



**INFORMATION  
FOR  
RETAILERS OF ELECTRICAL and ELECTRONIC  
EQUIPMENT (EEE) & BATTERIES**

**European Communities (Waste Electrical and  
Electronic Equipment) Regulations 2011**

**Office of Climate, Licensing & Resource Use  
Revision 18 July 2011**

**This document is for guidance only. It does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. Retailers are advised to refer to the relevant legislation for comprehensive information on requirements.**

**Who Does What** in connection with **enforcement** and **implementation** of the industrial and automotive Batteries and Accumulator Regulations at retailer level?

	<b>Role</b>	<b>Contact details</b>
<b>Local Authorities</b> <b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Retailer registration. (WEEE &amp; batteries)</b></li> <li>• <b>WEEE and waste battery take-back.</b></li> <li>• <b>WEEE/ waste battery collection.</b></li> <li>• <b>Statutory notices.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Maintain a register of retailers of EEE and/ or batteries and ensure that all retailers renew their registration annually (<i>where applicable</i>).</li> <li>• Ensure that retailers offer free take back to consumers and information on this service.</li> <li>• Ensure that retailers only distribute EEE and batteries obtained from <u>validly</u> registered producers.</li> <li>• Ensure disposal of WEEE and waste batteries by retailers is in accordance with the WEEE and Battery Regulations. (Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005, as amended, and Waste Management (Batteries and Accumulators) Regulations 2008)</li> <li>• Manage WEEE/waste batteries at Civic Amenity Sites.</li> <li>• Ensure that the statutory notices are displayed as specified in the WEEE and/ or Battery Regulations.</li> </ul>	Please refer to local telephone directories or local authority websites for contact information.
<b>Environmental Protection Agency</b> <b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Price notice display of EEE items.</b></li> <li>• <b>EEE/ batteries sourced from registered producer</b></li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that ‘three-point-pricing’ is displayed and correctly worded for all specified items of EEE.</li> <li>• Ensure that the correct Producer Recycling Fund contributions are applied to items of EEE, where applicable.</li> <li>• Follow up complaints relating to WEEE and batteries.</li> <li>• Carry out enforcement actions where necessary.</li> </ul>	Lo Call 1890 33 55 99 Tel: 053 916 0600 <a href="http://www.weee-enforcement.ie">www.weee-enforcement.ie</a>  <a href="http://www.batteries-enforcement.ie">www.batteries-enforcement.ie</a>
<b>European Recycling Platform (ERP)</b> <ul style="list-style-type: none"> <li>• <b>Approved WEEE/ Battery producer compliance scheme.</b></li> <li>• <b>Alternative retailer registration.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Offer compliance scheme membership for producers</li> <li>• Maintain the alternative retailer register.</li> </ul>	Tel: 0818 332 757 <a href="mailto:info@erpbatteryrecycling.org">info@erpbatteryrecycling.org</a>
<b>WEEE Ireland</b> <ul style="list-style-type: none"> <li>• <b>Approved WEEE/ Battery producer compliance scheme.</b></li> <li>• <b>Alternative retailer registration.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Offer compliance scheme membership for Producers.</li> <li>• Maintain the alternative retailer register.</li> </ul>	Tel: 01 299 9320 <a href="http://www.weeeireland.ie">www.weeeireland.ie</a>
<b>WEEE Register Society Ltd.</b> <b>Answer queries on</b> <ul style="list-style-type: none"> <li>• <b>Producer registration.</b></li> <li>• <b>Queries on scope of products.</b></li> <li>• <b>Current PRF contributions for EEE.</b></li> </ul>	<ul style="list-style-type: none"> <li>• National producer registration body for WEEE and batteries.</li> <li>• Issue Category Listings, which list current Producer Recycling Fund (PRF) contributions for EEE products.</li> <li>• Determine what category/sub-category EEE products belong to.</li> </ul>	Tel: 01 6333 550/1 <a href="http://www.weeeregister.ie">www.weeeregister.ie</a>

For role of all stakeholders, please refer to the ‘*The WEEE and Battery Regulations in Ireland: Who does what?*’ available on EPA website: [www.epa.ie/downloads/advice/waste/weee/](http://www.epa.ie/downloads/advice/waste/weee/).

