

Guidance document for Member States measuring All WEEE Flows and on data sources for measuring All WEEE Flows

Brussels, 20 January 2017

INTRODUCTION

Article 7.1 of the WEEE II Directive states that Member States must meet a collection target of 45% from 2016 and 65% from 2019, based on the WEEE Put on the Market.

In order to achieve these collection targets it is crucial that Member States measure All WEEE Flows. This principle is established in Article 7.2, Article 16.4 and Commission FAQ 7.6.

Article 7.2 of the WEEE II Directive states that:

2. In order to establish whether the minimum collection rate has been achieved, Member States shall ensure that information concerning the WEEE that is separately collected in accordance with Article 5 is transmitted to the Member States free of charge, including at least information on WEEE that has been:

(a) received by collection and treatment facilities;

(b) received by distributors;

(c) separately collected by producers or third parties acting on their behalf.

What is more, Article 16.4 of the WEEE II Directive states that:

*Member States shall collect information, including substantiated estimates, on an annual basis, on the quantities and categories of EEE placed on their markets, **collected through all routes**, prepared for re-use, recycled and recovered within the Member State, and on separately collected WEEE exported, by weight.*

The European Commission's FAQ answer 7.6 states:

7.6. Are Member States required to collect information on WEEE collected through all routes?

Yes. According to Article 16(4), Member States are required to collect information on WEEE collected through all routes. This means that Member States should adopt measures to involve all actors in WEEE collection and to receive information on the quantities and categories of WEEE collected through all routes.

There are significant flows of WEEE outside producer responsibility schemes set up and operated by producers and it is important that all WEEE separately collected by different routes counts towards the collection rate. These so called ‘complimentary WEEE flows’ are collected by an array of actors, ranging from small-scale door-to-door collectors to large-scale scrap dealers and recyclers. The challenge for Member States is to ensure that these ‘complimentary WEEE flows’ are properly measured and that all separately collected WEEE undergoes proper treatment.

Given the complexity of WEEE flows, and on the basis of Article 16(4), Member States may opt to use substantiated estimates of WEEE collected through all routes to demonstrate or to help them demonstrate the achievement of the collection targets laid down in Article 7(1). Substantiated estimates have to be supported by independent scientific methodologies and be based as far as possible on real market data.

PRINCIPLES TO MEASURE ALL WEEE FLOWS

In 2013 DIGITALEUROPE jointly authored a ‘Guidance Document on Measuring All WEEE Flows and establishing WEEE Treatment Standards’¹. This leading document included recommendations to achieve an All WEEE Flows approach:

1. In order to demonstrate achievement of the collection rates laid down in article 7.1 and in accordance with article 7.2, all permitted WEEE treatment operators must report on all WEEE received regardless of the source or of the contracting party. This will ensure that all proper treatment is reported and counted towards the achievement of the collection rate.
2. In order for Member States to achieve obligations laid down by article 16.4, legislation must support the mandatory reporting by all permitted WEEE treatment operators, to an independent authorized register, which may be financed by producers.
3. Member States and the Commission must promote minimum quality standards adopted by CENELEC for collection and treatment of WEEE pursuant to article 8.5 and the Commission must adopt an

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http://www.digitaleurope.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=514&language=en-US&PortalId=0&TabId=353

implementing act that ensures uniform conditions for the collection and treatment of WEEE (including recovery, recycling and preparing for re-use).

4. In order to achieve a high quality of WEEE treatment and obligations laid down under article 8, Member States shall make sure that only treatment operators that operate in conformity with the applicable national or harmonized requirements pursuant to an implementing act are permitted to treat WEEE.
5. Member states shall collect information on volumes of WEEE that are being exported for treatment and ensure that treatment is compliant with the objectives of the Directive. According to these provisions WEEE exports shall count towards the exporting Member State's collection rate.
6. If Member States decide to implement an exclusive hand over of all separately collected WEEE from official collection points to producers as allowed by article 5.4, they should realize that this hand over will not cover WEEE that is directly collected by treatment operators or from sources other than official collection points. In order to capture all WEEE flows, Member States must, e.g. through dissuasive penalties and adequate enforcement, ensure that evidence of any preparation for re-use or treatment carried out in accordance with the minimum quality standards and the requirements of the Directive will be made available to an independent authorized register.

GUIDANCE ON MEASURING ALL WEEE FLOWS

Member States are now developing models to measure All WEEE Flows. Different Member States are in the process of undertaking studies, building data reporting tools, and collecting data on substantiated estimates.

DIGITALEUROPE wishes to continue to support Member States in this endeavor. Figure 1 provides a model that can help Member States to construct data to calculate All WEEE Flows.

Data to measure Net EEE Placed on Market

- Data should be collected on the EEE Placed on the Market. Data can be derived from National Registers, Compliance Schemes or PROs, Market research organisations such as Gfk, and Trade Associations.
- EEE imported (the weight of EEE entering a Member State in a reference year coming from another Member State or a third country for distribution, consumption or use) should be added to this figure.
- The EEE exported (the weight of EEE leaving a Member State in a reference year for another Member State or a third country for distribution, consumption or use) should then be deducted from this figure – as EEE exported is not available for separate collection. EEE exported includes EEE resold for export, EEE exported to subsidiaries, EEE incorporated into larger products and then sold for export and EEE re-exported by wholesalers.
- The used EEE exported for reuse should also be deducted from this figure – as this EEE is also not available for separate collection. This includes B2C UEEE exported for reuse and B2B UEEE exported for reuse.

