

Brussels, December 2005

Position Paper on WEEE

On 13 February 2003, the directive on Waste Electrical and Electronic Equipment (WEEE, 2002/96/EC of 27/1/2003) was published in the Official Journal of the European Union (L37, pages 19-38). The Member States had to transpose the directive into national law by 13 August 2004. Directive 2002/96/EC (WEEE) is applicable from 13 August 2005. This marks the end of a long discussion on the disposal of electronic waste which, in the early nineties, was pushed forward with strong support, particularly from Germany.

The goals of the WEEE directive are to establish an ecologically sound system for the disposal of waste from electrical and electronic equipment, e.g. computers, washing machines, irons and electronic tools. The directive covers both privately and commercially used electrical and electronic equipment.

An open question still remains as to what extent mechanical engineering products are covered by the WEEE directive. In order to answer this question, and after a more precise analysis of the “whereas” and core text of the directive, the members of Europump agreed the following position.

Core Statement:

Pumps and pump units are not covered by the WEEE directive

Motivation:

Machines with connected controls are units

The Annexes IA and IB must not be detached from the text of the WEEE directive 2002/96/EC and, here in particular, they must be considered as a part of Article 2 on the scope.

Article 2 of Directive 2002/96/EC (WEEE) states: “This Directive shall apply to electrical and electronic equipment falling under the categories set out in Annex IA provided that the equipment concerned is not part of another type of equipment that does not fall within the scope of this Directive.”

According to Annex IA category 6 of Directive 2002/96/EC (WEEE), electrical and electronic tools are covered by the scope of the directive (an exemplary enumeration in Annex IB category 6 of the same directive: drills, saws, equipment for turning...) with the exception of “large-scale stationary industrial tools” (such as stationary machinery tools, textile machinery, packing machines, as opposed to the “hand-held” drills mentioned above).

This means that mechanical equipment is not covered by the scope of the directive.

The same is true for the control panel belonging to the equipment (see Annex IA category 9: monitoring and control instruments, e.g., operator panels) which, as a part of stationary equipment, is exempted from the scope according to Annex IA category 6, and is therefore not covered by Directive 2002/96/EC (WEEE) (otherwise category 9 would annul the exemption of category 6).

On the other hand, “self-contained” monitoring and control instruments (i.e. not part of a machine) *are* covered by Directive 2002/96/EC (WEEE) (e.g. volt meter).

Conclusion:

After careful study of the Directive 2002/96/EC on WEEE, EUROPUMP and its members come to the conclusion that pumps and pump units are not included within the scope of this Directive.

ANNEX

Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE)

Excerpts of the directive text:

- I. Scope (Article 2 together with Appendix IA/IB WEEE)

Article 2

1. This Directive shall apply to electrical and electronic equipment falling under the categories set out in Annex IA provided that the equipment concerned is not part of another type of equipment that does not fall within the scope of this Directive. Annex IB contains a list of products which fall under the categories set out in Annex IA.

Annex IA

Categories of electrical and electronic equipment covered by this Directive

1. Large household appliances
2. Small household appliances
3. IT and telecommunications equipment
4. Consumer equipment
5. Lighting equipment
- 6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)**
7. Toys, leisure and sports equipment
8. Medical devices (with the exception of all implanted and infected products)
- 9. Monitoring and control instruments**
10. Automatic dispensers

Annex IB

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

- Drills
- Saws
- Sewing machines
- Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials
- Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses

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As the text of the directive has been transposed into the national law of each Member State, it might occur that deviations from the given statement are caused by the individual interpretation of a particular Member State. To clarify any uncertainties, please contact your national professional association which will be in contact with the relevant ministries.

- Tools for welding, soldering or similar use
- Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means
- Tools for mowing or other gardening activities

9. Monitoring and control instruments

Smoke detectors

Heating regulators

Thermostats

Measuring, weighing or adjusting appliances for households or as laboratory equipment

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