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## Introduction

The Environmental Protection Agency (EPA) compiled this information in order to assist retailers to achieve compliance under the WEEE and Battery Regulations. However be advised that this document does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. The guidance relates to WEEE arising from private households and portable type (AA, AAA, C cell etc) waste batteries only. Also, the information does not cover all the obligations of retailers who sell EEE and/or batteries by distance communication.

The EPA and local authorities have enforcement responsibilities under the WEEE and Battery Regulations, and your premises may be inspected to check compliance with both sets of Regulations by either regulatory authority. Retailer obligations are mostly a local authority enforcement responsibility (e.g. registration, take back obligations) and you will be required to satisfy the local authority regarding compliance.

*The EPA has been carrying out random, unannounced inspections of retail premises nationwide.*

This information will be up-dated when necessary, and any comments regarding the document will be taken into consideration for future revisions. If you have comments, please e-mail [weee@epa.ie](mailto:weee@epa.ie) or [batteries@epa.ie](mailto:batteries@epa.ie).

Lo Call 1890 33 55 99. Further information on WEEE and/or batteries can be found on the EPA web-site [www.weee-enforcement.ie](http://www.weee-enforcement.ie) or [www.batteries-enforcement.ie](http://www.batteries-enforcement.ie)

## Summary of main retailer obligations

Retailer obligation	WEEE	Batteries
<b>Who is obligated?</b>	Any retailer selling EEE, including supermarkets, petrol stations, corner shops and electrical stores.	A retailer who sells batteries; portable automotive or industrial.  Also retailers selling EEE with a battery incorporated into or accompanying the product <u>is</u> also a battery retailer (e.g. computers, toys and watches etc.)
<b>Registration with local authority or approved compliance scheme.</b>	<b>Yes</b> – required.	<b>Yes</b> – required but <u>not</u> if retailer only sells portable batteries (AA, AAA, Cell C, Cell D etc.)
<b>Distribute from registered producer supply chain.</b>	<b>Yes</b> – check invoices issued from supplier or check out producer listing at: <a href="http://www.weeeregister.ie">www.weeeregister.ie</a>	<b>Yes</b> – check invoices issued from supplier or check out producer listing at: <a href="http://www.weeeregister.ie">www.weeeregister.ie</a>
<b>Display visible environmental management costs (vEMC's), where applicable.</b>	<b>Yes</b> – for applicable items of electrical and electronic equipment, see category listings at <a href="http://www.weeeregister.ie">www.weeeregister.ie</a>	<b>No</b> – not applicable.
<b>Take back</b>	<b>Yes</b> , retailers must provide take back of WEEE from private householders free of charge. Take-back is on a one-for-one basis and the appliance being returned must be of similar type or have performed the same function as the new item purchased.	<b>Yes</b> , retailers are required to take back waste batteries from members of the public free of charge. Take-back is on a one for zero basis, (no purchase necessary), however a retailer is not obligated to take back waste batteries that are leaking.
<b>Notices</b>	<b>Yes</b> – retailers must display relevant notices. Refer to page 8 for further details.	<b>Yes</b> – retailers must display relevant notices. Refer to page 8 for further details.
<b>Consumer information</b>	<b>Yes</b> – this obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale. Till receipts must display the retail price, inclusive of the PRF contribution, and the following text: <b>'Price of electrical items includes Producer Recycling Fund contribution'</b> .	<b>Yes</b> – this obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale. <i>PRF's do not apply to batteries.</i>
<b>Storage, transport and disposal</b>	<b>Yes</b> – retailers are obliged to dispose of, store and transport WEEE as required by the Regulations.	<b>Yes</b> – retailers are obliged to dispose of, store and transport waste batteries as required by the Regulations.

