EWRN european weee registers network

WEEE2 guidance document:

Components versus electrical and electronic equipment

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Content

1 Objective

The European Commission previously published a FAQ document[1] to interpret Directive 2012/19/EU (WEEE2). Unfortunately, those interpretations did not remove the problem how to differentiate between a mere component not covered by the WEEE2 regulations on the one hand and electrical and electronic equipment (EEE) falling in the scope of the WEEE2 on the other. Furthermore, position papers subject to so called "installation equipment" have been published by associations that classify several products as EEE, which in fact can clearly be qualified as components. Therefore, EWRN's document provides guidance and clarification to differentiate between components and EEE under the WEEE2.

2 Definitions

a) Article 3 (1) (a) **WEEE2 defines electrical and electronic equipment** (EEE):

"'electrical and electronic equipment' or 'EEE' means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1 000 volts for alternating current and 1 500 volts for direct current;"

b) There was **no legal definition of components** in the first WEEE-Directive and there is none in the WEEE2. The **Commission's FAQ** subject to the WEEE2 **explain components** as:

"Components cover the range of items that, when assembled, enable an EEE to work properly. Components placed on the market separately in order to be used to manufacture and/or repair an EEE fall outside the scope of the Directive unless they have an independent function themselves. However, a self-assembly kit that consists of components that form an EEE when assembled is an EEE at the stage when it is sold as

[1] http://ec.europa.eu/environment/waste/weee/pdf/faq.pdf subject to Directive 2012/19/EU

an assembly kit (Example: remote controlled electric helicopter delivered as an assembly kit).”[2]

3 Background – Scope of the WEEE2

Only **EEE** is covered by the scope of the WEEE2[3]. C**omponents** are not EEE and so the WEEE2 does not apply to components.

Therefore, the differentiation between components and EEE is essential to determine whether products are in scope of the WEEE2 as EEE or not.

4 Approach to differentiate between components and EEE

a) The WEEE2 defines **EEE** as equipment that is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields (see above no. 2 a).

EEE is an electrical and electronic product that can be used by and is intended for end users because it (already) works properly. Therefore, **EEE** is always a **finished product** that has a **(i) *direct function*** and that is **(ii) *intended for an end user***.

(i). Direct function is defined as any function which fulfils the intended use specified by the manufacturer in the instructions for use for an end user.[4] Products are also considered to have a direct function even if they require a combination with other equipment or parts. **(ii). End user** is a user in a private household or users other than private households.

These definitions are all in line with the examples for EEE in Annex II and IV of the WEEE2.

b) **Components,** on the other hand, are **unfinished products** that have ***no direct function*** *for an end user. They* are *not intended for an end user*. Components are *intended for a producer* for further processing into a (finished) product (the finished EEE).

Products like transistors, chips, internal wiring and capacitors are not EEE but components because they are intended for further processing by the producer into a then finished product (the finished EEE). Components find their final application in the

[2] FAQ Directive 2012/19/EU WEEE2, Q 3.6, p. 8
[3] Article 2 (1) WEEE2: *“This Directive shall apply to electrical and electronic equipment (EEE) as follows: …”*
[4] See also Commission’s RohS 2 FAQ Q6.5 p.18 and Q7.1 p. 19 et sqq.

finished product (the finished EEE). The finished EEE is generally comprised of several components.

Further examples for components: motors for electric drills, motors for vacuum cleaners or blenders.

c) Some products can be considered (not finished) **components or** (finished) **EEE, depending on the way and status how they are placed on the market**.

Placed on the market (i) intended for further processing by a producer or (ii) to an end user to directly use it.
In case of ad (i) the product is a component because it cannot be considered as a finished product for the end user. It is delivered to the producer without further information and individual packaging.
In case of ad (ii) the product is an EEE because the end user acquires a finished product that he can use as intended by the manufacturer.

See *image 1* below for further explanation.

