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EEE Scope Guidance

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Contents

Summary

1. [Steps to take to decide if a product is EEE](#)
2. [Products and items within the scope of the Regulations](#)
3. [Products and items outside the scope of the Regulations](#)
4. [“Orgalime” guidance](#)
5. [B2B and B2C](#)

Annex 1 [List of products from Schedule 2 of the WEEE Regulations](#)

Annex 2 [List of previous agency advice](#)

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Introduction

This guidance sets out the UK Environment Agencies' (The Environment Agency, NIEA and SEPA) view in assessing whether or not electrical or electronic equipment is within the scope of the UK's WEEE Regulations¹, and is electrical and electronic equipment (EEE). It is intended for use by our staff and is based on the Agencies' understanding of the legislation as it stands at the date when this guidance was published. Any subsequent changes in the legislation affecting the scope of the WEEE Regulations should be considered when reading this guidance. We have made this guidance available to external stakeholders and have sought comments and feedback on its content from them.

If a dispute arises between a producer and the Environment Agency on the issue of scope, a detailed assessment of the facts of each case will have to be made using this guidance. This guidance is based on our interpretation of the Regulations and is not legally binding. Any unresolved disputes would ultimately have to be decided by the courts.

Under the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) Directive, new EEE containing more than the permitted levels of lead, cadmium, mercury, hexavalent chromium, polybrominated biphenyls – or PBB – and polybrominated diphenyl ethers – or PBDE - cannot be placed on the market within the European Union.

The National Measurement Office (NMO) is the body responsible for ensuring UK businesses comply with the UK's RoHS Regulations², which transpose the RoHS Directive requirements into UK legislation. They have also provided guidance on which EEE products are covered by the RoHS Regulations. You can find the guidance and other related information at the RoHS website - www.bis.gov.uk/nmo Some products are specifically excluded from RoHS and not from WEEE, and vice versa. In particular, both Category 8 (medical devices) and Category 9 (monitoring and control instruments) are not currently included within the scope of RoHS.

Producers of electrical equipment are advised to check with the NMO to see whether their products need to comply with the RoHS Regulations. The Environment Agency is only responsible for ensuring compliance with the WEEE Regulations and as such we cannot provide any advice or guidance on complying with the RoHS Regulations.

Please note that both the WEEE and RoHS Directives has been recast. The RoHS Directive will be transposed into UK law by 2 January 2013, and the WEEE Directive by 14 February 2014. Please note that this may affect the advice given in this guidance. New WEEE and RoHS guidance will be published on the BIS website, and this guidance will be updated.

Note on batteries: Batteries are not to be included in the weight of EEE if they are supplied with an item of EEE. The weight of batteries built into or supplied with products must be reported separately under the Waste Batteries and Accumulators Regulations 2009³

Advice given on the category of an item of EEE under the WEEE Regulations and RoHS Regulations does not imply that the product meets definitions of electrical or electronic equipment under any other legislation. Similarly, the categorisation of EEE

¹ The Waste Electrical and Electronic Equipment Regulations 2006 ([SI 2006 No. 3289](http://www.legislation.gov.uk/uksi/2006/3289)), as amended.

² The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2008 ([SI 2008 No. 37](http://www.legislation.gov.uk/uksi/2008/37)), as amended.

³ The Waste Batteries and Accumulators Regulations 2009 ([SI 2009 No. 890](http://www.legislation.gov.uk/uksi/2009/890))

under the WEEE Regulations, for example as toys, sports or medical equipment, does not mean that the equipment can be treated as meeting those or similar descriptions for import, taxation, labelling or any other Regulations.

Updates to this document are marked in **grey**

1.0 Steps to take to decide if a product is EEE

Definition of EEE

From the WEEE Regulations 2006 (as amended) - Regulation 2(1):

"electrical and electronic equipment" means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields falling under the categories set out in Schedule 1 to these Regulations and designed for use with a voltage rating not exceeding 1,000 volts for alternating current and 1,500 volts for direct current;

Bearing in mind the definition of EEE to test whether a particular product is covered by the WEEE Regulations, you are advised to work through the following steps.

Step 1 Check whether the product or a similar product is listed in Schedule 2 of the Regulations and can reasonably be said to fit within one of the ten product categories - Schedule 2 is reproduced at [annex 1](#).

Step 2 Check whether the product is listed in [annex 2](#) of this guidance document. This is a list of products on which we have previously provided an interpretation (but not legally binding opinion) as to whether or not they are covered by the Regulations.

Step 3 Go through the 'decision tree' and follow the guidance in Section 2 below.

Sections 3 and 4 of this document provide more information, examples and general guiding principles to help you answer the questions in the decision tree.