## Registration with local authority or approved compliance scheme

### WEEE Regulations

All retailers of EEE must register with their local authority or approved compliance scheme. You must register each premises from which you distribute EEE, or use for the storage of EEE prior to its distribution. Renewal of registration with the local authority is required no later than 31<sup>st</sup> January of every year. A fee not exceeding €20 will apply. The two approved compliance schemes; WEEE Ireland and ERP Ireland have now been approved by the Minister to hold and maintain *alternative* distributor registers. Registration as a distributor with WEEE Ireland or ERP Ireland is on a once off basis, free of charge. More information can be found by contacting your local authority or by contacting:

- [WEEE Ireland: www.weeeireland.ie](http://www.weeeireland.ie) or tel: 01 299 9320
- [ERP Ireland: www.erp-recycling.ie](http://www.erp-recycling.ie) or tel: 0818 332 757

### Battery Regulations

If a retailer is already registered (with either the local authority or approved compliance scheme) in accordance with the WEEE Regulations, they are automatically on the register for batteries registration. Retailers of automotive and/or industrial batteries must register in accordance with the Batteries Regulations with their appropriate local authority or approved compliance scheme.

## Display of environmental management costs

### WEEE Regulations

Retailers of EEE are required to display the visible Environmental Management Cost (vEMC) on price notices (shelf-ticketing, price labels, catalogues, websites and advertising etc.).

Environmental management cost (EMC) is to cover the cost of the environmentally sound management of 'historic WEEE' from private households, which is WEEE arising from EEE placed on the market prior to the Regulations coming into force on 13 August 2005. The EMC's are sometimes referred to as *visible* Environmental Management Costs, as retailers must **display** them on price notices. The WEEE Regulations require that the visible Environmental Management Cost is displayed as 'Producer Recycling Fund' on all price notices, and this is why having the abbreviations EMC or PRF are not compliant.

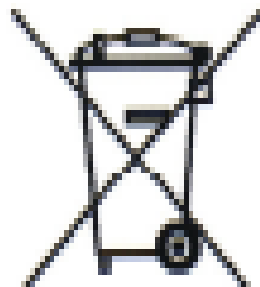
EMCs are not taxes or levies. The money collected goes into the Producer Recycling Fund, which funds the environmentally sound management of historic WEEE from private households, i.e. the costs of collection, storage, treatment and recovery, and where appropriate disposal of WEEE. The WEEE Register Society Limited, the national registration body for producers, has determined the vEMC per category and subcategory of EEE. This was done in consultation with the electronic and electrical industry. Note that the vEMCs are reviewed periodically. The current Category Listing 5.3 (which lists the current vEMC for each category of EEE) came into effect on 1 February 2011. See [www.weeeregister.ie](http://www.weeeregister.ie) for further information on categories of EEE.

## Battery Regulations

There are **no** visible environmental management costs (vEMC's) for batteries, therefore importers; wholesalers and retailers are **prohibited** from displaying any cost associated with the waste management of batteries.

**Retailers must ensure that all items of EEE and/or batteries they distribute are placed on the market by validly registered producers. Validly registered producers are obliged to display their unique WEEE Register Society registration number on invoices, credit notes, dispatch and delivery dockets. If a producer imports only EEE, a WEEE Register number would be displayed as 000123W<sup>1</sup>, however if the producer also imports batteries the number would be displayed as 000123WB<sup>2</sup>. A producer selling batteries only would be displayed as 000123B<sup>3</sup>. A list of validly registered producers is available on the WEEE Register Society website ([www.weeeregister.ie](http://www.weeeregister.ie)) under the heading 'producers'. Retailers distributing EEE and /or batteries from unregistered producers must take on producer obligations.**

**Retailers should avoid stocking any batteries from producers that do not contain the crossed out wheelie bin symbol.**



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<sup>1</sup> W denotes producer registered as a producer of EEE

<sup>2</sup> WB denotes a company registered for EEE and Batteries

<sup>3</sup> B denotes a company registered as a producer of Batteries only

## Requirements for price notice display and till receipts

### WEEE Regulations

Under the WEEE Regulations there are price notice display requirements for EEE on shelf-ticketing, catalogues, web-sites, brochures, direct mail communications and in all advertising.

