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Legislative Decree 25th July, 2005 – no. 151

Implementation of the Directives 2002/95/CE, 2002/96/CE and 2003/108/CE concerning the reduction of the use of hazardous substances in the electrical and electronic equipments as well as the disposal of wastes.

THE PRESIDENT OF THE ITALIAN REPUBLIC

Having regard to Articles 76 and 87 of the Italian Constitution;

Having regard to Law No. 306 of 31 October 2003, and in particular, Annex B;

Having regard to Directive 2002/95/CE of the European Parliament and the Council of the European Union of 27 January 2003 on the restriction of the use of determined dangerous substances in electrical and electronic equipment;

Having regard to Directives 2002/96/CE of the European Parliament and the Council of the European Union of 27 January 2003, on waste electrical and electronic equipment (WEEE);

Having regard to 2003/108/CE of the European Parliament and the Council of the European Union of 8 December 2003, which modifies Directive 2002/96/CE on waste electrical and electronic equipment;

Having regard to the Commission's decision no. 249 of 11 March 2004;

Having regard to the Legislative Decree no. 22 of 5 February 1997 and following modifications;

Having regard to the Legislative Decree no. 185 of 22 May 1999 and following modifications ;

Having regard to the decree of the Ministry of the Environment of 5 February 1998, published in the Ordinary Supplement no. 72 to the Official Gazette no. 88 of 16 April 1998;

Having regard to the preliminary deliberation of the Council of Ministers, adopted in the meeting of may, 13th, 2005;

Having obtained the agreement of the unified Conference to Article 8 of the Legislative Decree no. 281 of 28 August 1997, taken at the meeting on june 30th, 2005;

Having obtained the agreement of the competent parliamentary Commissions;

Having regard to the deliberation of the Council of Ministers adopted in the meeting of the Council of Ministers of july 22nd, 2005;

At the proposal of the Minister for EU Affairs, the Minister of the Environment, alongside the Ministers of Foreign Affairs, Justice, Economy and Finance, Production Activities, Health and Regional Affairs;

ISSUES **the following Legislative Decree**

Article 1 Objectives

1. This Directive establishes measures and procedures with the purpose of:
 - a) Preventing the production of waste electrical and electronic equipment (WEEE);
 - b) Promoting the reuse, recycling and other forms of recovery of WEEE to reduce the quantity destined for disposal;
 - c) Improving the environmental performance of all operators involved in the life cycle of electrical and electronic equipment, e.g. producers, distributors and consumers and in particular those operators directly involved in the treatment of waste electrical and electronic equipment;
 - d) Reducing the use of dangerous substances in electrical and electronic equipment;

Article 2 Scope

1. This Directive shall apply to electrical and electronic equipment falling under the categories set out in Annex IA provided that the equipment concerned is not part of another type of equipment that does not fall within the scope of this Directive. Annex IB contains a list of products which fall under the categories set out in Annex IA.
2. This Directive shall apply without prejudice to legislation on safety and health requirements and specific waste management legislation.
3. Equipment which is connected with the protection of the essential national security interests, arms, munitions and war material shall be excluded from this Directive. This does not, however, apply to products which are not intended for specifically military purposes.

Article 3 Definitions

1. For the purposes of this Directive, the following definitions shall apply:
 - a) 'electrical and electronic equipment' or 'EEE' 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 Annex IA and designed for use with a voltage rating not exceeding 1 000 Volt for alternating current and 1500 Volt for direct current;
 - b) 'waste electrical and electronic equipment' or 'WEEE' means electrical or electronic equipment which is waste within the meaning of Article 6, Subpoint 1, letter a), of Legislative Decree no. 22 of 5 February 1997, including all components, subassemblies and consumables which are part of the product at the time of discarding;
 - c) 'used electrical and electronic equipment' means the equipment in Letter a) that the holder delivers to the distributor at the moment of supply of a new piece of equipment of similar type for

evaluating, before discarding, the possible reuse within the meaning of Article 1, Subpoint 1, Letters a) and b);

d) 'prevention' means measures aimed at reducing the quantity and the harmfulness to the environment of WEEE and materials and substances contained therein;

e) 'reuse' means any operation by which WEEE or components thereof are used for the same purpose for which they were conceived, including the continued use of the equipment or components thereof which are returned to collection points, distributors, recyclers or manufacturers;

f) 'recycling' means the reprocessing in a production process of the waste materials for the original purpose or for other purposes, excluding energy recovery;

g) 'energy recovery' means the use of combustible waste as a means of generating energy through direct incineration with or without other waste but with recovery of the heat;

h) 'recovery' means any of the applicable operations provided for in Annex C to Legislative Decree No. 22 of 1997;

i) 'disposal' means any of the applicable operations provided for in Annex B to Legislative Decree No. 22 of 1997;

l) 'treatment' means any activity after the WEEE has been handed over to a facility authorised within the meaning of Articles 27 and 28 of Legislative Decree No. 22 of 1997 or which carried out the communication in Articles 31 and 33 of that decree, for depollution, disassembly, shredding, recovery or preparation for disposal and any other operation carried out for the recovery and/or the disposal of the WEEE;

m) 'producer' means any person who, irrespective of the selling technique used, including by means of distance communication in accordance with Legislative Decree No. 185 of 22 May 1999 on the protection of consumers in respect of distance contracts,

