

## **Requirements and Procedure for Marking Electrical and Electronic Equipment, Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets<sup>1</sup>**

Regulation No. 376 of the Government of the Republic of 24 December 2004 (RT<sup>2</sup> I 2004, 91, 628), entered into force 1 January 2005;

Amended by the following Act:

28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363.

The Regulation is established on the basis of subsections 25 (4) and 26 (3) and (8) of the Waste Act (RT I 2004, 9, 52; 30, 208).

### **§ 1. Scope of application and definitions**

(1) This Regulation applies to electrical and electronic equipment specified in subsection 25 (3) 4) of the Waste Act the categories and sub-categories are provided for in Annex 1 to this Regulation, and to the waste resulting therefrom (hereinafter waste electrical and electronic equipment).

(2) This Regulation establishes the requirements and procedure for marking electrical and electronic equipment, and sets the requirements, procedure and targets for the collection, return to the producer and recovery or disposal of waste electrical and electronic equipment as well as the time limits for reaching such targets.

(3) This Regulation does not apply to equipment which constitutes a part of equipment not specified in Annex 1 to this Regulation.

(4) This Regulation does not apply to electrical and electronic equipment specifically intended for national security and defence purposes.

(5) For the purposes of this Regulation, "producer" means any person who, irrespective of the selling technique used, including by means of distance communication, manufactures and sells electrical and electronic equipment under his own brand, resells under his own brand equipment produced by other suppliers, imports electrical and electronic equipment on a professional basis into Member State of the European Union or exports them from Member State of the European Union. Whoever exclusively provides financing under or pursuant to any finance agreement shall not be deemed a "producer" unless he also acts as a producer. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

(5<sup>1</sup>) For the purposes of this Regulation "finance agreement" means any loan, lease, hiring or consumer credit agreement or arrangement relating to any electrical and electronic equipment whether or not the terms of that agreement or arrangement or any collateral agreement or arrangement provide that a transfer of ownership of that equipment will or may take place. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

(6) For the purposes of this Regulation, "distributor" means any person who provides electrical or electronic equipment on a commercial basis to the party who is going to use it.

(7) The list of substances and preparations deemed to be dangerous substances or preparations is provided in subsection 10 (5) of the Chemicals Act (RT I 1998, 47, 697; 1999, 45, 512; 2002, 53, 336; 61, 375; 63, 387; 2003, 23, 144; 51, 352; 75, 499; 88, 591; 2004, 45, 315; 75, 521).

## **§ 2. Marking of electrical and electronic equipment**

(1) The producer shall apply the following information on electrical and electronic equipment placed on the market:

- 1) information identifying the producer;
- 2) on equipment placed on the market after 13 August 2005 a mark (hereinafter mark) pursuant to standard EVS-EN 50419:2005. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

(2) Any information indicated on electrical and electronic equipment, including a mark, shall be clearly legible, indelible and visible until the equipment turns into waste.

(3) If there is not enough space to attach the mark on the surface of equipment or if a mark attached on the surface of equipment is likely to cause inconvenience upon use of the electrical or electronic equipment, the mark may be provided in the instructions for use or warranty document. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

## **§ 3. Information for users of electric and electronic equipment**

The producer shall ensure that the users of electric and electronic equipment are provided, through the points of sale, with the information on:

- 1) return facilities (locations and telephone numbers where relevant information can be obtained);
- 2) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
- 3) the meaning of the mark. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

## **§ 4. Information on waste electrical and electronic equipment to be provided for treatment facilities by producers of equipment**

Producers shall make available to the facilities engaged in the treatment of waste electrical and electronic equipment all information related to the reuse and processing of each new type of electrical and electronic equipment that is placed on the market not later than one year after such equipment is placed on the market, indicating the components and materials of such equipment and specifying the location if dangerous substances and preparations contained therein.

## **§ 5. Requirements for collection, transport and return to producers of waste electrical and electronic equipment**

- (1) Upon collection of waste, a waste holder shall keep waste electrical and electronic equipment apart from other waste.
- (2) Upon collection of waste electrical and electronic equipment, measures shall be taken to prevent the breaking up of such equipment, and the mixing-up of different equipment waste with the aim to ensure that reusable components and whole appliances can be made use of to the fullest possible extent.
- (3) Upon transport of waste electrical and electronic equipment, measures shall be taken to prevent the breaking up of such equipment, and the mixing-up of different types of waste

electrical and electronic equipment which are collected by the categories provided in Annex 1 to this Regulation.

