

Electrical and electronic equipment: restriction of the use of certain hazardous substances. Recast

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The Council held a **policy debate** on the proposed recast of two directives concerning electrical and electronic equipment: [the WEEE Directive](#), promoting recycling and recovery of electrical and electronic waste, and the RoHS Directive, intended to eliminate as far as possible the use of hazardous substances in such equipment.

Ministers were invited to discuss the scopes of both directives. A majority of delegations supported the idea that the two directives, WEEE and RoHS, could have separate scopes that take account of their different legal bases and objectives. The Commission, on the other hand, underlined that its proposal to maintain the same scopes for both directives and to harmonise them across the EU was intended to improve their implementation and increase legal certainty.

In addition, there was broad support for widening the scope of the RoHS Directive for including all electrical and electronic equipment unless explicitly excluded. Some delegations, however, did not agree and pointed out that the costs of this option for producers were unclear and would need to be the subject of an impact assessment.

Concerning the scope of the WEEE Directive, some ministers pleaded for defining its scope through a minimum list of covered equipment as in the existing legislation. Others were supportive of an open scope that would in principle include all electrical and electronic equipment, like in the case of RoHS, pointing out that this would increase environmental protection.

Ministers' views will guide further work on the two proposals in the months to come.

It is recalled that the WEEE Directive requires Member States to collect waste electrical and electronic equipment separately and establishes targets for its recovery and recycling. The Directive, already implementing the principle of producer responsibility, obliges EU countries to collect annually an average of at least 4kg of electrical and electronic waste per inhabitant.

The RoHS Directive is intended to eliminate as far as possible the use of hazardous substances in electrical and electronic equipment. It prohibits the use of lead, mercury, cadmium, hexavalent chromium as well as certain brominated flame retardants. As it is not always possible to abandon completely these substances, the Directive also provides for a number of applications to be exempted from the ban.