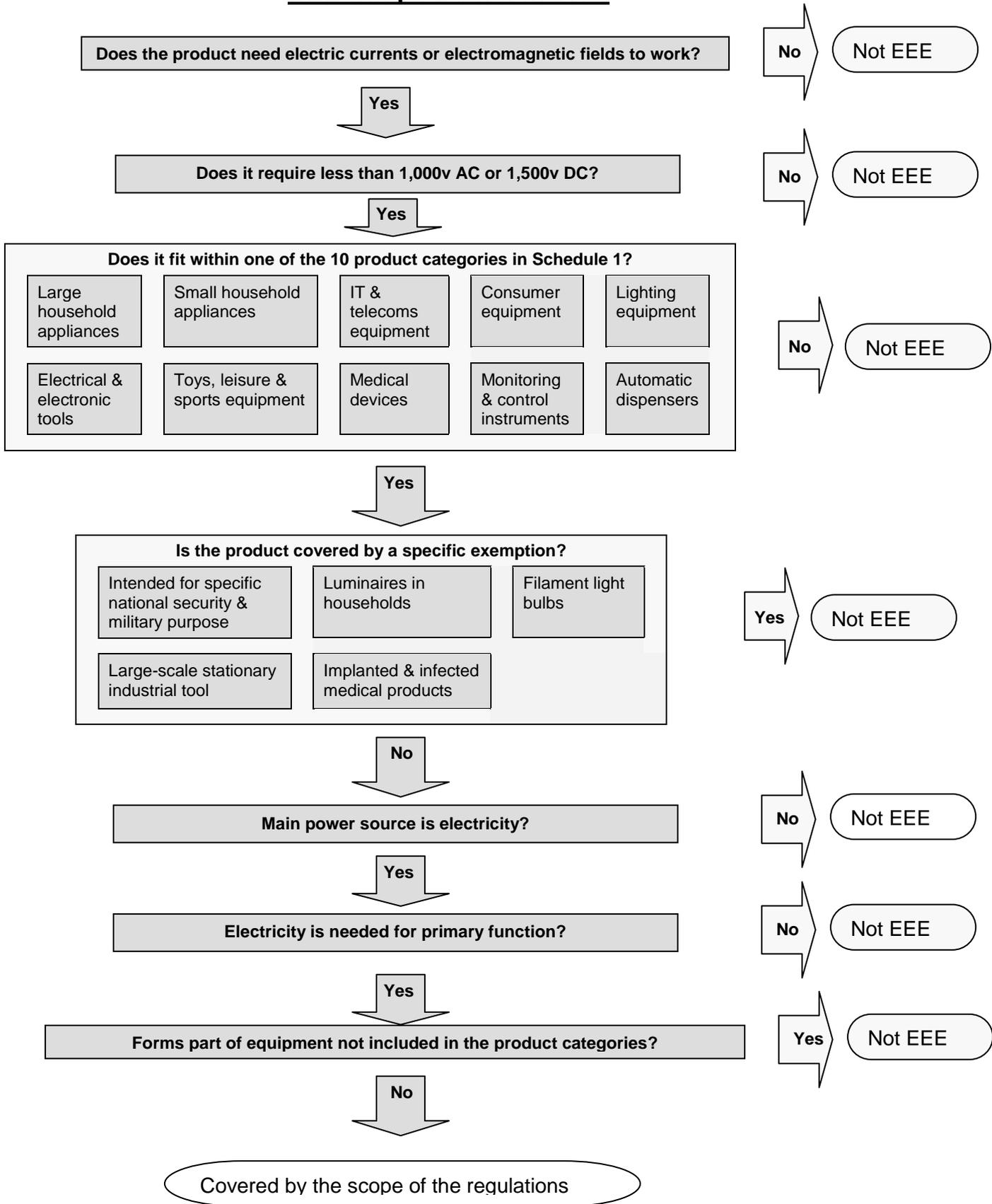
Step 4 If you are still not sure about a particular product after going through steps 1 to 3, you are advised to discuss it with your Operational Technical Lead and, if necessary, raise a helpdesk query.

2.0 Products and Items in the scope of the regulations

EEE Scope Decision tree

Use the decision tree and the questions below to help you determine whether the product is within the scope of the Regulations. This tree has been adapted from the BIS WEEE Government Guidance Notes (November 2009).

EEE Scope Decision Tree



If you answer 'Yes' to the following two questions, it is likely that the product will be covered by the Regulations.

Q1 - Does the item need an electric current or electromagnetic fields to work?

Products that generate transmit or use electric currents or electromagnetic fields to work and that fall within one of the **10 product categories** that are specified in the Regulations. Electrical and electronic products are not just those connected to a mains supply, but also include wind-up, battery-powered and solar-powered products.