- (4) Waste electrical and electronic equipment may be refused for return if it:
  - 1) contains other waste;
  - 2) poses a health hazard to personnel or cannot be further handled due to contamination.

#### **§ 6. Take-back of waste electrical and electronic equipment**

- (1) Distributors of electrical and electronic equipment intended for household use are obliged to take back from waste holders such waste free of charge on a one-to-one basis as long as the equipment is of an equivalent type and has fulfilled the same functions as the supplied equipment. If there are no facilities for collection of waste electrical and electronic equipment within a radius of ten kilometres, the distributors shall take back from natural persons free of charge any waste electrical and electronic equipment which is of an equivalent type and has fulfilled the same functions as the equipment placed on the market, regardless of whether the natural person has acquired or will acquire equivalent equipment from the distributor. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]
- (2) Producers are required to take back waste electrical and electronic equipment from the distributors free of charge.

#### **§ 7. Recovery of waste electrical and electronic equipment**

- (1) Upon recovery of waste electrical and electronic equipment, priority shall be given to the reuse of whole appliances where possible.
- (2) In recovery of waste electrical and electronic equipment collected during the given calendar year, producers meet the following targets [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]:
  - 1) for waste electrical and electronic equipment falling under categories 1 and 10 of Annex 1 to this Regulation, the rate of reuse shall be increased to a minimum of 80 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 75 % by an average weight per appliance;
  - 2) for waste electrical and electronic equipment falling under categories 3 and 4 of Annex 1 to this Regulation, the rate of reuse shall be increased to a minimum of 75 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 65 % by an average weight per appliance;
  - 3) for waste electrical and electronic equipment falling under categories 2, 5, 6, 7 and 9 of Annex 1 to the Regulation, the rate of reuse shall be increased to a minimum of 70 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 50 % by an average weight per appliance;
  - 4) for gas discharge lamps, the rate of component, material and substance reuse and recycling shall reach a minimum of 80 % by weight of the lamps.

#### **§ 8. Disposal of waste electrical and electronic equipment**

Non-recoverable waste resulting from electrical and electronic equipment shall be disposed of pursuant to the Waste Act.

## **§ 9. Implementation of Regulation**

- (1) Producers or persons authorised thereby are exempted from the obligation to collect and dispose of waste electrical and electronic equipment until 12 August 2005.
- (2) A producer or a person authorised by the producer shall ensure that the recovery of waste electrical and electronic equipment collected during the given calendar year as specified in subsection 7 (2) shall be achieved by 31 December 2008. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]
- (3) A producer or a person authorised by the producer is exempted until 13 August 2007 from the obligation of handling waste electrical and electronic equipment other than waste electrical and electronic equipment generated from electrical and electronic household equipment placed on the market before 13 August 2005. [28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]

## **§ 10. Entry into force of Regulation**

- (1) Section 6 of this Regulation enters into force on 13 August 2005.
- (2) Subsection 7 (2) of this Regulation enters into force on 31 December 2008.

<sup>1</sup> Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ L 037, 13.02.2003, pp. 24–39), last amended by Directive 2003/108/EC of the European Parliament and of the Council (OJ L 345, 31.12.2003, p. 106);

Council Decision 2004/312/EC granting the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia certain temporary derogations from Directive 2002/96/EC on waste electrical and electronic equipment (OJ L 100, 6.04.2004, pp. 33–34).

