

WEEE and the Consumer



Please play your role in ensuring that Waste Electrical and Electronic Equipment (WEEE) is recycled responsibly.

www.environ.ie

Why recycle waste electrical and electronic equipment?

Waste electrical equipment is one of the most rapidly growing waste streams in the developed world.

In Ireland huge amounts of waste equipment are consigned to landfill every year. Dumping old electrical appliances in landfill not only wastes resources but creates toxic substances which will remain for generations to come.

All too frequently the developed world's waste equipment has been dumped in developing countries for disassembly by the low paid working in hazardous conditions.

In Ireland, we have had a particular problem with fridges and cookers and other appliances being dumped on mountainsides and country lanes by unscrupulous individuals and illegal waste collectors.

What is the WEEE Directive and what does it do?

These problems are not unique to Ireland. They are a problem right across Europe. To deal with this the EU enacted the WEEE Directive in 2001.

The WEEE Directive aims at putting in place an environmentally sustainable system to ensure that electrical and electronic waste is recycled in a responsible way.

The main provisions of the Directive took effect on 13 August 2005. From that date all producers of electrical and electronic equipment are required to establish and to finance the recovery and recycling of household waste electrical and electronic equipment.

Free take back for Consumers

Since **13 August 2005**, consumers can recycle their old waste electrical and electronic equipment, free of charge, in the following ways:

To a Retailer

- Retailers are required by law to take back waste electrical appliances and electronic equipment from members of the public **free of charge**.
- Take back is on a one-for-one basis only and the appliance being returned must be of a **similar type** or have performed the **same function** as the new item purchased. For example, retailers are not obliged to accept a fridge where the consumer has purchased a toaster.
- Retailers must take back the old appliance in-store either at the time of sale or within a maximum of 15 days of the date of sale provided the consumer can provide proof of purchase.
- Where a new appliance or equipment is being delivered, as for example a new washing machine, cooker etc., the seller of the product must take back the old appliance (i) on the delivery of a new product either at the time of delivery, provided the old product has been cleaned and disconnected from any utilities and is ready for immediate collection, or (ii) within a maximum of 30 days from the date of delivery.
- Retailers must give 24 hours notice of a delivery or else return within 15 days to collect the old appliance.

Whichever take-back option a consumer avails of must be **free of charge**.

To a Local Authority

Each local authority must accept household WEEE free of charge at its civic amenity facilities from members of the public. **Local authorities can no longer charge gate fees for WEEE.**

How is the Recycling System financed?

In Ireland the recycling system is handled by two new companies: WEEE Ireland and the European Recycling Platform. These companies are financed through the system of Environmental Management Costs.

Who sets the rate of Environmental Management Costs?

Environmental Management Costs are set by the electronic and electrical industry itself.

The Environmental Management Costs are put into a fund which is used to cover the financing of the recycling schemes operating in Ireland.¹

The visible Environmental Management Costs being applied currently have been approved by an independent, industry based body, WEEE Register Society Ltd.

This system ensures that the moneys collected for recycling are actually assigned for recycling activity and are not diverted elsewhere. Displaying the environmental management costs serves a number of purposes:

- It shows consumers that there are dealing with a company that is involved in responsible recycling.
- It makes the scheme easier to police, and
- It ensures that costs are shared equitably across all producers.

Is this a new Tax?

No! Environmental management costs are not imposed by Government and the monies collected do not go to Government.

The environmental management costs are used to fund the operations of the two recycling companies mentioned above, and which were set up by the electrical and electronics industry. These companies are required to operate on a not-for-profit basis.

The Environmental Management Costs will be subject to independent audit and will also be subject to review by the WEEE Register, the independent body that has been established to oversee the registration of producers and to ensure that all producers are meeting their fair share of the costs of recycling.

Can recycling costs be added at the till to the price quoted or displayed?

¹ It should be noted that the ICT sector is not applying vEMCs to computer equipment.

No. The Irish WEEE Regulations require that the price of any item of electrical and electronic equipment quoted either verbally or in writing must be **inclusive** of the visible Environmental Management Cost.