Some products may contain electrical or electronic components, but will not use electricity as their main power source. The definition of EEE in the Regulations is intended to extend only to those products that are dependent on electric currents or electromagnetic fields **to work properly**. For example, a domestic gas cooker, which relies on gas as its main power source, but which relies on electricity to power an electric clock and the ignition would be considered to be outside the Regulations as it will still function as a cooker without electricity.

Dual powered products may be in scope if the item could not work without the electrical functionality. This would cover items such as gas cooking equipment where mains electricity is also needed to power and regulate the burners.

Q2 - Does the item's main function need electricity to work?

A product should be considered to be covered by the regulations if:

- its main function is powered electrically or electronically; **and**
- without the functions that depend on electricity, the equipment could not normally be used.

For example, a teddy bear whose main function is learning and entertainment and which relies on electricity to function is covered by the regulations. However, a talking teddy bear that speaks a few phrases or makes limited sounds would not be covered, as it would still carry out its main function without electricity. Novelty items that have an electrical component (for example, musical greetings cards) would not be covered by the Regulations.

Clothing that has an added function which depends on electricity (for example, flashing trainers, spinning bow ties and heated gloves) would also be considered to be excluded.

Sports equipment that has electronic components or functions is still considered to be EEE, even if the electronic function is a secondary feature. This is because there is a specific sub-category in category 7 of the regulations (taken from the Directive) to include 'Sports equipment with electric or electronic components'.

The only exceptions are where:

- the product is covered by a specific exemption
- the product is a component, not a final piece of equipment to be placed on the UK market;
- the main or primary function of the item does not depend on electricity to fulfil its primary function

- the equipment that is part of another type of equipment that does not fall within the scope of the Directive

These exceptions are described in more detail in section 3 below

3.0 Products and items outside the scope of the Regulations

Items using more than 1,000 volts AC or 1,500 volts DC

Any EEE that uses more than 1,000 volts AC or 1,500 volts DC is outside the scope of the regulations.

The limits refer only to the input currents and do not apply to any alterations made later to the internal voltage of the product. Any equipment that connects to the normal electrical power supply or normal industry standard of a three-phase supply should be considered to be covered by the Regulations, no matter whether the internal voltage of the equipment has been altered.

Items which are not in one of the 10 categories

If the product cannot reasonably be said to fit within one of the 10 product categories⁴, it is not covered by the Regulations. The 10 product categories listed in annex [1A](#) of the WEEE Directive (and Schedule 1 of the WEEE Regulations) were created to cover the specific groups of electrical and electronic equipment that the Directive was intended to cover. Annex 1B of the Directive then provided an indicative list of the types of products or examples that may be found in each category (that list can be found in Schedule 2 of the WEEE Regulations).

As Annex [1B](#) is not intended to be an exhaustive list, it may not always be clear if products new to the market, or products which use new technology, fit within the categories. In these cases, the purpose the product is used for will help decide which category it should be placed in.

The 10 product categories are:

- Large household appliances
- Small household appliances
- IT and telecommunications equipment
- Consumer equipment
- Lighting equipment (with the exception of household luminaires and filament light bulbs)
- Electrical and electronic tools (with the exception of [large-scale stationary industrial tools](#))
- Toys, leisure and sports equipment
- Medical devices (with the exception of all [implanted and infected products](#))
- Monitoring and control instruments
- Automatic dispensers

⁴ The Regulations require the reporting of EEE and WEEE against these 10 categories plus 3 sub categories. For example fridges would fall into category 1, but must be reported in the sub category of Cooling Appliances. Further details on how data is to be reported can be found in the BIS Government Guidance Notes (November 2009).

One example of equipment that would not be covered by one of the 10 categories would be electric vehicles. As a result, electric-powered cars and vans would be outside the scope of the Regulations.

All 10 categories cover both household and non-household products. The first two categories include 'household' in the title, but this does not mean that similar products used or designed for non household use are excluded. All products which fall into the above categories, regardless of whether they are used in a household or in a non-household environment are covered by the Regulations. For example industrial fridges in a retail outlet would be considered to be in category 1, (and reported in the sub category of Cooling Appliances).

Items which are not finished products

Component manufacturers are not considered to be EEE producers for the components they make and supply to a producer or re-brander who uses them to form a finished electrical product. This includes the manufacturers of transistors, motors, wiring, diodes, capacitors or sub-assemblies.

Components that are finished products and sold separately to a business or consumer and installed by the user (for example, a replacement sound card or disk drive for a PC) will be covered by the Regulations.

Accessory items such as audio headphones, computer keyboards, antennas and connecting cables with connectors are considered to be finished products when they are sold. As a result, they are EEE.