The price notice display must be 'three-point pricing':

- Retail price (i.e. the total amount a customer pays at the till).
- Contribution to the 'Producer Recycling Fund' (PRF).
- Price of item (including VAT), exclusive of PRF.

The order in which these items appear is irrelevant but the display of the retail price (always inclusive of PRF) is not to be less prominent than the PRF and the price of the item exclusive of the PRF contribution. Price notice displays that refer to "Our Price – You Pay" are not acceptable.

Example of compliant price notice display:

<i><b>Retail price</b></i>	<i><b>€ 99.99</b></i>
<i>Producer Recycling Fund</i>	<i>€ 1.00</i>
<i>Unit Price</i>	<i>€ 98.99</i>

**Till receipts** must display the retail price, inclusive of the PRF contribution, and the following text:  
**'Price of electrical items includes Producer Recycling Fund contribution'**

### Battery Regulations

Under the Battery Regulations, there is no price notice display requirement. However all print advertisements for batteries must contain the following text;

***"Waste batteries must never be placed in your waste disposal or recycling bins. There is a bin for small batteries in your local store. Battery recycling is free"***



## Statutory notice requirements for WEEE & Batteries

New requirements for statutory notices came into effect in September 2008. At all retail stores, retailing EEE and batteries (including batteries incorporated into EEE) a sign satisfying the following requirements must be displayed in a conspicuous position within 1 m of the point of sale of EEE (till) or where EEE or batteries are displayed. The sign must:

- be not less in dimension than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (*A4 size*),
- be printed in black permanent ink with a Times New Roman font size of at least 20 or equivalent and line space of at least 1.5 lines on a white background and affixed, on a durable material, so as to be easily visible and legible,
- not be obscured or concealed at any time,
- bear the following wording;

### **FREE RECYCLING - Waste Management Act 1996.**

Waste electrical and electronic equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis. Waste batteries including rechargeable batteries are taken back free of charge in this store. You are not obliged to make any purchase when returning old batteries here. Each Local authority must also accept household WEEE and small batteries free of charge at its recycling facilities.

All WEEE and waste batteries must be recycled and should not be placed in your waste disposal or recycling bins.

Make sure you always recycle all your old electrical goods and batteries.

**'Please find a sample of the statutory notice signage on page 15 or alternatively download from <http://www.epa.ie/downloads/advice/waste/weee/> .**

Retailers selling EEE only (not incorporating batteries) must display a sign satisfying the following requirements must be displayed in a conspicuous position within 1 m of the point of sale of EEE (till) or where EEE is displayed. The sign must:

- be not less in dimension than 29.7 centimetres in height and 21 centimetres in width or 21 centimetres in height and 29.7 centimetres in width (*A4 size*),
- be printed in black permanent ink with a Times New Roman font size of at least 24 or equivalent and line space of at least 1.25 lines on a white background and affixed, on a durable material, so as to be easily visible and legible,
- not be obscured or concealed at any time,
- bear the following wording;

**FREE RECYCLING - Waste Management Act 1996.**

Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis. Each local authority must also accept household WEEE free of charge at its recycling facilities. All WEEE must be recycled and should not be placed in your waste disposal or recycling bins.

Make sure you always recycle all your old electrical goods.

Please find a sample of the statutory notice signage at

<http://www.epa.ie/downloads/advice/waste/weee/>.

**Note: if you have agreed an alternative take-back location with your local authority, please also display signage according to Article 14(5) and Part 1 of the Fourth Schedule<sup>4</sup>. Please note that the civic amenity site is not an alternative take back location in this instance.**

**Please be advised, retailers of batteries only, are required to display signage also. Sample signage may be downloaded from; [www.epa.ie/downloads/advice/waste/batteries](http://www.epa.ie/downloads/advice/waste/batteries)**

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<sup>4</sup> Fourth schedule can be found in the Waste Management (Waste Electrical and Electronic) Regulations 2005, as amended. Download from : <http://www.epa.ie/downloads/legislation/waste/>

## Return and collection systems for household WEEE and Batteries

### WEEE Regulations

Retailers are required by law to take back WEEE from private householders **free of charge**. Take-back is on a one-for-one basis and the appliance being returned must be of similar type or have performed the same function as the new item purchased, e.g. retailers are not obliged to accept a fridge where the customer has purchased a toaster. Also note that the item being returned does not have to be the same *brand* as the one being bought.