1) manufactures and sells electrical and electronic equipment under his own brand,

2) resells under his own brand equipment produced by other suppliers, a reseller not being regarded as the 'producer' if the brand of the producer appears on the equipment, as provided for in Subpoint 1),

3) imports or exports commercially electrical and electronic equipment on a professional basis into national territory;

4) whoever produces electrical and electronic equipment intended exclusively for export is a producer only within the meaning of Articles 4, 13 and 14. For the purposes of this directive whoever exclusively provides financing under or pursuant to any finance agreement shall not be deemed a 'producer' unless he also acts as a producer within the meaning of Subpoints 1, 2 and 3;

n) 'distributor' means any person listed in the Companies' Register under Law No. 580 of December 29 1993 who provides electrical or electronic equipment on a commercial basis to the party who is going to use it under the terms of Article 6, Point 1, letter b);

o) 'WEEE from private households' means WEEE which comes from private households and from commercial, industrial, institutional and other sources which, because of its nature and quantity, is similar to that from private households;

p) 'WEEE from professional sources' means WEEE which comes from administrative and economic activities different to those in letter o);

q) 'Historical WEEE' means WEEE which comes from electrical and electronic equipment put on the market before 13 August 2005;

r) 'dangerous substance or preparation' means any substance or preparation which has to be considered dangerous under existing legislation;

s) 'finance agreement' means any loan, lease, hiring or deferred sale agreement or arrangement relating to any equipment whether or not the terms of that agreement or arrangement or any collateral agreement or arrangement provide that a transfer of ownership of that equipment will or may take place

t) 'Collection facilities' means spaces, places and structures for the separate collection and temporary depositing of WEEE provided by the public administration or, on a voluntary basis, private individuals;

u) separate collection means delivering and grouping WEEE in homogeneous product divisions at the collection facilities.

Article 4 Product design

1. To encourage the reuse, recycling and other forms of recovery of WEEE in such a way as to reduce the quantity of it sent for disposal, the Ministry of the Environment alongside the Ministry of Industry, shall adopt measures aimed at facilitating and encouraging, on the part of electrical and electronic equipment producers, the commitment to means of design and manufacture of equipment that assist the dismantling and recovery, and in particular the reuse and recycling of WEEE and their components and materials, unless such specific design features or products present overriding advantages, for example, with regard to the less environmental impact during the production or usage phase, lower energy consumption or greater safety levels.

2. For the objectives in Point 1, the Ministry of Environment alongside the Ministries of Industry, Economy and Finance, shall identify and encourage support and promotion policies within the limits of the regular budget appropriations foreseen for the scopes in Point 1.

Article 5 Prohibition of the use of determined substances

1. Without prejudice to what has been set out in Annex 5, from 1 July 2006 putting new electrical and electronic equipment on the market that are included in the categories listed in the Annex 1A, as well as discharge lamps, containing lead, mercury, cadmium, hexavalent chromium, Polybrominated Biphenyl (PBB), Polychlorinated Terphenyls (PCB/PCT) or Polybrominated Diphenyl Ethers (PBDE) is prohibited.

2. The provisions of Point 1 are not applied:

- a) electrical and electronic equipment which come under categories 8 and 9 of Annex 1A;
- b) to replacement parts for the repair of electrical and electronic equipment put on the market before 1 July 2006;
- c) to the reuse of electrical and electronic equipment put on the market before 1 July 2006.

3. It is understood as established in Article 2 the provisions of Point 1 shall be applied to straight fluorescent lamps.

Article 6 Separate collection

1. By the date given in article 20, Subpoint 5, in order to minimise the disposal of WEEE as unsorted municipal waste and, in particular, to guarantee, by 31 December 2008, a rate of separate collection of at least four kilograms on average per inhabitant per year of WEEE from private households is achieved:

a) Local councils, ensure the functionality, accessibility and adequacy of the facilities for the separate collection of the WEE from private households set up following the provisions for separate collection of urban wastes, so that the holders and the distributors can convey to the public collection centre free of charge the wastes produced in their territory; wastes produced in other territories shall be conveyed only subject to specific previous written agreement with the local council of destination;

b) when supplying a new product to a private household, distributors shall be responsible for ensuring that such waste can be returned to the distributor at least free of charge on a one-to-one basis as long as the equipment is of equivalent type and has fulfilled the same functions as the supplied equipment; moreover, they provide for, under Article 1 Subpoint 1, Letters a) and b) for the checking for the possible reuse of the returned equipment judged not to be open to reuse, and its transport to the centres set up under Letters a) and c)

c) without prejudice to the provisions of (a) and (b), producers, or third parties acting in their names, are allowed to set up and operate individual and/or collective take-back systems for WEEE from private households provided that these are in line with the objectives of this Directive.

