



DIGITALEUROPE



Mr. Janez Potočnik
Member of the European Commission
European Commission
B – 1000 Brussels

Brussels, 22 February 2011

Recast of Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE)

Dear Commissioner,

On 14 March 2011, Member States are seeking to achieve a political agreement on the Commission's recast proposal for a Directive on Waste Electrical and Electronic Equipment (WEEE).

In view of this development, the undersigned Industry representatives, which manufacture all equipment falling in the scope of the Directive, kindly request your support for ensuring that the recast does effectively lead to improving the enforceability of the Directive. This would in our view require

- the setting of clear and unambiguous requirements
- which address the right targets in the complex multi-stakeholder WEEE management process
- with proportionate and workable measures.

In our view, this entails:

- No open scope and/or restructuring of the existing ten scope categories into fewer categories, which would create both, new uncertainties as there has been no impact assessment, as well as extra administrative burden for Member States' enforcement and companies in their reporting obligations as they have to re-programme all their information systems without any environmental benefit. Instead, there should be a clearer codification of the scope exclusions applied in practice today according to the Commission's Guidance Document (F.A.Q.s of May 2005).

- A collection rate that applies to Member States, who are the only ones with the power to enforce, and which would be calculated on the basis of "WEEE generated"
- The possibility for companies to appoint a "legal representative" (WEEE representative) in a Member State, which should, however, not be limited to distance sellers but apply as an option for all companies. This would at the same time allow for proper enforcement activities in each Member State while avoiding the burdensome necessity for each company to establish a legal seat in each Member State
- Better harmonisation of registration formats and procedures by electronic registration
- No change of the financing obligations of producers for the collection of WEEE from private households, which is out of their sphere of control and influence
- Maintain the option for producers to show the visible fee should they wish to
- Stopping illegal exports, but keeping the possibility of legal shipments of used equipment for the purpose of repair, refurbishment, upgrading, re-manufacturing reprocessing or analysing not only during the warranty period but also beyond, since the lifetime of such equipment is longer than the warranty period.
- Clearly defined obligations on all actors involved in the WEEE management chain.

We hope that the Commission will see fit to support these suggestions in the further proceedings, which we consider necessary prerequisites for enforceable legislation in the interest of exploring the environmental benefits of the Directive and of ensuring fair competition as well as a level playing field for manufacturers of electrical and electronic equipment.

We remain available for any further information that you may wish to obtain.

A similar letter has been sent to Vice President Tajani.

Yours sincerely,

(electronically signed)
Thierry Allix
Secretary General EFCEM

(electronically signed)
Bridget Cosgrave
Director General DIGITALEUROPE

(electronically signed)
Nicole Denjoy
Secretary General COCIR

(electronically signed)
Guy Van Doorslaer
Secretary General PNEUROP

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Dirk Gesenhues
Secretary General EURALARM

(electronically signed)
Adrian Harris
Director General ORGALIME

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Olivier Janin
Secretary General FEM

(electronically signed)
Stephanie Mittelham
Managing Director CELMA

(electronically signed)
Howard Potter
Managing Director ESMIG

(electronically signed)
Jürgen STURM
Secretary General ELC

ORGALIME, the European Engineering Industries Association, speaks for 32 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. The industry employs some 10 million people in the EU and in 2009 accounted for some €1,427 billion of annual output. The industry not only represents more than one quarter of the output of manufactured products but also a third of the manufactured exports of the European Union.

CELMA is a Federation established for an unlimited period, representing 18 National Manufacturers Associations for Luminaires and Electrotechnical Components for Luminaires. CELMA members Associations are representing some 1000 companies in the Luminaires and Electrotechnical Components for Luminaires industries in 13 European countries. These 1000 producers, which include a majority of small and medium-sized companies, directly employ 107.000 people and generate more than 15 billion Euros annually.

COCIR represents the Radiological, Electromedical and Healthcare IT industry in Europe and was founded as a non-profit trade association in 1959. Our 23 corporate members and 12 national trade associations play a driving role in developing the future of healthcare both in Europe and worldwide. COCIR also works with various organisations promoting harmonised international standards and fair regulatory control that respects the quality and effectiveness of medical devices and healthcare IT systems without compromising the safety of patients and users. We encourage the use of advanced technology to support healthcare delivery worldwide. COCIR's key objectives include promoting free worldwide trade of medical devices and maintaining the competitiveness of the European health sector.

DIGITALEUROPE is the voice of the European digital economy including information and communication technologies and consumer electronics. DIGITALEUROPE is dedicated to improving the business environment for the European digital technology industry and to promoting our sector's contribution to economic growth and social progress in the European Union. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 57 global corporations and 37 national trade associations from across Europe. In total, 10,000 companies employing two million citizens and generating €1 trillion in revenues. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

EFCEM is the European Federation of Catering Equipment Manufacturers and represents manufacturers of commercial kitchen equipment. Its 550 companies have a combined turnover of €3,600m and 8 national associations (France, Germany, Italy, Ireland, Spain, Sweden, Turkey & UK).

ELC represents the leading eight European lamp manufacturers. These companies account for 95% of total European lamp production, employ more than 50.000 people in Europe, and generate more than 5 billion Euros turnover annually.

ESMIG, the European Smart Metering Industry Group (ESMIG) is the European industry association that provides knowledge and expertise on Smart Metering and related communications at a European level. ESMIG's members are the leading companies in the European Smart Metering Market: meter manufacturers, IT companies and system integrators. ESMIG covers all aspects of Smart Metering, including electricity, gas, water and heat measurement. Member companies cover the entire value chain from meter manufacturing, software, installation and consulting to communications and system integration. By giving support to European Union Institutions, Member States and Standardisation Organisations, the industry group aims to assist in the development of national and European-wide introduction, roll-out and management of Smart Metering solutions.

EURALARM, founded in 1970 is an Association of European manufacturers and installers of fire and security systems. Members are national associations of 14 European countries. Represents around 700 companies having a total turnover of approx. 3.5 billion Euro, i.e. approx. 70 % of the total European market.

FEM, founded in 1953 (www.fem-eur.com), is the voice of the European manufacturers of materials handling, lifting and storage equipment. Today, FEM defends the interests of 17 members covering some 1,000 companies, which represent around 80% of the European materials handling industry in value. These companies employ 160,000 people directly and many more indirectly with distributors, agents and subcontractors.

PNEUROP is the European committee of manufacturers of compressors, vacuum pumps, pneumatic tools and air & condensate treatment equipment, representing more than 200 manufacturers in 8 EU Member States, Switzerland and Turkey.