Finished products that form part of an electrical system of products where the components of that system may be produced by different companies would be considered to be covered by the Regulations. For example, a security system made up of a camera, monitor and alarm box would all be covered, even if each part of the system was made by a different company.

Ancillary parts

All items sold as part of a product could be considered to be part of that product for the purposes of the WEEE Regulations. Whether it is considered to be a part of that product may depend upon its interdependence, expected inclusion in WEEE and product description. This may include items such as:

- Playing pieces or dice in a game requiring electricity to play
- Cases supplied with the product (example: a protective case supplied with a power tool)
- TV mountings

It does not include items such as:

- Packaging and instruction manuals
- Consumables such as printer cartridges, jigsaw blades and drill bits

Equipment that is part of another type of equipment that does not fall within the scope of the Directive

For a product to be part of equipment that is not EEE and out of scope it must be installed into that equipment. Electric or electronic products which are

temporarily connected or plugged into equipment that is not EEE are likely to be in scope. 'Equipment' is a broad term that includes vehicles such as cars, ships and planes.

The term 'fixed installation' is not found in the text of either the WEEE Directive or the UK WEEE Regulations, but is a phrase used by the European Commission in [technical guidance](#) about the extent of the derogation in Article 2.1 of the WEEE Directive for '**electronic equipment that is part of another type of equipment that does not fall within the scope of the Directive**'. Electrical and electronic equipment (EEE) covered by Article 2.1 is out of scope of the Directive and the Regulations.

It is important when considering fixed installations to first establish whether the electronic equipment is part of another type of equipment which does not fall within the scope of the Directive, (as defined by the ten categories in Annex 1A). Such equipment could, for example, be a vehicle, an aircraft, or a boat, or a train. We would also not regard a building as a "type of equipment". A satellite navigation device which is integrated as part of a car when the car is newly purchased, for example, would be out of scope. But a satellite navigation device which is purchased separately from a car and plugged into a lighter socket for use in a car would be in scope.

The EU technical guidance states:

A 'fixed Installation' is not intended to be placed on the market as a single functional or commercial unit. It may be a combination of several pieces of equipment, systems, products and/or components (or parts) assembled and/or erected by a professional assembler or installer at a given place to operate together in an expected environment and to perform a specific task.

It should be noted that the guidance is just that and is not legally binding. We will take it into account in deciding whether electrical equipment is in scope or not. The key wording in the guidance is "**single functional or commercial unit**". Therefore a single functional or commercial electronic product placed on the market would not be a fixed installation, and would be regarded as EEE and in scope, because a fixed installation is a combination of products and systems or parts some of which may be electronic products and others not. An example of a fixed installation would be a heating system consisting of pipes, radiators, a boiler and an electronic pump, and assembled as an integral part of the building that it was intended to heat. In this scenario, the electronic pump would be out of scope because it is part of a fixed installation i.e. the built-in heating system.

Many electronic products are installed by professionals but this does not mean they are out of scope as fixed installations. In the context of the guidance the reference to "professional assembler or installer" is only one factor to consider and should be understood to mean that the equipment would only ever be installed by a professional in a commercial or industrial situation, could not normally be installed by a competent amateur, and would not be made available on the open market to be purchased by a non-professional.

The guidance also implies that the nature of the 'connection should also be taken into account when considering 'fixed installations'. For example, electronic equipment that plugs in or attaches to a valve on a water system is unlikely to be part of a 'fixed installation' since it connects to, or can be added to, an existing installation which performs a specific task. Therefore electronic equipment that is not an integral part of a system or is peripheral to it and easily connected or disconnected should not be regarded as being part of a fixed installation and should be regarded as being in scope.

An example, of a fixed installation would be a large air conditioning system for an office or hotel consisting of a series of fans, ducts, condensing units or controls assembled as part of or in to the building by professional installers for the purpose of conditioning the air in the building. If however, individual electronic products were put on the market to be used in a 'stand-alone' capacity they would be regarded as being in scope.

In summary, when considering whether an item of electronic equipment is EEE and in scope and considering fixed installations you should ask the following questions:

Fixed installation questions	Answer	In or out of scope?
1. Is the electronic product part of another type of equipment which does not fall within the scope of the Directive?	Yes	out of scope
2. Is the electronic product placed on the market as a single functional or commercial unit?	Yes	in scope unless its use fits 1 or 3
3. Is the electronic product an integral part of a combination of products and systems which has to be professionally assembled to perform a specific task?	Yes	out of scope

Examples of fixed installation decisions

Electronic product?	In or out of scope	Reason
A radio integrated into a car when the car is manufactured	out of scope	Part of equipment – the car - that is not within the scope of the Directive
An electric shower added to a water system in a building	in scope	The electric shower is placed on the market as a single functional and commercial unit and is peripheral to the water system
Electric fans which are part of the air conditioning system of a hotel	out of scope	Part of equipment which consists of tubes and ducts and, cooling equipment, that is part of a larger system assembled to perform a specific task - a fixed installation
An electronic water pump used to provide pressure to a garden water feature	in scope	The electric pump is placed on the market as a single functional and commercial unit.