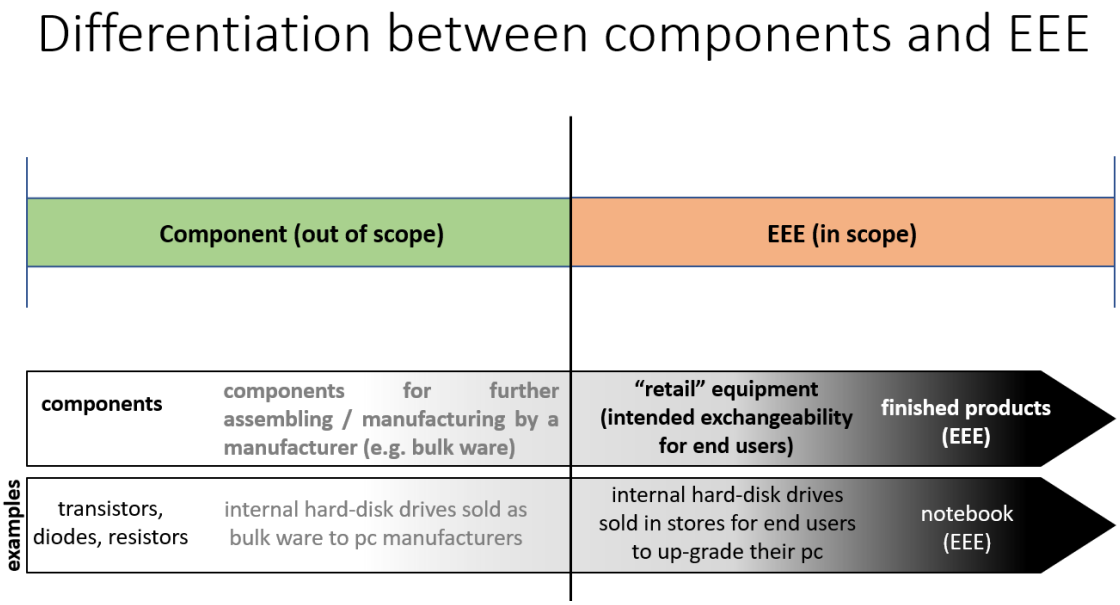
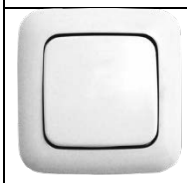
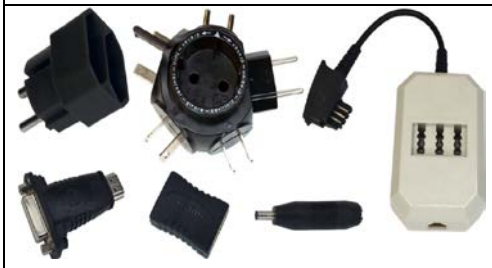


Image 1

5 Examples

Products	Description	Electrical and electronic equipment (EEE)?
  	(wall) socket outlets	EEE, in scope Product is ready to use after attached to the power grid (and wall). There is no further processing necessary.
 	(wall) switches	EEE, in scope Product is ready to use after attached to the grid and wall. There is no further processing necessary.
	cables without ends (no plug or socket)	component, out of scope Product is not ready to use. Ends (plugs, jacks, sockets) are necessary for a finished product (EEE). Further processing is necessary.

 ,	cables with ends (plug and/or socket)	EEE, in scope Cables are ready to use. No further processing is necessary.
	(miniature) circuit breakers	EEE, in scope. Ready to use. No further processing is necessary.
	fuses	EEE, in scope, Fuses are ready to use for end-user; No further processing is necessary.

	graphics cards	depends on way and status how it is placed on the market. (see above no. 4 lit. c)
	adapters	EEE, in scope Adapters are ready to use. No further processing is necessary.

6 European WEEE Registers Network (EWRN)

EWRN is an independent network of national registers at the heart of the national implementation of Directive 2012/19/EU ("WEEE2") in the respective EU Member States.

Those responsible for managing the national registers are working together at EWRN as experts regarding electrical and electronic equipment ("EEE") and its proper treatment.

EWRNs primary objectives includes promoting a harmonised approach to registration, reporting and scoping issues across the Member States. This includes harmonised interpretation of the new exclusions under WEEE2.