#### **Over the counter sales;**

Where goods are bought over the counter, retailers must take back the old product in-store, free of charge, either at the time of sale or within a maximum of 15 days of the date of sale, with a valid receipt or proof of purchase.

**Note:** an item of WEEE covered by the free one-for-one take-back obligation can be returned to any outlet managed by the retailer from whom the item was purchased.

#### **Collection/Delivery of new product e.g. Large Domestic Products;**

Where a new appliance e.g. a new washing machine is being delivered, the retailer must take back the old appliance free of charge

- I. Once the WEEE is available at its place of ordinary use for immediate collection, and, at the time of collection, is not connected to any electrical, gas or water supply, waste water pipe, or permanent structure (*retailer must give 24 hours notice of delivery*), or
- II. Where the WEEE is not available for immediate return on account of less than 24 hours notice having been given for collection, by arranging for and collecting it within 15 days of the date of delivery, again provided that the appliance is not connected to any utility and 24 hours notice has been given, or
- III. By accepting it at all reasonable times at any of their premises within a maximum of 30 days of the date of delivery.

While the Regulations stipulate that the retailer give a minimum of 24 hours notice of delivery to the customer, this should be at least 48 hours in the case of delivery of fridge-freezers, to allow the customer time to defrost the WEEE being returned.

## Battery Regulations

Retailers are required by law to take back waste batteries from members of the public free of charge. Take-back is on a one for zero basis. Members of the public are not obliged to make a purchase in order to avail of the free take-back. Retailers are only obliged to take-back waste batteries of similar type to which they sell or similar type to batteries incorporated into EEE or supplied with EEE sold. E.g. retailers are not obliged to take waste automotive or industrial batteries if the only type being sold is AA or AAA batteries.

**Note:** Retailers will not be required to take back leaking batteries.

## Information on free return and collection system

### WEEE Regulations

When supplying a new product, retailers of household EEE are obliged to inform users of the return and collection systems available to them and they must indicate in writing the last date on which EEE can be returned free of charge. This obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale. It has been noted that some retailers are fulfilling this obligation by providing take-back information on the back of their receipts. Others are providing a copy of the Department of the Environment, Heritage and Local Government leaflet “WEEE, the Environment and the Consumer” (this leaflet can be downloaded from the DoEHLG website <http://www.environ.ie/en/Environment/Waste/WEEE/> ) or produce their own corporate branded one.

**Note:** retailers are prohibited from requiring customers to sign documents stating that an item of Waste Electrical and Electronic Equipment (WEEE) is not available for collection.

### Battery Regulations

When supplying a new product, retailers of batteries are obliged to inform users of the return and collection systems available to them. This obligation can be met by providing the information in the instructions for use or on a leaflet provided at the point of sale.

## Storage, transport and disposal of WEEE

### WEEE Regulations

**Note:** Each retailer can bring WEEE from private households to a designated civic amenity site free of charge, once he/she is meeting the distributor obligations (registered with local authority or approved compliance scheme) and has prior agreement with the operator of the facility. Alternatively, if a retailer is collecting and storing a sizeable amount of WEEE at their premises, an arrangement can be made with the compliance schemes to have WEEE collected directly from their premises.

Registered retailers are exempted from the need to have a waste collection permit for transport of WEEE, with certain caveats.