Items meant for specific national security and military purposes

Arms, weapons, ammunition and other products used in warfare are exempt from the Regulations. However, if a product is not specifically designed exclusively for military purposes, the exemption does not apply. For example, computer, office or catering equipment supplied to the military or the security services would be considered to come within the Regulations.

Items that form part of equipment not covered by the regulations

If EEE is built into another product or structure that is not covered by the Regulations and, as a result, loses its identity, original character or function so that it no longer falls into any of the 10 categories, it will be considered to be outside the Regulations.

Items in category 5 – household lighting equipment

There is a specific exemption from the WEEE Regulations for household luminaires. By 'luminaire', we mean lighting equipment, including all domestic light fixtures and fittings, table lamps, standard lamps, decorative and Christmas lights. This exemption covers light fittings only. This exemption also covers household garden and security lighting. Luminaires used in business or industry are not exempt. Torches are not considered to be 'lighting equipment' and should be included in category 2. Bulbs (known as lamps within the lighting industry) are considered separately (see Table 1).

Note: household lighting equipment is **not** exempt from the RoHS regulations.

Table 1

	Filament bulbs	Lighting units (chandelier, standard lamps and table lamps)	LED Bulbs (which can be used to replace filament bulbs)	Fluorescent tubes	Compact fluorescent lamps (CFL)	Decorative lamps (lava lamps, fibre-optic lamps and garden lighting)	Decorative string lights (Christmas tree lights and fairy lights)	Torches, bicycle lamps, electric lanterns
Household	Out	Out	In	In declared as sub category gas discharge lamps	In declared as sub category gas discharge lamps	Out	Out	In Category 2 (not considered household lighting equipment)
Non-household	Out	In category 5	In	In declared as sub category gas discharge lamps	In declared as sub category gas discharge lamps	In category 5	In category 5	In category 2

In = covered by the regulations

Out = not covered by the regulations

Items in category 6 – electrical and electronic tools (except for large-scale industrial tools)

Large-scale stationary industrial tools (LSIT) are excluded from category 6 – electrical and electronic tools. LSITs can be defined as **tools** that are:

- a combination of several pieces of equipment, systems, finished products or components designed to be used in an industrial environment only;
- put together by an assembler or installer at a given place and designed to be permanently fixed; and
- put together at a given place to be used in a specific environment to perform a specific task.

The criteria for the 'large-scale stationary industrial tool' exemption does not **only** relate to size but whether the equipment is fixed and whether the installation consists of a combination of equipment, (it is not intended to be placed on the market as a single functional or commercial unit).

Single, stand-alone tools would not normally be covered by this exemption. For example, lathes, milling machines and packing machines would be classed as EEE.

Separate equipment that forms part of a LSIT (for example, display screens, control panels and so on) would still be classed as EEE.

Examples of LSIT would be an offshore drilling platform, a wind farm or a car-manufacturing production line.

Items in category 8 – medical devices (except for all implanted and infected products)

The producer should decide if the product will become contaminated during the course of being used. If the product is likely to be contaminated and can be justified by the producer, the product would be considered to be outside the Regulations.

An example of exempt medical equipment would be a blood glucose monitor.

4.0 Orgalime guidance

The Orgalime guide is a document that companies sometimes quote to prove they are not covered by the regulations. The Environment Agency, Scottish Environment Protection Agency and Northern Ireland Environment Agency have published the following statement about the Orgalime guide.

“The Orgalime guide has been produced by representatives from industry and reflects their views on the interpretation of the directives associated with EEE. It attempts to cover the widest possible scope of EEE scenarios for both the RoHS and WEEE Directives.

It is not a European Commission (EC) or national government sponsored document and it should be made clear that using such a document in isolation may draw organisations into conflict with others who have sought more authoritative or official views.

Whilst it contains a lot of useful information and the interpretations of the trade bodies involved, it does not always agree on all matters with the interpretations being applied by national governments and enforcement agencies.

The primary sources of interpretative information in the absence of directly or indirectly applicable case law should be seen as documents issued by the EC and other official documents issued by national governments, although even these cannot be regarded as legally binding.