2. Having regard to national health and safety standards, WEEE that presents a health and safety risk to personnel because of contamination may be refused for return under (a) and (b) or if the equipment does not contain the essential components or if the equipment contains waste other than WEEE. In such cases the disposal of the WEEE is the responsibility of the final holder who shall confer, at their expense, the WEEE to an authorised waste management operator.

3. Without prejudice to the provisions of Article 12, producers, or third parties acting in their names, are allowed to set up and operate at their own costs, adequate individual and/or collective take-back systems, for professional WEEE sources provided that these are in line with the structures in Subpoint 1, Letter a), subject to agreement with the local council involved whose expenses are the responsibility of the producers or third parties acting in their name.

Article 7 Collection of gathered WEEE

1. By the date given in Article 20, Subpoint 5, the producers and third parties acting in their name shall see to the collection and transport to treatment facilities under Article 8, Subpoints 3 and 4, of the WEEE gathered under the terms of Article 6, unless the appliances are reused as a whole, as long as that the envisaged reuse does not lead to a circumvention of this Directive, in particular as regards Articles 8 and 9.

2. The subjects responsible for the collection, transport and storage of the separately gathered WEEE, under the terms of Article 6, guarantee that the operations should be carried out in such a way as to use the best available treatment of WEEE, recovery and recycling techniques for the equipment and its components ensuring health protection.

Article 8 Treatment

1. By the date given in Article 20, Subpoint 5, producers or third parties acting on their behalf, individually or collectively, set up systems to provide for the treatment of WEEE using best available treatment, recovery and recycling techniques at treatment installations in line with existing provisions as well as the technical requirements set out in Annex II and the management methods foreseen in Annex 3.

2 To ensure compliance with Article 2 of Legislative Decree no. 22 of 1997, the treatment shall, as a minimum, include the removal of all fluids and a selective treatment in accordance with Annex 2 to this Decree. In the case of WEEE containing ozone-damaging substances the provisions of Law no.549 of 28 December 1993 shall apply to the treatment operations.

3. The establishments under Subpoint 1 carrying out treatment operations shall obtain a permit under Articles 27 and 28 of Legislative Decree no. 22 of 1997 which sets out, moreover the conditions necessary to guarantee compliance with Subpoints 1 and 2 and the attainment of the recovery objectives in Article 9.

4. The derogation of recovery operations concerning WEEE may apply under the simplified procedure of Articles 31 and 33 Legislative Decree no. 22 of 1997, if an inspection is carried out by the competent provincial authorities within sixty days of the presentation of the communication of the start of the activity to check:

a) the type and quantities of waste to be treated;

b) the general technical requirements to be complied with as set out in Annexes 2 and 3, as well as the technical provisions and health and safety measures contained within Legislative Decree no. 22 of 1997;

c) the safety precautions to be taken

5. The inspection in Subpoint 4 shall be carried out at least once a year after the start of the activity.

6. In cases referred to in Subpoint 4, the communication of the start of the activity under Article 33 of the Legislative Decree no. 22 of 1997 includes all conditions necessary for compliance with the requirements of Subpoints 1, 2 and 3 for the achievement of the recovery targets set out in Article 9.

7. When the competent province discovers the violation of the provisions set out in Subpoint 4 following the inspections foreseen in Subpoints 4 and 5, subject to adequate warning and notice being given, it shall prohibit the start or the carrying out of the activity unless the owner of the installation sees to compliance with the provisions set out in Subpoint 4 within the terms set out.

8. The competent provinces shall transmit on an annual basis the results of the inspections under Subpoints 4 and 5 to the agency for environmental protection and technical services, hereinafter referred to as APAT, which shall process them and transmit them to the Ministry of the Environment for communication to the European Commission.

9. The WEEE treatment operation may also be undertaken outside Italy or the Community provided that the shipment of WEEE is in compliance with Council Regulation (EEC) No 259/93 of 1 February 1993.

10. WEEE exported out of the Community in line with Council Regulation (EEC) No 259/93, Council Regulation (EC) No 1420/1999 (2) of 29 April 1999 establishing common rules and

procedures to apply to shipments to certain non-OECD countries of certain types of waste and Commission Regulation (EC) No 1547/1999 (3) of 12 July 1999 determining the control procedures under Council Regulation (EEC) No 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply, shall only count for the fulfilment of obligations and targets of Article 9 Subpoints (1) and (2) of this Directive if the exporter can prove that the recovery, reuse and/or recycling operation took place under conditions that are equivalent to the requirements of this Decree.

11. With the decree of the Ministry of the Environment and the understanding of the Ministries of Production Activities, of Health and of Economy and Finance, measures shall be defined, within regular budget appropriation for the purposes of the present article, to encourage the voluntary introduction within the companies carrying out WEEE treatment operations of certified environmental management systems ruled by the Regulation n. 761/2001 of the E.U. Parliament and of the Council, of march 19, 2001

12. With the decree of the Ministry of the Environment, the national Register under Article 30 of Legislative Decree no. 22 of 1997 is integrated with the provision of a specific sub-category relating to installations carrying out WEEE treatment operations set out in the present decree, to enrol businesses carrying out treatment operations on the Register. By resolution of the National Committee of the Register the means and requirements for the enrolment shall be set out.