- This approach and the definitions above are consistent with the European Commission implementing regulation establishing a common methodology for the calculation of the weight of electrical and electronic equipment (EEE) placed on the market of each Member State².

Data to measure WEEE Separately Collected for Art 7 Collection Targets

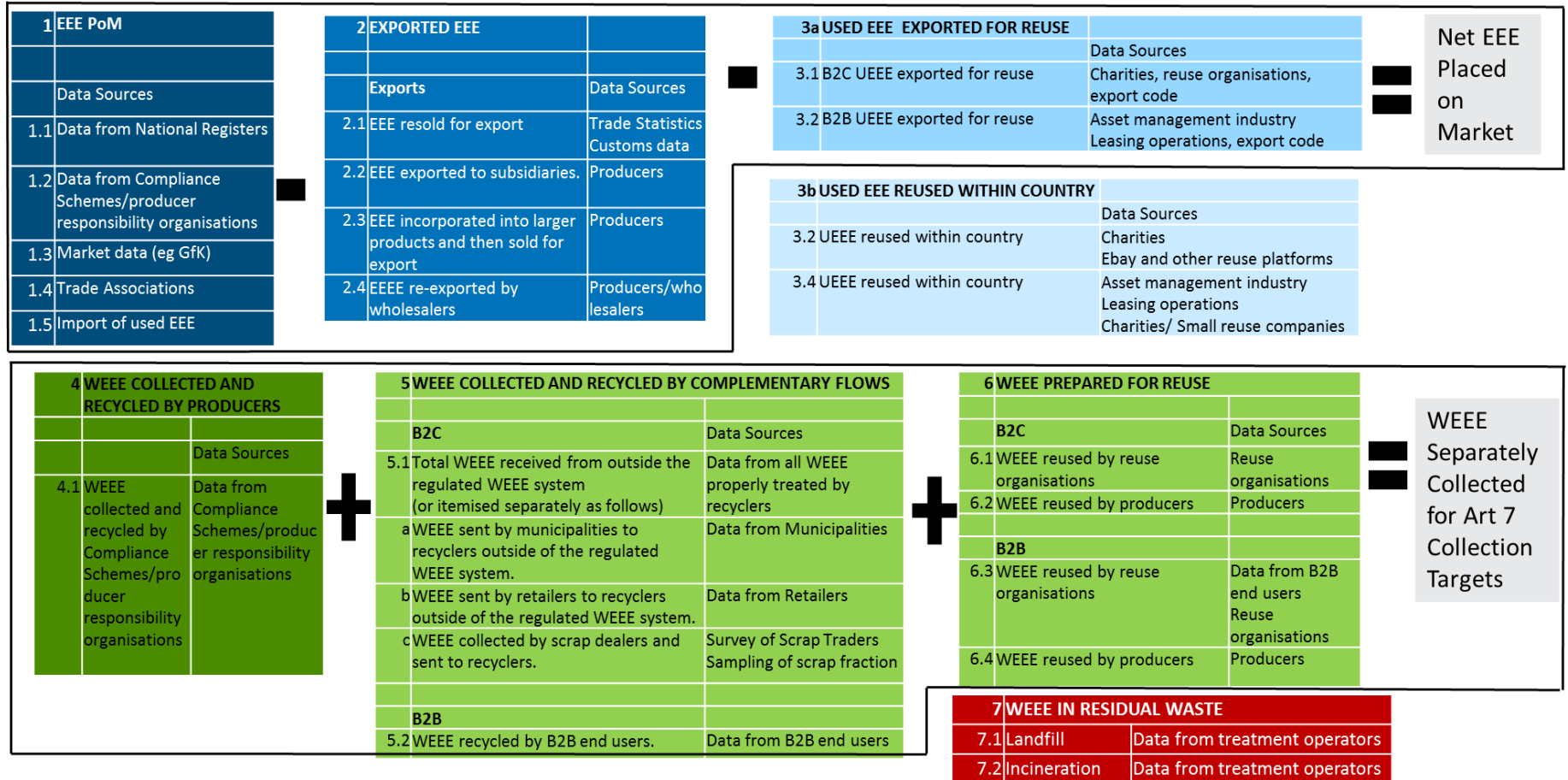
- Data should be collected on WEEE collected and recycled by producers. Data can be derived from Compliance Schemes and producer responsibility organisations.
- WEEE collected and recycled by complementary flows should be added to this figure. This can be based on data from all WEEE properly treated by recyclers; or can be itemized based on WEEE sent by municipalities to recyclers outside of the regulated WEEE system; WEEE sent by retailers to recyclers outside of the regulated WEEE system; and WEEE collected by scrap dealers and sent to recyclers. WEEE recycled by B2B end users should also be added to this figure.
- WEEE prepared for reuse should also be added to this figure. This should include B2C WEEE prepared for reuse by preparation for reuse organisations, B2C WEEE prepared for reuse by producers, B2B WEEE prepared for reuse by preparation for reuse organisations and B2B WEEE prepared for reuse by producers.

NEXT STEPS:

We believe this model provides Member States with useful guidance to measure All WEEE Flows. Understanding and measuring All WEEE Flows is an evolving process. DIGITALEUROPE is keen to work together with the European Commission and Member States in developing understanding of All WEEE Flows. We would appreciate feedback on this model and to continue to exchange good practice between Member States.

² See Commission implementing regulation establishing a common methodology for the calculation of the weight of electrical and electronic equipment (EEE) placed on the market of each Member State and a common methodology for the calculation of the quantity of waste electrical and electronic equipment (WEEE) generated by weight in each Member State https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2016-6820279_en

Figure 1



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ABOUT DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies.

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