



JOINT INDUSTRY COMMENTS
on WEEE2 Draft Implementing Regulation establishing a
Common Methodology for the Calculation of “the weight of EEE
placed on the national market in each Member State” and a
Common Methodology for the Calculation of the “Quantity of
WEEE Generated by Weight in each Member State”

Brussels, 7 February 2017

In view of the upcoming **vote on 13th February 2017 of the members of the Technical Adaptation Committee**, we would like to provide the following observations on the latest draft Commission Implementing Regulation establishing a common methodology for the calculation of “the weight of electrical and electronic equipment (EEE) placed on the national market in 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”:

- **We thank the Commission for its efforts to establish common methodologies** both for the calculation EEE POM and WEEE generated collection targets. On the one hand, these methodologies are crucial to ensure a clear and harmonised implementation of the collection target in each Member State. On the other hand, it is essential that the methodologies lead to fair targets, which are based on objective, clear and transparent criteria. Member States are of course free to choose, which of the two approaches they use to demonstrate the achievement of the collection rate from 2019 onwards.
- **We fully support the following changes made by the Commission compared to the 2015 draft version:**
 - **Calculation of the weight of EEE placed on the market** of a Member State (POM) – Article 3 of the Draft Implementing Regulation: it is now clear that the first source of information is the information provided by the producers. It is important that quantities are counted based on real, accurate and sound data as reported by EEE manufacturers to national registers. In addition, it is now also clear that only in case available data is not considered accurate enough, Member States should have the option to estimate the quantities of EEE placed on the national market using the methodology set out in Annex I.
 - **Calculation of the total quantity of WEEE generated** in a Member State (WG) - Annex II point 5 of the Draft Implementing Regulation: we welcome the consultation of relevant stakeholders when the Member States update the data on EEE placed on the market or the product lifespan data used in the WEEE calculation tool.

It is a clear improvement and gives a clear message for transparency of the process at Member State level and the need for evidence backing the changes prior to the update. This could be further improved by making the lifespan data and profiles publicly available to verify the correctness of the data.

- **We would like to raise the following areas for improving the Draft Implementing Regulation:**

- **Availability of the electronic tool and involvement of industry stakeholders:** we ask for improved transparency of the electronic tool developed by the United Nations University and more involvement of industry stakeholders to verify the correctness of the data used regarding the calculation of the WEEE generated and POM figures. This would ensure that the methodologies create fair and accurate calculations of the collection targets. We suggest setting a period or a demonstration for stakeholders and experts to test and evaluate the electronic tool.
- **The need for a better consideration of professional products to guarantee quality results:** we highlight that the methodologies proposed in Annexes I and II and the UNU-keys have a strong focus on domestic products. We draw your attention to the complexity and heterogeneity of professional products. We call for Member States to better consider the specificity of professional products and to analyse their results with a certain flexibility.
- **Improved transparency from Member States:**
 - The **choice made** by Member States **on the calculation methodology used** (i.e. based on national registered data or estimates in accordance with the methodology set out in Annex I) should be made publicly available. This would ensure transparency.
 - In addition, the **lifespan data** for each category per Member State should also be made available to relevant stakeholders. This would ensure transparency and allow relevant stakeholders to verify the correctness of the data used.
- **Article 16(4) of WEEE2** stipulates that National Authorities must ensure that collection rates are achieved taking into account all the channels, which we fully support (**“all actors” concept**). Using the information that Member States have obtained following their obligations arising from other EU waste legislation, such as Regulation 2150/2002 on Waste Statistics, Directive 2008/98/EC on Waste or Regulation 1013/2006 on Waste Shipment will be essential for the accurateness of the future figures on WEEE generated. This still needs to be included in the present draft. This could 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 business to business end users as far as in scope of WEEE should also be added to this figure.
- **Products exported** for refurbishment or re-use **should be deducted from the WEEE generated** calculation in a given Member State. Indeed, these are used products shipped to another Member States or a third party. This should be explicitly mentioned in the draft.
- We would like to stress the **importance of accurate and reliable statistics** which is the basis of the pre-populated data included in the calculation tool supporting the Draft Implementing Regulation.

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