

CROWBERRY CONSULTING
Environment, Ethics and Corporate Responsibility Management

WEEE FAQ's



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What Is WEEE?

The **Waste Electrical and Electronic Equipment Directive (WEEE Directive)** was introduced into UK law 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.

What Classifies as WEEE?

WEEE (Amendment) (No.2) Regulations 2018 amended the **2013 Regulations** in order to introduce **Schedule 3** which introduced ten categories of EEE which fall under these regulations.

1. Large Household Appliances
2. Small Household Appliances
3. IT and Telecommunications Equipment
4. Consumer Equipment and Photovoltaic Panels
5. Lighting Equipment
6. Electrical and Electronic Tools (except large-scale stationary industrial tools)
7. Toys, Leisure and Sports Equipment
8. Medical Devices (except all devices which are expected to be infective prior to end-of-life and active implantable medical devices)
9. Monitoring and Control Instruments
10. Automatic Dispensers

Schedule 4 includes a non-exhaustive list of the different types of EEE which falls within Schedule 3.



Image from [WEEELogic](#)



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I Am An Importer, Re-Brander 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. Under the [WEEE \(Amendment\) \(No.2\) Regulations 2018](#) all WEEE was brought under an Open Scope principle which means that all electrical and electronic equipment is regulated under WEEE Regulations unless it is explicitly excluded.

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.

[Advice on how to comply with the regulations is available on GOV.UK.](#)

I Am A Retailer/Distribution – 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 Distributor Take-back Scheme (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.



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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:

- 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).

Are There Any Exemptions To The Regulations?

The Regulations do not apply to:

- Large-scale stationary industrial tools/ fixed installations. 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.
- Equipment designed to be sent into space.
- Where electrical energy is only used for support or control functions, the equipment is not covered by the regulations.
- Household luminaries and filament light bulbs (except LED filament light bulbs)
- Implanted and infective (at end-of-life) medical devices.
 - The WEEE Directive requires all other medical devices (Category 8 equipment) to be treated at end-of-life, but not recycled or recovered to target levels.

The Environment Agency has guidance surrounding which EEE is covered by the Regulations. Find it [here](#).



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What Happens When I Don't Comply With The Regulations?

- If you do not comply with the regulations, the criminal penalty is an UNLIMITED fine in all courts, except the Magistrates Court where the maximum fine is £5000.
- In August 2015, Babz Media Limited, an online company, was fined £45,500 for failure to comply with three pieces of environmental legislation: Packaging Materials, Batteries and Electrical Equipment.
- 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.



Image from [RecoLight](#)



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What Is RoHS?

RoHS refers to the Restriction of Hazardous Substances Directive often referred to as the Lead-Free Directive, and was implemented by the UK **RoHS Regulations**, 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).
- Furthermore, as of the **22nd July 2019**, DEHP, BBP, DBP and DIBP in EEE have become prohibited substances, no more than 0.1% of any of the above substances are allowed within EEE.

The leading legislation is the **Use of Certain Hazardous Substances in Electrical and Electronic Regulations 2012** which has been amended by the **2014** and **2019** Regulations. In order to be compliant with this, all products within the scope must have:

- A supporting technical file to show compliance and a Declaration of Conformity
- Be marked appropriately as well as displaying the CE label
(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.
 - EG. power cords, USB cables, etc.
- Printed circuit board finishes, leads, internal and external interconnects.
- Glass in television and photographic products.
 - EG. CRT television screens and camera lenses.
- Metal parts.
- Lamps and bulbs.

If someone has reason to believe that a product does not conform to the Regulations, they must take **action** appropriate

CE Label



Image from the European Commission

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Waste Batteries and Accumulators

Waste Batteries and Accumulators are regulated by the **Batteries Directive** which 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** (as amended in **2015**).

This 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.

The easiest way to comply is simply to be diligent with recycling batteries. Since 1st 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.

