



## - Energy Using Products Directive –

### Opportunity for eco-design encouraging reuse of appliances

#### Introduction

The Environment Committee of the European Parliament has voted amendments in the framework of the Energy Using Products directive that would obstruct the repair and reuse of appliances. These amendments have been voted against the spirit of the WEEE directive, requiring Member States to give priority to the reuse of whole appliances (Article 7.1). Reuse and recycling of appliances also saves resources and reduces the environmental impact of the production of virgin materials. Sustainable solutions to environmental problems will not be found by renunciation of reuse but by ensuring that repaired appliances fulfil the possible safety and environmental standards. A system of accredited reuse centres over the whole of Europe should be established.

**The plenary vote on this draft directive is scheduled for 21 April 2004. RREUSE calls on you to ensure that reuse activities will be ensured for the future so that the approach you have taken in the WEEE directive can be continued.**

#### Background

In 2002 the directive on waste electrical and electronic equipment was adopted. This directive intends to regulate at European level one of the fastest growing fractions of the waste stream. We each produce some 14 kg of this waste a year, so that by 2010 it will account for over 8% of the entire municipal waste stream. The directive is in the process of being transposed by the Member States and once fully implemented, will allow us to divert this waste from landfills and incinerators to environmentally sound re-use and recycling. More than 90% of waste from electrical and electronic waste is landfilled or incinerated without any kind of pre-treatment. The production of WEEE uses lots of substances like heavy metals, brominated flame-retardants, halogenated substances.

The Directive gives priority to repair of appliances so that they can be re-used as second-hand equipment (Art. 7.1). Where this is not possible, the Directive sets targets for the reuse of components, and for the recycling and recovery of the materials appliances contain.

Reuse and recycling of WEEE will also bring substantial environmental benefits by saving resources and reducing the environmental impact of the production of virgin materials. The Wuppertal institute has concluded that considering the resources consumed in producing a single appliance, extension of the use phase of EEE through reuse is an important option from the life-cycle perspective.<sup>1</sup> In addition, recycling will eliminate the risks arising from the

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<sup>1</sup> Digital Europe: virtual dematerialisation and factor X, Wuppertal institute, March 2003.

presence of this waste in landfills and incinerators because of the high concentration of heavy metals in the appliances. Last but not least, both reuse and recycling will create many job opportunities for those involved in implementation of the Directive.

The Energy Using Products directive establishes a crucial complement to the WEEE directive. If the eco-design of appliances is done in a way to stimulate repair and reuse:

- Much less energy will be required compared to buying a new appliance
- Virtually none of the virgin materials will be required compared to buying a new appliance,
- Prolonging the life of an appliance enables the energy and raw materials used in production to be accounted for in the life-cycle analysis to be calculated over a longer period,
- Reduces landfill and incineration.

### The issue for the vote

The European Parliament will have to vote during the last session of its mandate on a very important piece of legislation in first reading. The EUP directive will be the first European directive stimulating the eco-design of products during their life-cycle.

### 1) Amendment 34: leads to confusion to the detriment of the spirit of the WEEE directive

#### Amendment 34 ARTICLE 2, POINT 4

(4) "Placing on the market" means making a EuP available for the first time on the Community market with a view to its distribution or use within the Community whether for reward or free of charge;

(4) "Placing on the market" means making a EuP available for the first time on the Community market, **as a new or refurbished product**, with a view to its distribution or use within the Community whether for reward or free of charge;

It is important to clarify that once a EuP has been refurbished it becomes the responsibility of the entity putting that newly refurbished product on the market to ensure that it complies with the requirements of future implementing measures. A refurbished product can be completely changed from its initial form, and its environmental performance altered.

A distinction has to be made between the refurbishment of a product (i.e. changing completely the original design and performance of an appliance) and the reuse and repair of an appliance by reuse centres. In the latter case, a discarded appliance is being repaired and controlled by a reuse centre. This is the kind of service that reuse centres provide, not the complete refurbishment of appliances. If refurbishment takes place, national consumer law already provides that the refurbisher is responsible.

