



What are RoHS and WEEE?

In 1998, The European Union determined that large amounts of hazardous materials were finding their way into waste dumps and landfills and the trend demonstrated an increase in contamination. RoHS and WEEE are new environmental directives governing the sales of electrical and electronic products sold into the European Union. Their goals are to protect human health by contributing toward a better environment. Producers who offer their equipment on EU soil will be required to comply with the Directives. In the case of equipment manufactured outside the EU, the importer, or sales representative who places the equipment on the market is the producer.

WEEE

The Waste Electrical and Electronic Equipment (WEEE) Directive (2002/96/EC) aims to encourage reuse, recycling and recovery of WEEE and to improve the environmental aspects of all operations involved in the lifecycle of electrical and electronic equipment. The Directive sets requirements relating to criteria for the collection, treatment, recycling, and recovery of WEEE. It makes producers responsible for financing most of these activities. Retailers and distributors are also responsible for the recycling aspects of WEEE.

RoHS

Often referred to as the “lead free” directive, in reality, RoHS stands for the “Restriction of Hazardous Substances” in Electrical and Electronic Equipment (EEE). With some exceptions, the Directive (2002/95/EC) bans or restricts the sale of new electrical and electronic equipment containing lead, mercury, cadmium, hexavalent chromium, polybromated biphenyls (PBB) and polybromated diphenyl ethers (PBDE) flame retardants. RoHS complements the WEEE Directive.

The RoHS regulations apply to all EEE which fall into any of eight broad categories listed in Annex A of the Directive that contain hazardous substances

placed on the European market on or after July 1, 2006. The categories of EEE covered by the RoHS regulations include:

- Category 1: Household appliances
- Category 2: Small household appliances
- Category 3: IT and telecommunications equipment
- Category 4: Consumer equipment
- Category 5: Lighting equipment, (including electric light bulbs and household luminaries)
- Category 6: Electrical and electronic tools (with the exception of large-scale stationary industrial tools)
- Category 7: Toys, leisure and sports equipment
- Category 10: Automatic dispensers

These categories reflect the categories in the WEEE Directive. In addition, the RoHS Regulations apply to both electric light bulbs and household lighting fixtures.

There are eight exclusions to the Directive:

1. EEE Category 8 Classification
2. EEE Category 9 Classification
3. Fixed installations
4. Items intended specifically for military defense use and national security
5. Equipment that is part of a product falling outside the scope of the WEEE Directive
6. Large scale industrial tools (Category 6 products, only)
7. All implanted and infected medical devices (Category 8 products only)
8. Spare parts

Requirements

Producers must be able to demonstrate compliance by submitting technical or other information to the enforcing authority on request. They must retain such documentation for four years after the EEE is placed on the market.

Enforcement

The Secretary of State has the duty of enforcing the RoHS Regulations and may appoint a third party to act on his behalf. The enforcement powers include power to serve a compliance notice and to make test purchases. Any person failing to comply with the requirements of the Regulations will be determined to be guilty of an offense.

Deadlines

By August 13, 2005 producers must have made arrangements to manage and fund their WEEE in all member states in which they sell their products. Products supplied after this date must be marked.

Products cannot be supplied after July 1, 2006 if they do not comply with RoHS requirements.

Producers must be able to demonstrate that they are meeting recovery and recycling targets by December 31, 2006.