In trying to use this document for WEEE (and RoHS) compliance it would be necessary to draw on other sources of complementary information before coming to a decision to help determine whether your products could be considered to be within the scope of the WEEE or RoHS directives or not.

We support industries that have demonstrated a positive approach to this new directive, attempting to provide information that will help individual companies better understand its requirements. As experience of implementing the directive and enforcement activity across the EU begins to increase it is hoped that those areas where interpretations are not the same can be further addressed and resolved. It is hoped that they will also be addressed by the EC as negotiations proceed on the proposals for a revision of both directives.”

5.0 B2B and B2C

Under the Regulations, there are two types of EEE, depending on who uses or buys that equipment. One type of EEE is intended for use in private households (known as household or ‘business to consumer’ or ‘B2C’) and the other type is meant for use anywhere other than private households (known as non household or ‘business to business’ or ‘B2B’).

Producers must declare the total weights of both types of EEE that they place on the market. In many cases, this will be straightforward for example, a domestic washing machine will be of a different capacity and design than a washing machine used in an industrial laundry. The former would be reported as B2C and the latter as B2B.

Products that are identical for both users are initially defined as household EEE, unless there is evidence to prove that the EEE is for users other than households. This is because **producers of** household EEE have different responsibilities under the Regulations, and the costs of treating household WEEE are met by the producer and their compliance scheme, based on the producer's market share of that product.

In order for a producer to support a claim that EEE which is the same or similar to household EEE is in fact non household EEE they must meet one of the following 2 conditions.

- 1 There must be evidence, in the form of signed contract between the producer and the business user (or someone representing the producer – for example, a reseller under contract), that clearly sets out who is responsible for the costs of collecting and treating the EEE at the end of its life, making sure that the equipment will not be disposed of with normal household waste.

or

- 2 There must be evidence that the EEE will not be used in private households and disposed of with normal household waste. This should be supported by either one or a combination of the following conditions.
 - The EEE must be operated by specialised software (for example, an operating system that needs to be set up in a special way for professional use).
 - The EEE must be operated at a voltage, or use an amount of power, outside the normal range available in private households.
 - The EEE must only be operated by someone who has a professional licence to do so. (For example, base stations can only be operated by someone who is licensed by the telecommunications regulator.)
 - The EEE must be a large size or weight, or need to be installed and taken apart or transported by specialists.
 - The EEE must need to be used in a professional environment or by someone with a professional education (for example, medical X-ray equipment).
 - The EEE must fall within category 10 of annex 1A.
 - The EEE must fall outside the General Product Safety Directive for consumer products.
 - The producer must provide statistics to show that a particular type of EEE is not disposed of with normal waste.

Annex 1 – List of products from Schedule 2 of the WEEE Regulations

1. Large household appliances

Large cooling appliances

Refrigerators

Freezers

Other large appliances used for refrigeration, conservation and storage of food

Washing machines

Clothes dryers

Dish washing machines

Cooking

Electric stoves

Electric hot plates

Microwaves

Other large appliances used for cooking and other processing of food

Electric heating appliances

Electric radiators

Other large appliances for heating rooms, beds, seating furniture

Electric fans

Air conditioner appliances

Other fanning, exhaust ventilation and conditioning equipment

2. Small household appliances

Vacuum cleaners

Carpet sweepers

Other appliances for cleaning

Appliances used for sewing, knitting, weaving and other processing for textiles

Irons and other appliances for ironing, mangling and other care of clothing

Toasters

Fryers

Grinders, coffee machines and equipment for opening or sealing containers or packages

Electric knives

Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances

Clocks, watches and equipment for the purpose of measuring, indicating or registering time

Scales

3. IT and telecommunications equipment

Centralised data processing:

Mainframes

Minicomputers

Printer units

Personal computing:

Personal computers (CPU, mouse, screen and keyboard included)
Laptop computers (CPU, mouse, screen and keyboard included)
Notebook computers
Notepad computers
Printers
Copying equipment
Electrical and electronic typewriters
Pocket and desk calculators
Other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means
User terminals and systems
Facsimile
Telex
Telephones
Pay telephones
Cordless telephones
Cellular telephones
Answering systems
Other products or equipment of transmitting sound, images or other information by telecommunications

4. Consumer equipment

Radio sets
Television sets
Videocameras
Video recorders
Hi-fi recorders
Audio amplifiers
Musical instruments
Other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications

5. Lighting equipment

Luminaires for fluorescent lamps with the exception of luminaires in households
Straight fluorescent lamps
Compact fluorescent lamps
High intensity discharge lamps, including pressure sodium lamps and metal halide lamps
Low pressure sodium lamps
Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs

6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)