Article 9 WEEE Recovery

1. By the date given in Article 20, producers or third parties acting on their behalf shall set up systems either on an individual or on a collective basis, in accordance with national legislation, to provide for the recovery of WEEE collected separately in accordance with Article 6, giving priority to the reuse of whole appliances. Until 31 December 2006, such appliances shall not be taken into account for the calculation of the targets set out in Subpoint 2.

2. . Regarding WEEE sent for treatment in accordance with Article 8, producers shall meet the following targets by 31 December 2006:

a) for WEEE falling under categories 1 and 10 of Annex 1A, the rate of recovery shall be increased to a minimum of 80 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 75 % by an average weight per appliance;

b) for WEEE falling under categories 3 and 4 of Annex 1A, the rate of recovery shall be increased to a minimum of 75 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 65 % by an average weight per appliance;

c) for WEEE falling under categories 2, 5, 6, 7 and 9 of Annex 1A, the rate of recovery shall be increased to a minimum of 70 % by an average weight per appliance, and component, material and substance reuse and recycling shall be increased to a minimum of 50 % by an average weight per appliance;

d) for gas discharge lamps, the rate of component, material and substance reuse and recycling shall reach a minimum of 80 % by weight of the lamps.

3. The owners of treatment facilities shall keep records in the appropriate section of the register under Article 12, Subpoint 1 of Legislative Decree no. 22 of 1997 sub-divided into the categories in Annex 1, on the mass of WEEE, their components, materials or substances when entering (input) and leaving (output) the treatment facility and/or when entering (input) the recovery or recycling

facility. The owners of the recovery and of re-use of WEEE shall keep records in the mentioned input section the weight of WEEE and of the relevant components, materials or substances, as well as, in the output section, the quantities actually recovered.

4. To check the achievement of the objectives under Subpoint 2, the managers of installations carrying out WEEE treatment and recovery operations shall communicate on an annual basis the data relating to WEEE treated and the derivative material sent for recovery, using the form for environmental declaration under Law No. 70 of 25 January 1994 that, to this end, is modified following dispositions of same Law No. 70 of 25 January 1994. WEEE exporters shall also be bound by this communication, specifying the source category according to Annex 1A, the weight, or if not detectable, the number of WEEE pieces.

5. APAT shall guarantee the achievement of the objectives in Subpoint 2 and shall transmit on an annual basis to the Ministry of Environment a report with the data under Subpoint 4. The Ministry of the Environment shall make available a copy of this report to individual producers and those managing collective WEEE management systems. The related monitoring costs are at the expense of the producers based on the market share under Article 15, Subpoint 1, Letter c).

6. The Ministry of the Environment by decree shall establish targets for recovery and reuse/recycling, in line with decisions taken on a Community basis.

7. The Ministry of the Environment with the supporting decree of the Ministries of Production Activities, Health, Economy and Finance, following consultation with the Unified Conference, shall define within regular budget appropriation for the purposes of the present article, measures to encourage the development of new recovery, recycling and treatment technologies.

Article 10

Means and guarantees of financing historic WEEE management from private households

1. Producers shall provide at least for the financing of the collection, treatment, recovery and environmentally sound disposal of historic WEEE under Articles 8 and 9 from private households deposited at collection facilities set up under Article 6. They shall check the respective costs in proportion to their market share for that year, calculated on the basis of the number of pieces or weight, if specifically indicated in Annex IB, by equipment type. The producers shall fulfil this obligation by setting up collective WEEE management schemes.

2. Until 13 February 2011, and for equipment in category 1 of Annex 1A, to 13 February 2013, producers are allowed to show purchasers, at the time of sale of new products, the costs of collection, treatment and disposal in an environmentally sound way. In this case the distributor shall indicate separately to the purchaser the product price and the cost, identical to the one mentioned by the producer, for the management of historic waste. The costs mentioned shall not exceed the actual costs incurred for the treatment, the recovery and the disposal.

3. Producers supplying electrical or electronic equipment by means of distance communication under Legislative Decree of May 22, 1995 no. 185 shall also comply with the requirements set out in the present article for the equipment supplied in the Member State where the purchaser of that equipment resides, according to the means defined by decree of the Ministry of the Environment, alongside the Ministry of Production Activities, in accordance with provisions adopted on a Community level.

4. The responsibility for the financing of the costs of the management of WEEE from products in the category of Point 5 of Annex 1A shall be up to the producers irrespective of the date the equipment was put on the market and of whether it should be of domestic or professional origin, according to the means set out by the Ministry of the Environment with the supporting decree of the Ministries of Production Activities and of Economy and Finance, to be adopted within six months of the present decree coming into force.

