations is available at - <http://www.environment-agency.gov.uk/static/documents/Business/1GEHO1006BLNZ-e-e.pdf.pdf>

I am a retailer/distributor – how can I best comply with the Regulations?

You can either take:

- Option A: Offer customers free 'take back' on their waste electrical and electronic equipment (WEEE). This is done on a like-for-like basis. Therefore, if a customer purchases, for example, a new television from you they can only return an old television back to you
- Option B: If you are a DTS member you do not have to take back any waste electrical and electronic equipment (WEEE). Valpak will supply you with all the information needed to put in your store(s) and on your website(s), directing customers to their nearest recycling facility

I am a householder/consumer – how can I best comply with the Regulations?

All retailers of electrical equipment must support recycling many provide funding for local authority collection facilities, others take back waste electrical equipment in their stores.

There are two easy ways to avoid house clutter and get rid of old electricals without throwing them in the bin:

- [your local recycling centre](#). All local authorities across the UK now have dedicated facilities for collecting waste electrical goods.
- Some retailers will take back your old electrical item in store, when you purchase a new item from them (but note that not all shops do this). IKEA offer a reverse vend machine on light-bulbs in some stores to encourage customers to deposit nonworking light-bulbs.

Are there any exemptions to the Regulations?

The Regulations do not apply to:

- Large-scale stationary industrial tools. This is a machine or system, consisting of a combination of equipment, systems, products and/or components installed by professionals, each of which is designed, manufactured and intended to be used only in fixed industrial applications.
- Household luminaries
- Filament light bulbs
- Implanted and infected medical devices. The WEEE Directive requires all other medical devices (Category 8 equipment) generally to be treated at end-of-life, but not recycled or recovered to target levels.

What happens when I don't comply with the Regulations?

- In the first prosecution of its kind, Sita Metal Recycling Ltd has been fined for treating and exporting waste electrical and electronic equipment (WEEE) without Environment Agency approval. It was fined £1,000 for each, with costs set at £4,456 on the 27 January 2010.
- A Bridgwater-based WEEE recycler was fined £1,500 for failing to keep up with hazardous waste paperwork. It was also ordered to pay £2,000 costs.
- Failure to comply with the packaging and WEEE regulations cost a Birmingham wholesaler £30,890 in fines, costs and compensation. Hairdressing supplies distributor Aston and Fincher Ltd pleaded guilty to 31 charges brought by the Environment Agency, of failing to comply with the Producer Responsibility Obligations (Packaging Waste) Regulations and failing to register as a producer of electrical and electronic waste. The company was fined £650 for each offence, a total of £20,150, and ordered to pay compensation of £7,135 to the agency. Costs were £3,605.

What is the Restriction of Hazardous Substances Directive 2002 (RoHS)?

RoHS is often referred to as the lead-free directive, and was implemented by [the UK RoHS Regulations](#) which came into force on 1 July 2006, but it restricts the use of the following six substances:

1. Lead (Pb)
2. Mercury (Hg)
3. Cadmium (Cd)
4. Hexavalent chromium (Cr⁶⁺)
5. Polybrominated biphenyls (PBB)
6. Polybrominated diphenyl ether (PBDE)

(PBB and PBDE are flame retardants used in several plastics.)

Examples of product components containing restricted substances:

- Paints and pigments
- PVC (vinyl) cables as a stabilizer (e.g., power cords, USB cables)
- Printed circuit board finishes, leads, internal and external interconnects
- Glass in television and photographic products (e.g., CRT television screens and camera lenses)
- Metal parts
- Lamps and bulbs

What is the Battery Directive 2006?

It regulates the manufacture and disposal of batteries in the European Union with the aim of "improving the environmental performance of batteries and accumulators". It has been partly implemented by [The Waste Batteries and Accumulators Regulations 2009](#).

The Directive states that at least 25% of all the EU's used batteries must be collected by 2012, and rising to no less than 45% by 2016, of which, that at least 50% of them must be recycled.

The Regulations affect different businesses in different ways. You need to decide if you are a producer, a distributor, or if you are involved in the treatment or export of waste batteries. Follow this link for help with compliance of the Regulations - <http://www.environment-agency.gov.uk/business/regulation/101529.aspx>

The easiest way to comply is simply to be diligent with recycling batteries. From 1 February 2010 batteries can be recycled anywhere the Be Positive sign appears. Shops and online retailers that sell more than 32 kilograms of batteries a year must offer facilities to recycle batteries. This is equivalent to one pack of 4 AA batteries a day. In the UK, an increasing number of shops (Argos, Homebase, B&Q, and Tesco) are providing battery return boxes and cylinders for their customers, so look out for these.

How can Crowberry Consulting help you?

- If you think you may be affected by WEEE, ROHS or the Batteries Directives/Regulations we can review your current methods for disposal and supply chain engagement. We can recommend compliance schemes and provide internal audits as part of ISO14001 on your compliance to the Regulations.
- If you are struggling to find compliant recycling companies in your area we can provide research and solutions.

**Compiled by Kirsty Ramsay LLB, Environmental Legal Consultant
June 2012**