Drills
Saws

Sewing machines

Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials

Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses

Tools for welding, soldering or similar use

Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means

Tools for mowing or other gardening activities

7. Toys, leisure and sports equipment

Electric trains or car racing sets

Hand-held video game consoles

Video games

Computers for biking, diving, running and rowing

Sports equipment with electric or electronic components

Coin slot machines

8. Medical devices (with the exception of all implanted and infected products)

Radiotherapy equipment

Cardiology

Dialysis

Pulmonary ventilators

Nuclear medicine

Laboratory equipment for *in-vitro* diagnosis

Analysers

Freezers

Fertilization tests

Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability

9. Monitoring and control instruments

Smoke detector

Heating regulators

Thermostats

Measuring, weighing or adjusting appliances for household or laboratory equipment

Other monitoring and control instruments used in industrial installations (for example, in control panels)

10. Automatic dispensers

Automatic dispensers for hot drinks

Automatic dispensers for hot or cold bottles or cans

Automatic dispensers for solid products

Automatic dispensers for money

All appliances which deliver automatically all kind of products

Annex 2 List of previous agency advice

The following table sets out how we have interpreted the Regulations for a number of products we have been asked about. These products are not listed specifically under schedule 2 of the WEEE Regulations. The purpose of listing these interpretations here is to provide some examples which underpin the decision tree and help illustrate the principles of determining what is covered by the regulations and what is not, but the advice cannot be considered to be legally binding and we reserve the right to change it if circumstances and our understanding changes.

Product	In or out?	Category	Comments
Air conditioning	In (see comment)	Category 1 (declared as category 12 if it contains substances used for refrigeration)	Portable air conditioning units are covered. Units that are placed on the market as single items, even if they are vented through a wall are also covered. Large air conditioning systems that consist of several units, ducts, piping and fans would be considered as fixed installations and out of scope.
Air filtering and extracting systems	In	Category 1	Portable units are covered. Units that are placed on the market as single items, even if they are vented through a wall are also covered. Large scale air filtration and extractions systems that consist of several units, ducts, piping and filters would be considered as fixed installations and out of scope.
Air fresheners, perfume sprayers (the 'plug-in' or battery types)	In	Category 2	
Aerials, Antennas and Digital TV dishes	In	Category 4	See section 3 page 9 on ancillary parts
Battery chargers	In	See comment.	The charger should be in the same category as the item that it charges (for example, a mobile-phone battery charger would be in category 3, while a camera battery charger would be in category 4). General battery chargers should be included in category 2.
Batteries	See comment.		Batteries are not to be included in the weight of EEE if they are supplied with an item of EEE. The weight of batteries built into or supplied with products must be reported separately under the Waste Batteries and Accumulators Regulations 2009.
Car-park and traffic management electric barriers	In	Category 9	
Car diagnostic equipment	In	Category 3	Equipment that is plugged into the car's central processing unit to diagnose and record faults depends on electricity to work, and so is classed as equipment that is used to

			process information electronically.
Chip and PIN credit or debit cards	Out		The card itself is considered out of scope but the card reader would be in scope (category 3)
Decorative lights, festive lights, lava lamps, fibre-optic lights, night lights and so on	Out	Does not apply	All household light fittings are exempt from the regulations. However, they are not exempt from the RoHS regulations.
Display equipment	In	Category 11	All display equipment (including CRT TVs, plasma screens, LCDs and so on) should be declared as category 11 – display equipment. TVs should not be included in category 4 and computer screens should not be included in category 3. Display screens that are a vital part of another product (for example, laptop screens, mobile-phone screens and mp3 player screens) should be declared in the category for the relevant equipment – laptops (category 3), mobile phones (category 3), mp3 players (category 4) and so on.
Disposable cameras	In	Category 4	Disposable cameras that are recycled should be declared as non-household EEE. Such cameras are normally returned to a film processor, who will either recycle the camera or discard it.
Duty Free	In		Whilst the goods may leave the UK once they are sold - because the end user is travelling - the goods were still supplied to be put on the UK market (e.g. to British Airways or another duty free operator).
Extension cords, multi-terminals, adaptors and leads	In	Category 2	If these products are not sold in relation to a specific product, they should be declared as category 2.
Electric fences	In	Category 6	
Fire-alarm systems	In	Category 9	Finished products that rely on electricity and form part of a fire-alarm system are included as EEE. This could include smoke detectors, alarm bells, lighting, sprinklers and so on.
Fish tanks	In	Category 7	A fish tank that has a built-in light, heater or pump and is sold as a single commercial unit is classed as EEE. The whole weight of the item should be included.
Furniture with electrical components	Out		Items of home furniture with electrical components (for example, an electric bed, electric chair and so on) are considered not to be covered by the regulations. The main function of the item is 'furniture', which is not a category in the regulations, and the electrical component becomes part of equipment that is not electrical.

