

Mabbett & Associates Spring '06 Eco Bits

Energy is positioned to be a big issue for most countries and many US States. This ranges from specific efficiency standards and labeling requirements for selected products to voluntary programs. Standby power loss is a leading concern across the board.

China RoHS was promulgated in February (2006). There are many unique requirements that distinguish this law from EU RoHS. Some of the details that are needed for product material restrictions will be published shortly with the first Catalogue. The chemicals are the same as the EU but there is no mention of exemptions. China RoHS includes some aspects of the EU's Packaging Directive for packaging materials used for electronic product shipping.

South Korea is ready to promulgate a WEEE/RoHS ELV (End of Life Vehicles) law. The proposed law includes EU product stewardship elements and unique Korean requirements, all of which will be important if you sell electronic or automotive products in South Korea.

While Japan was the first country to push lead free as a business standard, it has just finalized its Japan MOSS (Marking for the presence Of the Specific chemical Substances for electrical and electronic equipment). This is a labeling requirement for RoHS constituents above the EU RoHS thresholds for electronic products sold/imported in Japan.

RoHS Exemptions continue to be processed by the EU Commission. Published exemptions are specific to a material and application. Word from the Commission is they intend to have fewer exemptions. This is intended to push innovation.

WEEE implementation is progressing in Europe. Schemes are in place for most product categories. Companies who are planning to self manage their products need to remember that WEEE is a special or hazardous waste and they will need appropriate permits. Yes, the UK is still behind schedule and has not finalized WEEE regulations or set up registration for "producers".

The Battery Directive revisions move forward and are likely to be finalized this summer. For the original proposal, see http://europa.eu.int/eur-lex/en/com/pdf/2003/com2003_0723en01.pdf. When final, it will replace the current Battery Directive. The major impact is that all batteries will be collected in the EU and there will be greater pressure on NiCd's for higher collection and recovery rates.

Energy-using Products Directive 2005/32/EC implementation is quietly underway (http://europa.eu.int/comm/enterprise/eco_design/dir2005-32.htm). National implementation is due next August and standards are being worked on for various products. The biggest misconception is that you need to sell 200,000 units of EuP to be covered – it is 200,000 units sold on the whole EU Market. All you need to do is sell one item to be covered!

Europe's REACH (Chemical Approval Process) is moving closer to approval. It passed first reading last November. While you may not be a chemical producer, we are all chemical users.

The EU Phthalate Bans are permanent, ending the ongoing series of temporary bans. This occurred when the Commission published Directive 2005/84/EC. No surprise for companies dealing with the temporary bans for the last five years.

US Environmental Legislative activity has been at the state level and much of it has had a Product Stewardship focus. Mercury is the most restricted material. Washington State signed into law a computer take back law, joining Maine and California. California will add RoHS restrictions to its covered products as of January 1, 2007. There is a California bill that would adopt EU RoHS in total.

Several US Cities, San Francisco and New York have enacted local ordinances. San Francisco's is an extended producer responsibility policy. New York City has environmental sound purchasing guidelines. This is reminiscent of CFC actions that many local governments took in the early 90's.

South America is joining the electronics waste management bandwagon with EU like requirements being proposed in Brazil, Columbia and Argentina.

Bottom line - the environmental impact of products and product stewardship are becoming core business concerns.