

1. What does Extended Producer Responsibility (EPR) entail?

EPR assigns responsibility for financing and organizing waste management, such as the collection and recycling of products, to producers and importers that first introduce these products to the Dutch market through laws and regulations. The EPR applies even when no General Binding Declaration (AVV) has been issued.

2. What is the Waste Management Contribution Agreement (ABBO)?

An ABBO is an agreement between an individual producer or importer and the organization—in this case, Stichting OPEN—that collectively manages and implements the EPR obligations on behalf of the producer or importer. The ABBO outlines, among other things, the financial contribution required from a producer or importer for the implementation of EPR obligations.

The Ministry of Infrastructure and Water Management has declared the ABBO of Stichting OPEN generally binding (AVV). This means that the ABBO applies to all producers and importers covered by the ABBO, even those who have not individually entered into the ABBO with Stichting OPEN.

The AVV creates a level playing field where producers and importers contribute equally to the waste management structure for discarded electrical appliances and lamps.

3. What is a General Binding Declaration (AVV), and what role does Stichting OPEN play in it?

An ABBO can be declared generally binding (AVV) by the government under the Environmental Management Act upon the request of a majority of producers and importers. If an AVV is granted, the agreements in the ABBO apply to all producers and importers covered by it, including those who have not individually signed an ABBO with Stichting OPEN. An AVV ensures a solid and fair financing system where all producers and importers contribute equally.

Stichting OPEN, established in 2019, has been taking on EPR obligations for electrical and electronic equipment—including lamps—since the current AVV came into effect. Stichting OPEN oversees and delegates operational tasks to market parties. The current AVV is valid until December 31, 2025. Stichting OPEN is applying for a new AVV to continue fulfilling these responsibilities in the future. The new AVV will be valid for five years.

4. To whom does the AVV apply?

Stichting OPEN seeks an AVV for all producers and importers of electrical and electronic appliances and lamps in the Netherlands that fall under producer responsibility.

5. How long is an AVV valid?

An AVV is valid for up to five years. At the end of this period, a new AVV request can be submitted, which is the current situation. The existing AVV expires on December 31, 2025. If a new AVV is granted, it will be valid for another five years.

6. What are the implications of an AVV?

An AVV requires all producers and importers of electrical appliances and lamps active in the Dutch market to contribute proportionally to the collection and processing of electrical waste. This creates a level playing field and establishes a solid foundation for financing the collection and recycling efforts for which producers are collectively responsible. Without an AVV, a "race to the bottom" might occur, where producers and importers join organizations with the lowest costs, making long-term investments

challenging and hindering fair competition and compliance with producer responsibility.

7. Does the AVV influence the rate?

The AVV does not directly affect the rate. Rate determination within Stichting OPEN is primarily the responsibility of the board, where all sectors are represented. The rates for all products are set annually based on estimated costs needed to achieve the objectives of producers and importers. Any rate increases are linked to factors such as:

- The volume of discarded electrical and electronic equipment (EEE) and lamps collected;
- Developments in regulations and compliance;
- Market prices for recovered materials;
- Tariff developments among collectors, transporters, sorters, and processors;
- The volume of EEE and lamps introduced to the market.

8. How is producer responsibility implemented by Stichting OPEN?

Through the AVV, Stichting OPEN organizes and oversees the collection and recycling of discarded electrical appliances and lamps via a nationwide network of drop-off points, including stores and municipal recycling centers. Stichting OPEN ensures that collected items are transported, sorted, and processed by certified recyclers, recovering valuable materials for reuse and removing hazardous substances.

Stichting OPEN plays a key role in achieving a circular economy, aiming for the Dutch economy to fully rely on reusable raw materials by 2050. It leads the e-waste sector in transitioning to circular practices, adhering to regulations, and promoting sustainability.

9. Who collaborates with Stichting OPEN?

Stichting OPEN works closely with industry associations to represent the interests of 5,700 affiliated producers and importers. It also partners with municipalities, retailers, collection companies, transporters, sorters, and recyclers to ensure efficient execution of producer responsibility.

10. What is collective producer responsibility with a General Binding Declaration (AVV)?

Collective producer responsibility via an AVV with Stichting OPEN ensures that: Producers and importers are in charge;

- A level playing field is established, as every producer and importer contributes equally to the costs;
- “Free riders” can be addressed more effectively;
- The organizational structure and cost allocation are transparent;
- A waste management contribution per product is transparently determined by the producer representatives on the board of Stichting OPEN;
- Competition in execution increases.

11. What are the benefits of Stichting OPEN's collective approach?

Benefits include:

- Equal rules for all producers and importers, ensuring uniform obligations in waste management;
- Improved collection capacity;
- Fair cost-sharing among producers and importers;
- Clear responsibilities for collection and recycling;
- Increased recycling rates;
- Reduced risk of illegal waste processing;
- Compliance with EU legislation, such as the WEEE Directive;
- Environmental benefits from organized collection and processing.

12. How are producer responsibility costs covered?

Producers and importers pay a waste management contribution based on the ABBO. Stichting OPEN sets annual cost-reflective rates, which cover the collection, sorting, and processing costs for discarded EEE and lamps. Stichting OPEN operates transparently and without profit motives.

13. For what purposes do producers and importers pay waste management contributions?

Contributions are used to achieve legal objectives. Rates are determined based on costs and product categories by a board comprising producers' representatives.

14. How is producer responsibility supervised?

Compliance with targets, such as collecting 65% of the three-year average EEE weight, is monitored by regulators like the ILT (Inspectorate for Environment and Transport). Stichting OPEN reports annually to the government on collection and recycling results.

15. How does Stichting OPEN promote innovation?

Stichting OPEN invests in solutions to improve collection and recycling efficiency, collaborates with partners, and initiates research and pilots to support the circular e-waste sector.

16. What is Stichting OPEN's future vision for producer responsibility?

Stichting OPEN strives for a fully circular economy by 2050, focusing on increasing collection rates, strengthening collaboration, and promoting recycling and reuse. It aims to minimize the use of new materials and keep recovered resources in the value chain as long as possible.

17. How does Stichting OPEN address market freeriders?

Stichting OPEN actively reminds producers and importers of their responsibility to contribute to e-waste management, ensuring a level playing field. Over 5,700 producers and importers are already affiliated.

18. What influence do producers and importers have within Stichting OPEN?

Producers lead Stichting OPEN, with each product category represented on its board through industry associations.

19. Can a producer or importer request an exemption from the AVV?

Producers and importers can request an AVV exemption from Rijkswaterstaat if they provide an equally or more effective solution for the collection and recycling of their e-waste compared to the collective system.

20. Will there be any changes in the new AVV?

The new AVV is a continuation of the current AVV. This means that collective implementation will be given to the producer responsibility for WEEE, ensuring a level playing field for producers and importers. Newly introduced is the focus on preparing for reuse, for which Stichting OPEN, in collaboration with organizations including Weee Nederland, contributes to the national circular ambitions and European regulations in this area.