<sup>2</sup> RT = Riigi Teataja = State Gazette

### **Annex to 1 to Regulation No. 376 of the Government of the Republic of 24 December 2004 "Requirements and Procedure for Marking Electrical and Electronic Equipment, and Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets"**

Categories and sub-categories of electrical and electronic equipment

#### **1. Large household appliances**

- 1.1. Large cooling appliances
- 1.2. Refrigerators
- 1.3. Freezers
- 1.4. Other large appliances used for refrigeration, conservation and storage of food
- 1.5. Washing machines
- 1.6. Clothes dryers
- 1.7. Dish washing machines

1.8. Cooking appliances

1.9. Electric stoves

1.10. Electric hot plates

1.11. Microwave ovens

1.12. Other large appliances used for cooking and other processing of food

1.13. Electric heating appliances

1.14. Electric radiators

1.15. Other large appliances for heating rooms, beds, seating furniture

1.16. Electric fans

1.17. Air conditioners

1.18. Other fanning, exhaust ventilation and conditioning equipment

**2. Small household appliances**

2.1. Vacuum cleaners

2.2. Carpet sweepers

2.3. Other appliances for cleaning

2.4. Appliances used for sewing, knitting, weaving and other processing for textiles

2.5. Irons and other appliances for ironing, mangling and other care of clothing

2.6. Toasters

2.7. Fryers

2.8. Grinders, coffee machines and equipment for opening or sealing containers or packages

2.9. Electric knives

2.10. Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances

2.11. Clocks, watches and equipment for the purpose of measuring, indicating or registering time

2.12. Scales

**3. IT and telecommunications equipment**

3.1. Mainframes

3.2. Minicomputers

3.3. Printer units

3.4. Personal computers (mouse, screen and keyboard included)

3.5. Laptop computers (mouse, screen and keyboard included)

3.6. Notebook computers

3.7. Notepad computers

3.8. Printers

3.9. Copying equipment

3.10. Electrical and electronic typewriters

3.11. Pocket and desk calculators

3.12. Other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means

3.13. Facsimile

3.14. Telex

3.15. Telephones

3.16. Pay phones

3.17. Cordless telephones

3.18. Cellular telephones

3.19. Answering systems

3.20. Other products or equipment of transmitting sound, images or other information by telecommunications

#### **4. Consumer equipment**

4.1. Radio sets

4.2. Television sets

4.3. Videocameras

4.4. Video recorders

4.5. Hi-fi recorders

4.6. Audio amplifiers

4.7. Musical instruments

4.8. Other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications

#### **5. Lighting equipment**

5.1. Luminaires for fluorescent lamps with the exception of luminaires in households

5.2. Straight fluorescent lamps

5.3. Compact fluorescent lamps

5.4. High intensity discharge lamps, including pressure sodium lamps and metal halide lamps

5.5. Low pressure sodium lamps

5.6. Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs

#### **6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)**

6.1. Drills

6.2. Saws

6.3. Sewing machines

6.4. Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials

6.5. Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses

6.6. Tools for welding, soldering or similar use

6.7. Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means

6.8. Tools for mowing or other gardening activities

## **7. Toys, leisure and sports equipment**

7.1. Electric trains or car racing sets

7.2. Hand-held video game consoles

7.3. Video games

7.4. Computers for biking, diving, running, rowing, etc

7.5. Sports equipment with electric or electronic components

7.6. Coin slot machines

## **8. Medical devices (with the exception of all implanted and infected products)**

8.1. Radiotherapy equipment

8.2. Cardiology

8.3. Dialysis

8.4. Pulmonary ventilators

8.5. Nuclear medicine

8.6. Laboratory equipment for in-vitro diagnosis

8.7. Analysers

8.8. Freezers

8.9. Fertilization tests

8.10. Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability

## **9. Monitoring and control instruments**

9.1. Smoke detectors

9.2. Heating regulators

9.3. Thermostats

9.4. Measuring, weighing or adjusting appliances for household or as laboratory equipment

9.5. Other monitoring and control instruments used in industrial installations (e.g. in control panels)

## **10. Automatic dispensers**

10.1. Automatic dispensers for hot drinks

10.2. Automatic dispensers for hot or cold bottles or cans

10.3. Automatic dispensers for solid products

10.4. Automatic dispensers for money

10.5. All appliances which deliver automatically all kind of products

**Annex to 2 to Regulation No. 376 of the Government of the Republic of 24 December 2004 "Requirements and Procedure for Marking Electrical and Electronic Equipment, and Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets"**

[Repealed; 28.07.2005 entered into force 13.08.2005 – RT I 2005, 43, 363]