

# WEEE and Battery Regulations – What do Retailers need to know?



## Background

Electrical and electronic equipment (EEE) and batteries often contains hazardous components and substances which can be damaging to the environment and may have negative effects on human health when they become waste (WEEE)<sup>1</sup>. There is a Producer Responsibility Initiative (PRI) in place in Ireland to fund the recycling and safe disposal of these products. Recycling rather than dumping means valuable components can be used again in new products and there will be less mining of raw materials.

## So, what legal obligations do I have as a retailer of electrical equipment and/or batteries?

1. **Register** with either a compliance scheme (WEEE Ireland or ERP Ireland) or with your local authority and **display the Certificate of WEEE Retailer Registration** in store.
2. **Display the applicable visible Environmental Management Cost (vEMC)** on the price notice of each relevant EEE product, including the following wording: *“Included in this price is a contribution to recycling costs of [amount of environmental management cost]”*. See overleaf for more information on vEMCs.
3. **Display a notice(s) informing customers** of the WEEE and battery return and collection systems available to them. See ‘Summary of Obligations’ below for more information.
4. **Take back Waste Electrical and Electronic Equipment (WEEE)** of similar type on a one-for-one, like-for-like basis, **free of charge**. If your sales area for EEE is greater than 400m<sup>2</sup>, you must provide for a one-for-zero take-back (i.e. no purchase of new equipment is necessary).
5. Ensure that WEEE is **stored correctly** (weatherproof covering) and transferred to contractors operating on behalf of a compliance scheme (WEEE Ireland/ERP Ireland). **Any unsolicited offers to take WEEE should be notified to the local authority, as this is unauthorised waste activity. Note: Unless approved to do so by your compliance scheme retailers are no longer allowed to drop off WEEE to their local civic amenity facility.**
6. **Keep records** relating to quantities of WEEE taken back, stored and removed from the premises.
7. Ensure that all items of EEE and/or batteries you distribute are placed on the market by **validly registered producers**. Validly registered producers are obliged to display their unique Producer Register Limited

<sup>1</sup> For example, old fluorescent tubes contain mercury. Asbestos has been used in older appliances such as electric coffee pots, toasters and irons. Gases which are typically found in heating and cooling appliances can damage the ozone layer or impact on climate, if released, particularly from fridges/freezers 10 to 15 years old. Some appliances can contain explosive gases such as ammonia. Lead and other hazardous substances can also be released from TV/computer monitor screens if damaged or cracked. These materials can cause serious environmental damage and are dangerous to human health.

registration number on invoices, credit notes, dispatch and delivery dockets. Check out [www.producerregister.ie/producers](http://www.producerregister.ie/producers) to ensure your suppliers are validly registered.

### Visible Environmental Management Costs (from 1<sup>st</sup> July 2014)

| Large Household Appliances  | EMC    | Consumer Equipment  | EMC        |
|---|--------|---|------------|
| All side by side American style refrigeration                               | €10.00 | Large colour televisions (73cm+)  | €5.00      |
| All larger and two door (under/over configuration) refrigeration appliances | €5.00  |   |            |
| All chest freezers above 150 litres   | €5.00  | <b>Lighting Equipment</b><br>(with the exception of household luminaires) | <b>EMC</b> |
| All under counter/table top refrigeration                                   | €5.00  | Gas discharge lamps, LFLs and CFLs  | €0.15      |
| All chest freezers below 150 litres   | €5.00  | LED lamps and luminaires  | €0.05      |
| Large appliances  | €5.00  | Other luminaires and lighting equipment                                   | €0.00      |

### Summary of obligations

| Obligation  | WEEE   | Batteries   |
|---|--|---|
| <b>Registration with local authority or approved compliance scheme.</b>           | <b>Yes</b> – required.   | <b>Yes</b> – required but <u>not</u> if retailer only sells portable batteries only (e.g. AA, AAA, Cell C, Cell D etc.).  |
| <b>Display visible environmental management costs (vEMC's), where applicable.</b> | <b>Yes</b> – As of the 1 <sup>st</sup> July 2014, vEMC's have been re-introduced for some categories of equipment. See <a href="http://www.producerregister.ie">www.producerregister.ie</a> for further information  | <b>No</b> – not applicable for batteries.   |
| <b>Take back</b>  | <b>Yes</b> - retailers must provide free take back of WEEE from customers. Take-back is on a one-for-one basis. The appliance being returned must be of similar type or have performed the same function as the new item purchased. Larger stores (>400m <sup>2</sup> floor sales area for EEE), will have to take back WEEE on a one for zero basis). | <b>Yes</b> - retailers are required to take back waste batteries from members of the public free of charge. Take-back is on a one for zero basis (i.e. no purchase necessary). However a retailer is not obligated to take back waste batteries that are leaking. |
| <b>Notices</b>  | <b>Yes</b> – retailers must display relevant information notices. Refer to <a href="http://www.weee-enforcement.ie">www.weee-enforcement.ie</a>  | <b>Yes</b> – retailers must display relevant information notices. Refer to <a href="http://www.weee-enforcement.ie">www.weee-enforcement.ie</a>   |
| <b>Storage, transport and disposal</b>  | <b>Yes</b> – retailers are obliged to collect and store WEEE. Retailers are NOT permitted to use the civic amenity site for WEEE. Retailers must provide WEEE to a contractor acting on behalf of a compliance scheme only   | <b>Yes</b> – retailers are obliged to dispose of, store and transport waste batteries as required by the Regulations. Retailers can drop portable batteries at the local civic amenity facility.  |
| <b>Record keeping</b>   | <b>Yes</b> - retailer are required to hold records relating to quantities of WEEE taken-back, stored and removed from premises.  | <b>No</b> - retailer is not legally required to hold such records but doing so would be considered best practice.   |
| <b>Distribute from registered producer supply chain.</b>                          | <b>Yes</b> – check invoices issued from supplier or check out producer listing at: <a href="http://www.producerregister.ie">www.producerregister.ie</a>  | <b>Yes</b> – check invoices issued from supplier or check out producer listing at: <a href="http://www.producerregister.ie">www.producerregister.ie</a>   |