Article 11

Means and guarantees of financing WEEE management from private households from electrical and electronic equipment put on the market after 13 August 2005

1. Producers shall provide at least for the financing of the collection, treatment, recovery and environmentally sound disposal under Articles 8 and 9 from private households deposited at collection facilities set up under Article 6 of WEEE from electrical and electronic equipment put on the market after 13 August 2005, and they shall accept the responsibility for the products they put on the market after that date. The producer can choose to fulfil this obligation either individually or by joining a collective scheme or a mixed adequate scheme.
2. In order to guarantee the financing of the WEEE management under Subpoint 1, the producer, as soon as he puts a EEE on the market sets up an adequate financial guarantee, as set out in Article 1 of Law no. 348 of 10 June 1982, or according same modalities which should not involve new or greater outlay or less income for the public finances, as defined by decree of the Ministry of the Environment with the supporting decree of the Ministries of Production <activities and of Economy and Finance, to be adopted within six months of the present decree coming into force.
3. For electrical and electronic equipment under Subpoint 1, the producer may not mention separately to the purchaser at the time of sale, the relative costs of collection, treatment and disposal.
4. In the case of sales made by distance communication the provisions of Article 10, Subpoint 3 shall be applied.

Article 12

Professional WEEE management financing – methods and guarantees

1. The financing of collection, transport, treatment, recovery and environmentally sound disposal, as under Articles 8 and 9, of professional WEEE originating from electrical and electronic equipment put on the market after 13 August 2005 shall be at the expense of the producer who takes on the expenses for the products which he placed on the market starting from the above-mentioned date.
2. The financing of collection, transport, treatment, recovery and environmentally sound disposal, as under Articles 8 and 9, of professional WEEE originating from electrical and electronic equipment put on the market before 13 August 2005 shall be at the expense of the producer when new electrical and electronic equipment is being supplied in substitution for a product of an equivalent type which fulfils the same functions as the new equipment being supplied or otherwise is at the expense of the final holder.
3. The equivalence as under Subpoint 2 shall not be checked in the case that the weight of the withdrawn equipment is more than double the weight of the equipment delivered.
4. The producer shall fulfil the obligation in Subpoints 1 and 2 either through participation in individual or collective schemes.
5. To guarantee the financing of professional WEEE management as under Subpoints 1 and 2, the producer will arrange for, at the moment a piece of electrical or electronic equipment is placed on the market, suitable financial guarantees, according to what is set out Article 1 of Law no. 348 of 10 June 1982, or according to equivalent means defined by the decree's Article 11, Subpoint 2.
6. The producers and users other than private households may voluntarily agree means of financing professional WEEE management, as long as they respect the aims and regulations of this decree.

Article 13

Information for users supplied by producers

1. The producer of electrical and electronic equipment shall provide within the instructions for use necessary information about:

- a) the requirement not to dispose of WEEE as unsorted municipal waste and to collect such WEEE separately;
- b) the return and collection systems available to them, as well as the right to give back to the distributors the EEE when buying a new one;
- c) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
- d) the meaning of the symbol shown in Annex 4;
- e) the penalties in force in case of illegal disposal of waste.

2. In cases where, given the type of electrical and electronic equipment, instructions are not supplied, the information in Subpoint 1 shall be supplied by the distributor at the point of sale through appropriate publications or the display of information material.

3. Without prejudice to the provisions in place regarding secret industrial material, the electrical and electronic equipment producers provide reuse and treatment information for each type of new EEE put on the market within one year after the equipment is put on the market. This information shall identify, as far as it is needed by reuse centres, treatment and recycling facilities in order to comply with the provisions of this Decree, the different EEE components and materials, as well as the location of dangerous substances and preparations in EEE. It shall be made available to reuse centres, treatment and recycling facilities by producers of EEE in the form of manuals or by means of electronic media.

4. Electrical and electronic equipments covered by the present decree put on the market after 13 August 2005 shall bear, on care and under responsibility of the producer, in a clear, visible and indelible way an indication giving the possibility to identify the producer and the mark under Annex 4. Such mark shall determine unequivocally that the appliance was put on the market after 13 August 2005 and is subject to separate collection. By a Decree of the Ministry of Environment alongside the Ministry of Production Activities, following the European Community standards, the methods for identification of the producer shall be defined.

5. In case where this is impossible because of the size or the function of the product, the mark under Subpoint 4 shall be printed on the packaging, on the instructions for use and on the warranty of the electrical and electronic equipment.

6. The producers shall communicate to the register under Article 14, on an annual basis and by means identified in Article 13, Sub-point 8, the quantities and categories and electrical and electronic equipment put on the market, collected through all channels, reused, recycled or recovered, without prejudice to provisions on secret industrial material, as well as the indications related to the financial guarantee foreseen by the present decree.

7. Producers supplying electrical and electronic equipment by means of distance communication shall provide information on the compliance with the requirements under Legislative Decree no. 185 of 1999, on an annual basis and using the means under Subpoint 6, to the Register under Article 14 concerning the quantities and categories and electrical and electronic equipment put on the market in which the purchaser resides, as well as the means of fulfilling the obligations in Article 10, Subpoint 3.