Since **13 August 2005**, retailers advertising electrical and electronic equipment must display the total retail price, including the visible Environmental Management Cost in their advertisements and on websites.

From **13 February 2006**, retailers when quoting a price in writing (e.g. a display stand, shelf ticketing etc.) must display an amount equal to the retail price less the visible Environmental Management Cost, the visible Environmental Management Cost itself and the retail price.²

Why is this being applied in Ireland and not in some other EU Member States?

The system is intended to apply to all Member States from 13 August 2005.

Some Member States have failed to fulfil their responsibilities and now face being taken to the European Court of Justice where they could be faced with very severe daily fines for their failure. Because some Member States have failed to meet their obligations is no excuse for our failing to fulfil our responsibility.

All too frequently in the past we have failed to meet our environmental obligations and we have been rightly criticised for so doing. On this occasion we can take some satisfaction that we are to the fore in putting in place a responsible recycling system that will not 'cost the earth', that will divert very significant amounts of potentially hazardous waste away from landfill, that will combat the scourge of fly-tipping in our countryside and that will protect our environment for ourselves and for our children.

Do the charges apply to all Electrical and Electronic Goods?

No. Visible Environmental Management Costs do not apply to all goods. Medical equipment, toys and IT equipment (such as computers) & Telecommunications equipment do not carry environmental management costs.

How does a customer know that he or she is not being ripped off”?

The whole point of showing the environmental management costs is to ensure that the system is transparent.

² Up until 13 February 2006, vEMCs do not have to be shown in catalogues. However, the vEMC and the retail price (i.e. the price you pay) must be shown in a separate brochure, which the retailer must make readily available in a conspicuous position in each store or each time a catalogue is made available to a consumer.

Any retailer adding the Visible Environmental Management Costs at the till to the amount quoted either verbally or in writing (e.g. on a display stand, shelf ticketing, advertised) or not displaying the Visible Environmental Management Costs in advertising and in-store signage is committing an offence both in the context of the WEEE Regulations and also under consumer legislation.

Retailers must describe Visible Environmental Management Costs on receipts, shelf ticketing, advertisements etc. as “Producer Recycling Fund”.

The price you see must be the price you pay.

Why are there environmental management charges on small items like watches?

The WEEE Directive does not make provision for any exemptions. All electrical waste must be properly recycled. However, the level of charges on small items will be reviewed in the light of the costs involved in recycling those products.

There have been suggestions that the scheme was “rushed in” – was it?

No. The Directive was first available in draft form in 2000. It was agreed by the EU Council of Ministers in 2003. An implementation task force involving all relevant sectors was established by the Government within days of the publication of the Directive. Implementation of the Directive in Ireland was planned in close co-operation with those sectors. There were also periods of general public consultation on the detailed implementation regulations.

Because of this close co-operation and detailed preparatory work, most producers and retailers are operating the system well and are working hard to make it a success. The minority who are failing to operate the system cannot excuse their failure by suggesting that they did not have enough warning.

Is the scheme working well?

While it is still early days all of the indications are that the scheme is working very well. There have been some ‘hiccups’, but initial experience is showing that thousands of tonnes of waste have been diverted into the recycling system. The two not-for-profit recycling organisations, WEEE Ireland and ERP are up and running. Over 600 producers have already registered with the WEEE Registration Body. Over 100 designated collection centres are in operation throughout the country, including 64 local authority recycling centres which accept waste appliances free-of-charge from the public.

Once again Ireland is to the fore in an environmental initiative, as with the plastic bag levy, something we can take pride in as a nation.

Who do I report non-compliance to?

Retailers adding Visible Environmental Management Costs at the till.

Environmental Protection Agency
Johnstown Castle
Wexford.

E-mail info@epa.ie
Lo-call 1890 335 599

Office of the Director of Consumer Affairs
4 Harcourt Road
Dublin 2

E-mail odca@entemp.ie
Lo-call 1890 220 229

Retailers not taking back WEEE

The Environment Section of the local authority where the retailer is based.

The WEEE Directive is about protecting our environment. The cumulative impact of responsible behaviour by consumers can be huge.

REMEMBER YOU CAN MAKE A DIFFERENCE