Gas turbines	Out		Gas-powered turbines used to create electricity are outside the regulations as they do not rely on electricity to work.
Games consoles	In	Category 7	Games consoles should be declared in category 7 even if they have additional functions such as DVD player, hard disk drive and internet capability.
Hearing aids	In	Category 8	
In-car entertainment	In	Category 4	Portable DVD players, radios and stereos that rely on a 12-volt power supply and are not permanently installed in the vehicle are covered by the regulations. A car radio that is purchased separately to be permanently installed in a vehicle and wired into the car's electrical system, and likely to remain with the car until it is sold or scrapped, would be considered out of scope.
Illuminated fire-exit sign	In	Category 5	
Light Switches	Out		Unless they have additional functionality and include active electronics such as a PCB or a circuit breaker. They would then fall within scope and would be in category 2.
Loadbanks (testing systems for electric power supplies)	In	Category 9	
Loft ladders with electronic controls	In	Category 2	
Massage chairs and massage appliances	In	Category 1 or 2	Large massage chairs should be included as category 1. Massage pads that fit onto chairs and other massage equipment is category 2.
Memory cards, USB sticks, SIM cards	In	Category 3	
Power-supply units	In	See comment.	These act as transformers to alter the voltage or current, and so are finished products in their own right. They should be included in the same category as the products they come with (for example, mobile phone, laptop and so on).
RFID (radio-frequency identification devices) radio tracking devices, including pet ID chips, anti-theft devices and electronic tags for criminals	In	Category 3	The only exception is where a RFID is a security feature which forms part of the packaging of a product.
Retail display cabinets	Out	See comment	Non-refrigerated retail display cabinets are out of scope, however any lighting attached to the display would be within scope.

Pumps as part of a domestic water system	Out		
Pumps, filters, fountains and so on for garden ponds	In	Category 6	
Remote Controllers	In	See comment	Battery operated remote controls are generally included in scope of the product they are supplied with – such as Category 4 for a TV remote control, Category 7 for remote controllers for toy cars and tanks.
Roller screen with electronic winder functions	In	Category 2	
Satellite navigation (sat nav) systems	In	Category 3	Portable 'sat nav' systems are covered. 'Sat nav' systems that are permanently fixed and wired into a vehicle or yacht would be considered part of the vehicle and, as a consequence, are not be covered by the regulations.
Security systems including CCTV	In	Category 4	Security systems which include motion sensors, video cameras or still cameras and display equipment and so on are classed as category 4 – equipment for recording or reproducing sound or images.
Electric Showers	In	Category 2	Electric showers are in scope, as they are single discreet items added to the electric and water system of a house. Pumps supplied as part of a shower package would also be in scope.
Spa baths, hydrotherapy baths, computerised massage baths	In	Category 1	Although the main function of these items is a bath, a large part of the function and feature of the product is based on the added value provided by the electrical functions.
Solar panels	Out	New category will apply from 2014.	Solar panels on their own are not currently considered to be covered by the regulations. Note: The recast WEEE Directive includes solar panels therefore they will be in scope when new UK Regulations come into force in early 2014.
Spare parts	Out		Spare parts supplied to repair EEE are not covered by the regulations, as they are considered to be components or finished products. Note: spare parts may have to meet RoHS regulations. Producers should make sure their products keep to the requirements.
Solar-powered items such as calculators, watches, garden pumps, phone chargers and so on	In	See comment.	The category will depend on the product.
Stairlifts	Out	Does not apply	Stairlifts and other lifts (for example, escalators) are not in any of the EEE categories and so are considered to be outside the regulations.
Street lights	In	Category 5	The electrical parts are considered EEE, the bulb, wiring, control box, but not the

			concrete or metal lamp post.
Sunbeds	In	See comment.	Sunbeds are classed as category 2 and fluorescent bulbs should be included in category 5.
Taps with built-in lights	Out	Does not apply	The main function of the item is a tap, and does not need electricity.
Torches	In	Category 2	Both filament bulb and LED torches would fall into Category 2
Traffic lights	In	Category 9	
Under-floor heating systems (if powered by electricity)	In	Category 1	
Water coolers – bottle or mains supply	In	Category 1 (or category 12 if it contains substances used for refrigeration)	
Wind turbines	See comment.	Category 6	Large wind turbines would qualify as large-scale industrial tools and so would be exempt from the regulations. Small-scale wind turbines that could be used by a household, smallholding or at the roadside should be included in category 6.
Wind-up torches and radios	In	See comment.	These still rely on electricity to work, no matter whether the electricity is generated by the wind-up system. The category will depend on the product.