A definition for reuse exists in the WEEE directive and has been proposed for the EuP directive (Article 2.13). There exists no definition for 'refurbishment' and introduction of this term will only lead to confusion about the meaning of reuse and of refurbishment, which are definitely

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According to a case study for a notebook PC, the production phase consumes almost the same quantity of resources as the use phase.

The same Institute has calculated that the production of one computer, meaning the energy and resources consumed, involves the production of 1500 kg of hidden waste.

not the same. There is a big risk that this confusion will obstruct controlled reuse and repair as encouraged by the WEEE directive.

RREUSE centres ensure that safety and environmental standards are respected, they ensure the quality of the reuse activities by developing their own protocols that regulate issues like testing, control, guarantees, insurance, registration and monitoring, reporting of data. The professionals of the reuse sector have to pay attention to their financial sustainability too and therefore apply quality criteria to ensure the quality of their products. RREUSE would like Member States to be obliged to put in place systems of accredited reuse centres to ensure that their protocols are implemented and monitored. The Commission should set out clear objectives and incentives for reuse activities in systems of separate collection of appliances and should support actors already actively engaged in reuse, especially within the social economy. Reuse centres should be licensed in a similar but separate way to treatment centres with requirements appropriate to their nature respecting appropriate environmental and safety standards. The revision of the WEEE directive, envisaged for 2008, could ensure that Member States develop such systems on the basis of the existing practice in different EU countries.<sup>2</sup>

**The introduction of new terminology, i.e. 'refurbishment', in the EuP directive would lead to confusion, which could easily endanger reuse and repair activities as prioritised in the WEEE directive. RREUSE therefore advises rejecting the proposed amendment.**

**2) Amendment 41: contradicts the encouragement of reuse as defined in the WEEE directive:**

Amendment 41  
ARTICLE 2, POINT 12

(12) "End of life" means state of a EuP having reached the end of its *first* use;

(12) "End of life" means state of a EuP having reached the end of its use;

By defining end-of-life equal to end if its first use, the production of new appliances is favoured to the detriment of the second hand market!

**RREUSE advises supporting the proposed amendment of the Environment Committee.**

**3) Amendment 66: encourages, in parallel with the WEEE directive, the reuse of whole appliances and components:**

*2.3.a. Manufacturers shall ensure that they take all reasonable steps to place on the market only such electrical and electronic equipment which, so far as practical and consistent with safety requirements, has been designed and manufactured in a such a way as not to prevent:*

*a) it being re-used, in whole appliances or in parts (components, sub-assemblies and consumables);*

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<sup>2</sup> Quality labels such as Revisie in Flanders, ElectroREV in Walloon, ENVIE in France. The ENVIE model is currently being set up in Italie. The UK sets up a similar kind of system.

*b) it being able to be used in conjunction with re-usable or re-used components, sub-assemblies and consumables;*

*c) it being recycled in whole or part.*

This proposed amendment is a logical consequence of the adopted WEEE directive. If the WEEE directive promotes the reuse of whole appliances, components and sub-assemblies, and where this is not possible the recycling of these appliances, the eco-design should be such that appliances are designed and manufactured in ways that at least do not prevent reuse and recycling. This applies as well to the information supply requirements as defined in the second part of the same amendment. One of the main barriers to repair and reuse are the scarcity of knowledge about the goods and their components and the decreasing quality and lifespan of new products put on the market.

**To be consistent with the provisions adopted in the WEEE directive to encourage reuse and recycling of appliances, RREUSE advises that this amendment should be supported.**

### **Conclusion**

Sustainable solutions will not be found by saying that reuse and repair is bad for the environment and safety of the consumer that will be found. Positive action should be taken to ensure that reuse and repair is carried out to high standards and continuously improved. RREUSE is therefore promoting a system of accredited reuse centres for the benefit of people and the environment. RREUSE therefore asks for your support to ensure that more sustainable production and consumption become part of our society.

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