Joint Workshop
on the Implementation of Article 15 of the WEEE Directive 2012/19/EU

Brussels, 8 September 2015

Meeting Details: The workshop was jointly hosted by the European Commission’s DG GROW and DG ENV (location: DG ENV offices, Brussels, Belgium) on the 8th of September 2015.

EC Presentations (DG ENV & DG GROW): The EC noted that Article 15 (WEEE Directive 2012/19/EU) obliges Member States to ensure that producers of EEE provide information about preparation for re-use and treatment for the products they place on the market to recyclers and re-use organisations, to enable these products to be recycled at their end-of-life. Producers must also indicate the location of dangerous substances in their products. This information must be provided one year after the product has been placed on the market. The EC has received complaints from recyclers/re-use organisations that not enough data was made available. The proper management of confidential producer information by producers and recyclers was an important consideration. The EC noted that, within existing eco-design legislation on energy-related products, there were so far not many requirements targeting recycling, with legislation mainly covering energy requirements. However, Article 4 of the WEEE Directive also had text on eco-design, notably with a view to facilitating reuse, dismantling, recovery.

WEEE is also one of the fastest growing waste streams and, whilst the re-use/recycling of WEEE was already difficult, this was becoming more difficult, due to miniaturisation. WEEE is also a potential source of critical raw materials (CRMs), as many of the CRMs in electronic products could be recovered to a greater extent than what is done today.

The majority of Member States delegates present noted that they had transposed the Directive (including Article 15), but they were not yet fully enforcing Article 15.

Various delegates noted that recycling workers did not consult brand/product-specific recycling manuals. These workers did not have time to look at each individual waste product, as there was only time to follow standard procedures (due to cost considerations). This was however not the case for re-use centres which need product-specific information.

Delegates discussed applying RFID tags to products, as they could store information on products and could be scanned by recyclers, once the product became waste. This could facilitate WEEE sorting, recycling, refurbishment and monitoring of exports. Delegates found that whilst automated application of sensor technology may be useful in the future, current technology was not yet proven, and impacts on value chain actors were unknown, and that tagging went beyond the requirements of the Directive.

In terms of regulation, the need for better implementation of the existing WEEE Directive, rather than the need for more regulation, was emphasised. A number of delegates urged the EC to make compliance with CENELEC WEEE treatment standards a legal requirement, as this was already the case in some Member States. Additional treatment standards could also help prevent the loss of value in waste (e.g. CRMs in waste). Further effort should also be made to ensure better representation of the re-use sector in standardisation work.
The text in Article 15 relating to preparation for re-use was highlighted, with delegates noting that this was a way of extending product lifetime. Re-use could be promoted through: early access to repair and service manuals (when product placed on market); access to fault diagnosis software and hardware and staff training for the use of these tools.

Delegates noted that producers should speak with recyclers and re-use organisations and find out what type of information they needed. A common agreement could then be sought. This did not require MS involvement in the initial phase. However, the EC stressed that there was a role for Member States on enforcement, and consequently they had to be involved in the shaping of instruments.

The EC concluded that delegate comments would be taken into consideration, including during the EC Circular Economy policy development process. Further reflection and in-depth research/studies on could be needed (e.g. on deployment of RFID tags). Extended Producer Responsibility (EPR) schemes were in many Member States closely linked to the WEEE Directive implementation process, including for implementation of the Article 15 obligation. No significant barriers to the EU internal market had been highlighted (in relation to placing EEE on the market in different Member States). A future, industry-led, collaborative initiative on the effective implementation of Article 15 had been suggested.