If a retailer transfers waste electrical and electronic equipment to a person other than a contractor operating on behalf of an approved compliance scheme (WEEE Ireland or ERP Ireland) or self-complying producer, the retailer takes on the following obligations;

1. The retailer must be satisfied that the collector is permitted to handle this type of waste.
2. The retailer must ensure that the collector's storage and proposed treatment operations are in accordance with the requirements of the WEEE Regulations, as amended.
3. The retailer must ensure that recycling targets are being met.
4. The retailer must ensure that any WEEE taken out of the EU is treated in accordance with the Regulations.
5. Records must be kept regarding the source of the WEEE as well as its mass and composition on entering and leaving the recovery facility carrying out the recycling.

Documentary evidence pertaining to points 1-5 above must be kept on site for a period of at least 6 years and made available to the Environmental Protection Agency and/or the relevant Local Authority on request.

**Any unsolicited offers to take WEEE should be notified to the local authority, as this is unauthorised waste activity.**

### Battery Regulations

Both compliance schemes WEEE Ireland and ERP Ireland have been distributing storage boxes for waste portable batteries to retailers since September 2008 via retailer reverse logistics system. However, if retailers have not yet received storage boxes for waste portable batteries, you can contact the following organisations:

Area	Contact Details of Compliance Scheme
Cavan, Clare, Fingal, Louth, Limerick, Meath, Monaghan and Kerry	ERP Ireland at ( <a href="http://www.erp-recycling.org">www.erp-recycling.org</a> ) or tel: 0818 332 757  Alternatively, contact your local authority.
All other counties/areas	WEEE Ireland at <a href="http://www.weeeireland.ie">www.weeeireland.ie</a> or tel: (01) 299 320  Alternatively, contact your local authority.

Retailers can dispose of waste portable batteries (AA, AAA, Cell C, Cell D, PP4, PP9 etc.) at civic amenity sites, once he/she is meeting the distributor obligations (registered with local authority or approved compliance scheme) and has prior agreement with the operator of the facility.

Registered retailers are exempted from the need to have a waste collection permit for transport of waste batteries, with certain caveats.

Alternatively, retailers can make arrangements to have waste batteries collected from their premises by a compliance scheme (the compliance scheme is acting on behalf of the battery producer). The compliance schemes will collect on demand 50kgs of waste portable batteries. Retail outlets, workplaces or schools can arrange a central collection point in one area in order to make collection viable in that area.

**Note:** *the person/s undertaking the collection of waste batteries must have a valid collection permit.*

Registered retailers are exempted from the need to have a facility permit for storage of waste batteries where the amount stored does not exceed certain set limits and the manner of storage satisfies the requirements of the Regulations.

Waste batteries taken back at retailer premises should only be passed to some-one authorised to collect and manage this type of waste. These are as follows:

1. A civic amenity facility, once prior arrangements have been made with the relevant local authority.
2. A permitted collector acting on behalf of the compliance scheme or a self-complying producer. (Contact either compliance scheme for a list of approved waste contractors)

**Note: Civic amenity sites are not obliged to accept waste automotive and/or industrial batteries from retailers.**

If a retailer transfers waste batteries to a person other than a contractor operating on behalf of an approved compliance scheme (WEEE Ireland or ERP Ireland) or self-complying producer, the retailer takes on the obligation for ensuring that all such waste batteries are;

1. Managed in an environmentally sound manner
2. Treated in accordance with the technical requirements of the batteries Directive.
3. Ensure the recycling targets are achieved and
4. Must submit an annual report detailing such practices to the EPA by 28<sup>th</sup> February each year, in accordance with Article 22(3) of the Battery Regulations S.I. No. 268 of 2008.

## **FREE RECYCLING**

### **WASTE MANAGEMENT ACT 1996**

Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge in this store on a one-for-one, like-for-like basis.

Waste batteries including rechargeable batteries (of a type are sold here) are taken back free of charge in this store.

You are not obliged to make any purchase when returning old batteries here.

Each local authority must also accept household WEEE and small batteries free of charge at its recycling facilities.

All WEEE and waste batteries must be recycled and should not be placed in your waste disposal or recycling bin.

Make sure you always recycle all your old electrical old electrical goods and batteries.