8. By decree of the Ministry of the Environment with the support of the Ministries of Production Activities, Economy and Finance, following consultation with the Unified Conference, to be adopted within six months of the date of the present decree coming into force, the working methods of the Register under article 14, enrolment on the register and the methods for communicating the information under Subpoints 6 and 7 shall be stated, together with the

methods for the setting up and the operation of a Co-ordination Centre, funded and managed by the producers, and having the mission to optimizing the activities of the collective systems, in order to guaranteeing their common, homogenous and uniform operative conditions.

9. The manager of the local councils collection system informs the consumers about:
- a) the measures adopted by the local councils so that consumers participate in the collection of WEEE and encourage them to facilitate the process of reuse, treatment and recovery of the same
 - b) the role of the consumers in reusing, recycling and other forms of recovery of WEEE;

Articolo 14

National register of subjects for WEEE disposal

1. To check WEEE management and define the market shares under Article 10, Subpoint 1, a national register has been set up at the Ministry of Environment of the subjects bound to the financing of WEEE management systems, under Articles 10, 11, 12, that have registered under Subpoint 2. Within this register there will be a section relating to individual or collective schemes for the financing of WEEE management, based on the indications under Subpoint 2.

2. The producer of electrical and electronic equipment subject to the obligations in Subpoint 1 can put on the market such equipment only following registration with the competent Chamber of Commerce. On registering, the producer, as defined in Article 3, Subpoint 1, Letter m), has to indicate any code of activities not explicitly characterised by the nature of EEE producer, as well as the specific code of activities which he identifies as such and also the system through which he intends to fulfil the WEEE management financing obligations foreseen by the present decree.

3. In order to set up and update the Register under Sub-point 1, the Chambers of Commerce, Industry, craftsmanship and agriculture shall communicate to the Committee under Article 15 the list of companies identified as EEE producers on the basis of the codes of activity.

Article 15

Supervision and Control Committee and WEEE Management Policy Committee

1. By decree of the Ministry of the Environment, to be adopted within six months of the date of the present decree coming into force, the Supervision and Control of WEEE Management Committee shall be set up at the Ministry of environment with the following tasks:

- a) to arrange and update the register under Article 14, Subpoint 1 on the basis of the communications from the Chambers of Commerce foreseen in Article 14, Subpoint 3;
- b) to gather, in electronic format exclusively, the data relating to products put on the market and to the financial guarantees that producers are obliged to communicate to the register under Article 13, Subpoints 6 and 7;
- c) to calculate, on the basis of the data under letter b), the respective market shares of the producers;
- d) to programme and arrange, on the basis of an appropriate plan, inspections of the producers who do not carry out the communications in letter b) and the samples in the in the communications foreseen in letter b);
- e) to supervise that the equipment put on the market after 13 August 2005 show the identification of the producer and the brand under Article 13, Subpoint 4 and that the producers supplying electrical and electronic equipment by means of distance communication inform the register of their compliance to the provisions of Article 10, Subpoint 3;

f) to process the data relating to the aims of recovery under Article 9, Subpoint 2 and plan for the reports foreseen in Article 17.

2. For the purposes of Subpoint 1 the Committee uses APAT and, in particular, for the services in Subpoint 1, letter d), the Committee can use the cooperation with the Customs and Excise Police.

3. The Committee under Subpoint 1, whose running expenses are met by the producers of electrical and electronic equipment on the basis of their market shares as identified in Subpoint 1, letter c), is made up of six members, of which two are designated by the Ministry of Environment, of which one is the President, one by the Ministry of Production Activities with the role of Vice President, one by the Ministry of Health, one by the Ministry of Innovation and Technologies and one by the Unified Conference. The Committee shall adopt an appropriate set of rules for its running.

4. Moreover, with the decree foreseen in Article 13, Subpoint 8 the WEEE Management Policy Committee has been set up at the Ministry of Environment and its composition and running rules have been defined. This committee supports the Committee under Subpoint 1 in the completion of the tasks handed over to it.

Article 16

(Penalties)

1. The distributor who, in the case under Article 6, Subpoint 1, letter b), does not withdraw at no charge, electrical or electronic equipment, shall be penalised with financial sanctions from euro 150 to euro 400, for each piece of equipment not withdrawn or withdrawn at a charge.

2. In the case that and according to the methods under Articles 10, Subpoint 1, 11, Subpoint 1 and 12, Subpoints 1,2 and 3, the producer does not see to organising the separated collection of professional WEEE under Article 6, Subpoint 3 and the systems of withdrawal and start up of WEEE recovery and treatment under Articles 8, Subpoint 1 and 9, Subpoint 1 and financing their related operations, without prejudice for the last such operations, any agreements reached under Article 12, Subpoint 6, he shall be punished with financial sanctions of between euro 30,000 and euro 100,000.

3. The producer who, after 13 August 2005, when putting electrical equipment on the market, does not see to setting up financial guarantee under Articles 11, Subpoint 2 or 12, Subpoint 4 shall be punished with financial sanctions of between euro 200 and euro 1,000 for each piece of equipment put on the market.