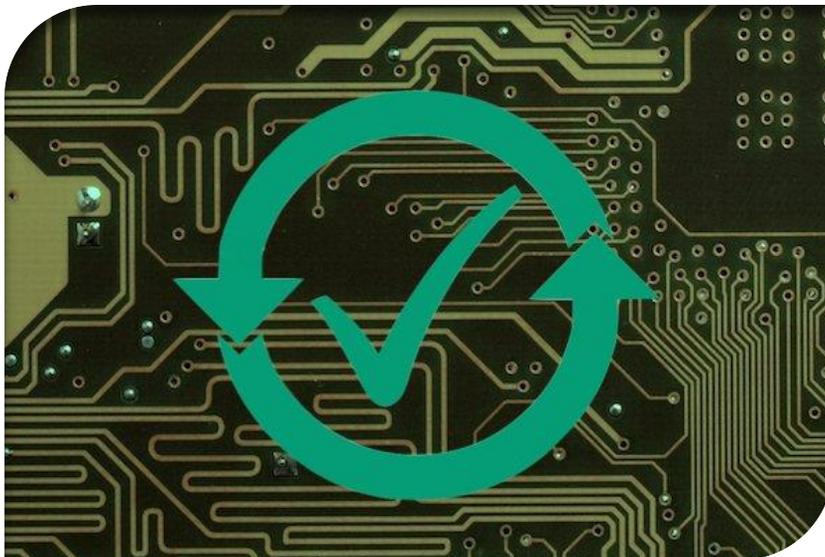


Image from [AllAboutCircuits](#)



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The 'B' Word?

- The impact of Brexit is still unknown, however, the Government have pledged to maintain, sustain and enhance environmental legislation.
- In relation to WEEE the main changes will be in relation to the RoHS. This is due to the CE marking which, as an EU requirement, must be stamped on all products which are subject to RoHS requirements, and are to be traded within the EU.
- Currently, the Government has issued **guidance** stating that the UK will still recognise the CE marking and that a product can be placed on the EU marking with a self-declared CE mark.
- However, following Exit Day, the UKCA is looking into a new conformity marking called the UKCA Mark, which will indicate that a product complies with UK regulations and can be placed on the UK market. Following the departure from the EU, there will be a database available where you can find the UK approved bodies which will be published ahead of Brexit.
- The **Government** have stated that “for a limited time, goods using either the CE or UKCA markings can be placed on the UK Market. Self-declaration will be allowed as it is today.” “The current EU ‘harmonised standards’ will be carried across as UK ‘designated standards’ to maintain a single standards model between the UK and EU.”



Image from [JCB Solicitors](#)



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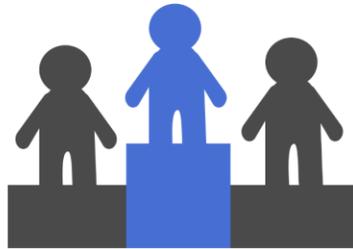
How Can Crowberry Consulting Help You?

- 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 updates to legal registers along with 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.

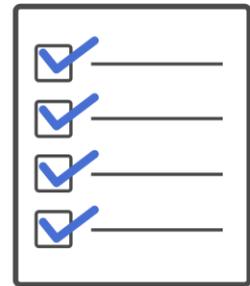
WE CAN HELP YOU IMPLEMENT ISO 14001 - ENVIRONMENTAL:



Clause 4 - Context of the organisation



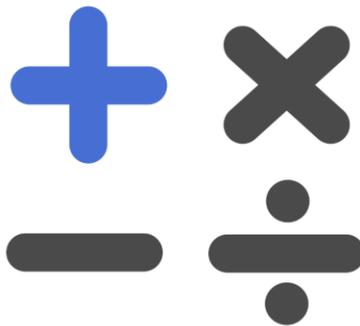
Clause 5 - Leadership



Clause 6 - Environmental Planning



Clause 7 - Support



Clause 8 - Operations for Environment



Clause 9 - Performance Evaluation



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