

**House of Lords Science and Technology Committee Inquiry – Waste  
Reduction.  
Electronic Producers Environmental Policy Forum Submission.**

The Electronic Producers Environmental Policy Forum (EPEPF) works to inform the government and parliament about the impact of current legislation on the sustainability of electrical products. Members of the Forum include industry leaders such as Sony, Samsung, Hewlett Packard and Canon.

Most recently, the EPEPF has been working to draw the attention of parliamentarians to the problems caused by the Government's inchoate transposition of the Waste Electrical and Electronic Equipment (WEEE) Directive. The European Union's WEEE Directive charges the producers and retailers of electronic and electrical equipment with responsibility for increasing the re-use, recovery and recycling of WEEE. In a letter to the waste disposal authorities in England (dated April 18<sup>th</sup> 2007), Jeanne Grey, Assistant Director of WEEE Implementation argued that:

The aim of the WEEE Directive is to minimise the negative environmental and health impacts of WEEE, and contribute positively to sustainable development by maximising the separate collection of WEEE from other forms of waste. This separate collection is the precursor to the appropriate treatment of WEEE and subsequent re-use, recycling and recovery of WEEE and environmentally disposal of any residual WEEE.

However, as currently transposed in the UK, the WEEE Directive only enforces a system of Collective Producer Responsibility (CPR) which does not maximise the collection, re-use or recycling of WEEE. CPR makes producers of electrical and electronic goods responsible for a proportion of all WEEE that is equal to the amount of product that they put on the market. Under CPR, the cost of recovery, recycling and re-use are absorbed collectively by all producers. CPR does not provide any single producer with the incentive to make their products easier to recycle or re-use.

The EPEPF believes that the Government should fully transpose article 8.2 of the original EU WEEE Directive which would bring about Individual Producer Responsibility (IPR) in the UK.

While CPR makes each manufacturer responsible for a proportion of all WEEE, under IPR each manufacturer is only responsible for the WEEE arising from their own products and therefore creates an incentive for each producer to design their products in such a way as to make them easier to recycle or re-use.

R.J. Lipset, the pioneer of producer responsibility theory has argued that<sup>1</sup>:

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<sup>1</sup> Lifset, R.J., Take it Back: Extended Producer Responsibility as a Form of Incentive Based Policy. *Journal of Resource Management and Technology*, Vol. 21, No. 4., December 1993

“There is little doubt that extended producer responsibility generates both economic and political incentives for waste recovery and more broadly, green design.”

IPR provides a competitive incentive for producers to design their products so that they are easier and therefore cheaper to recycle. By making them liable for any and all charges arising from the costs of recycling or re-using *only their own products*, IPR provides producers with a powerful economic incentive to design those products in a way that makes them easier and cheaper to recycle or re-use. Without the transposition of article 8.2, the incentive to encourage producers to focus on design for recycling is absent. This jeopardises the attainment of the Directive’s objective which was to create ‘an economic incentive for producers to adapt the design of their products to the prerequisites of sound waste management.’ [EC: WEEE (2000)].

12 Member States have transposed Article 8.2 (including Belgium, Cyprus, Italy and Sweden) while 12 Member States have not (including France, Spain and the UK). 4 Member States have partially transposed article 8.2 (including Germany).

While the UK government has indicated its willingness to implement IPR in principle, they have claimed that they cannot transpose article 8.2 until a fully workable model is available. Workable IPR models already exist in other countries such as Sweden, Japan and parts of America. While an IPR system that sees producers collecting, recycling and re-using their own products may not be possible in the UK at this juncture, as a first step, a system that makes producers responsible for a proportion of WEEE equal to the electrical and electronic equipment they actually put on the market, worked out through brand sampling from the waste stream, would be a possible and positive first step. In conclusion, the EPEPF believe that without IPR, the WEEE Directive is failing in its main objective: to establish an incentive or producers to design products for easier recycling and that the first step is to ensure that Article 8.2 is properly transposed in the UK.

22.10.2007