4. The producer who does not supply in the EEE's instructions for use the information under Article 13, Subpoint 1 shall be punished with financial sanctions of between euro 2,000 and euro 5,000.

5. The producer who, during a year of putting on the market any new type of EEE, does not make the information under Article 13, Subpoint 3 available to reuse centres, treatment and recycling facilities shall be punished with financial sanctions of between euro 5,000 and euro 30,000.

6. The producer who, after 13 August 2005, puts EEE on the market without indication or the symbol under Article 13, Subpoints 4 and 5, shall be punished with financial sanctions of between euro 200 and euro 1,000 for each piece of equipment put on the market. The same financial sanction shall be applied in the case that the indication or symbol do not comply with the requirements of Article 13, Subpoints 4 and 5.

7. The producer who, without having seen to enrolment at the Chamber of Commerce under Article 14, Subpoint 2, puts EEE on the market shall be punished with financial sanctions of between 30,000 and euro 100,000.

8. The producer who, within the terms set out by decree under Article 13, Subpoint 8, does not communicate to the national register of subjects bound for WEEE disposal the information under Article 13, Subpoints 6 and 7, or communicates it inexactly or incompletely, shall be punished with financial sanctions of between euro 2,000 and euro 20,000.

9. Without prejudice to the exceptions under Article 5, Subpoint 2, anyone, after 1 July 2006 putting new EEE on the market containing the substances in Article 5, Subpoint 1 or the further substances identified under Article 18, Subpoint 1, shall be punished with financial sanctions of between euro 50 and euro 500 for each unit of equipment put on the market or between euro 30,000 and euro 100,000.

Article 17

Information and reporting

1. The Ministry of Environment shall transmit to the European Commission, starting from 2008, and then on a two-yearly basis within 30 June, the information under Article 13, Subpoints 6 and 7, relating to the previous two-year period, according to the format adopted in the Community. The first information concerns the period 2005-2006.

2. The Ministry of Environment shall transmit to the European Commission and the Parliament, starting from 2007 and then every three years within 30 September, a report on the fulfilment of the present decree relating to the previous three-year period, on the basis of the questionnaire adopted by the Community.

Article 18

Amendments to Annexes

1. By decree of the Ministry of Environment with the contribution of the Ministries of Health and Production Activities, implementation shall be made of technical directives amending Annexes 1, 4 and 5 to fulfil ensuing Community provisions. Whenever such technical developments require discretionary powers for their implementation, the measure should come from the Ministries of Health and Production Activities together, after having consulted the Unified Conference.

2. By decree of the Ministry of Environment with the contribution of the Ministries of Health and Production Activities, after having consulted the Unified Conference, amendment shall be made to Annexes 2 and 3.

Article 19

Financial arrangements

1. No further, greater outlays for the public finances should arise from the fulfilment of the present decree

2. The expenses for the development under Article 8, Subpoints 4 and 5, and Article 20, Subpoint 2, as well as those deriving from the development of work and checks carried out by public offices applying the present decree are to be met by the subjects of this work and checking, on the basis of the service cost, Following the fees to be decided by the regions.

3. The expenses related to the monitoring activity under Article 9, Subpoint 5, as well as those related to the setting up of the register under Article 14 and the running of the committees in Article

15 are to be met by the producers of electrical and electronic equipment on the basis of their market shares.

4. . By decree of the Ministry of Environment with the contribution of the Ministry of Economy and Finance, to be adopted within thirty days of the present decree coming into force, the tariffs for the coverage of the expenses under Subpoint 3 have been set up, as well as the related methods for payment. With regional arrangements, after consulting with interested local bodies, the tariffs for the coverage of the expenses in Subpoint 2, as well as their relative methods of payment, have been determined.

4. Public administrations shall see to the fulfilment of the present decree in the sphere of institutional activities, human, budget and instrumental resources established by existing legislation for the scope.

Article 20

Transitory and final arrangements

1. The owners of WEEE storage, treatment and recovery installations authorised under Articles 27 and 28 of Legislative Decree no. 27 of 1997 in place at the date of the present decree coming into force shall apply, when necessary, to conform to the regulations under Annexes 2 and 3, within 3 months of that date; they conform their installations within 12 months from the application. Meantime they are allowed to continue to operate.

2. In order to check respect of the regulations in the present decree, the competent province for the area shall conduct, within three months of the date of the present decree coming into force, an inspection of the installations in operation at the same date that the activity of WEEE treatment and recovery are carried out under Article 31 and 33 of Legislative Decree No. 22 of 1997. The province, if necessary, shall set up the methods and times to comply with those regulations. If the methods and terms are not adequately achieved then the activity shall be cut off.

3. Producers of electrical and electronic equipment in the market at the date of the decree coming into force under Article 13, Subpoint 8, shall carry out within ninety days of that date, the registration foreseen in Article 14, Subpoint 2.

4. During the delays in the definition of a European system of producer identification, according to what is set out in Article 11, Paragraph 2 of Directive 2002/96/CE, and, anyway within and not later than 13 August 2007, the financing of the operations in Article 11, Subpoint 1 shall be accomplished by the producers with the methods set out in Article 10, Subpoint 1.

5. Parties subject to the commitments under Article 6 Subpoints 1 and 3, Article 7 Subpoint 1, Article 8 Subpoint 1, Article 9 Subpoint 1, Articles 10,11, 12 and 13, conform to the dispositions of the same Articles within one year after the date of enforcement of this decree.

6. The arrangements under Articles 44 and 48 of Legislative Decree no. 22 of 1997 shall not be applied to electrical and electronic equipment forming part of the field of application of this decree.

Categories of electrical and electronic equipment covered by this Directive

1. Large household appliances
2. Small household appliances
3. IT and telecommunications equipment
4. Consumer equipment
5. Lighting equipment
6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)
7. Toys, leisure and sports equipment
8. Medical devices (with the exception of all implanted and infected products)
9. Monitoring and control instruments
10. Automatic dispensers

Examples of products which shall be taken into account for the purpose of this Directive and which fall under the categories of Annex IA

1 Large household appliances (excluding large-scale stationary ones)

- 1.1 Large cooling appliances
- 1.2 Refrigerators
- 1.3 Freezers
- 1.4 Other large appliances used for refrigeration, conservation and storage of food
- 1.5 Washing machines
- 1.6 Clothes dryers
- 1.7 Dish washing machines
- 1.8 Cooking
- 1.9 Electric stoves
- 1.10 Electric hot plates
- 1.11 Microwaves
- 1.12 Other large appliances used for cooking and other processing of food
- 1.13 Electric heating appliances
- 1.14 Electric radiators
- 1.15 Other large appliances for heating rooms, beds, seating furniture
- 1.16 Electric fans
- 1.17 Air conditioner appliances as defined by Decree January 2, 2003 of the Ministry of Production Activities.
- 1.18 Other fanning, exhaust ventilation and conditioning equipment

2. Small household appliances. Valuation in weight to determine the market share as in Article 8, Point 1.

- 2.1 Vacuum cleaners
- 2.2 Carpet sweepers
- 2.3 Other appliances for cleaning
- 2.4 Appliances used for sewing, knitting, weaving and other processing for textiles
- 2.5 Irons and other appliances for ironing, mangling and other care of clothing
- 2.6 Toasters
- 2.7 Fryers
- 2.8 Grinders, coffee machines and equipment for opening or sealing containers or packages
- 2.9 Electric knives
- 2.10 Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances
- 2.11 Clocks, watches and equipment for the purpose of measuring, indicating or registering time
- 2.12 Scales

3. IT and telecommunications equipment. Valuation in weight to determine the market share as in Article 8, Point 1.

- 3.1 Centralised data processing:
 - 3.1.1 Mainframes
 - 3.1.2 Minicomputers
 - 3.1.3 Printer units

3.2 Personal computing:

- 3.2.1 Personal computers (CPU, mouse, screen and keyboard included)
- 3.2.2 Laptop computers (CPU, mouse, screen and keyboard included)
- 3.2.3 Notebook computers
- 3.2.4 Notepad computers
- 3.2.5 Printers
- 3.2.6 Copying equipment
- 3.2.7 Electrical and electronic typewriters
- 3.2.8 Pocket and desk calculators and other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means
- 3.2.9 User terminals and systems
- 3.2.10 Facsimile
- 3.2.11 Telex
- 3.2.12 Telephones
- 3.2.13 Pay telephones
- 3.2.14 Cordless telephones
- 3.2.15 Cellular telephones
- 3.2.16 Answering systems and other products or equipment of transmitting sound, images or other information by telecommunications

4. Consumer equipment. Valuation in weight to determine the market share as in Article 8, Point 1.

- 4.1 Radio sets
- 4.2 Television sets
- 4.3 Videocameras
- 4.4 Video recorders
- 4.5 Hi-fi recorders
- 4.6 Audio amplifiers
- 4.7 Musical instruments
- 4.8 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.

- 5.1 Lighting equipment. Valuation in weight to determine the market share as in Article 8, Point 1.
- 5.2 Straight fluorescent lamps
- 5.3 Compact fluorescent lamps
- 5.4 High intensity discharge lamps, including pressure sodium lamps and metal halide lamps
- 5.5 Low pressure sodium lamps

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

- 6.1 Drills
- 6.2 Saws
- 6.3 Sewing machines
- 6.4 Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials
- 6.5 Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses
- 6.6 Tools for welding, soldering or similar use
- 6.7 Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means
- 6.8 Tools for mowing or other gardening activities

7. Toys, leisure and sports equipment

- 7.1 Electric trains or car racing sets
- 7.2 Hand-held video game consoles
- 7.3 Video games
- 7.4 Computers for biking, diving, running, rowing, etc.
- 7.5 Sports equipment with electric or electronic components
- 7.6 Coin slot machines

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

- 8.1 Radiotherapy equipment
- 8.2 Cardiology
- 8.3 Dialysis
- 8.4 Pulmonary ventilators
- 8.5 Nuclear medicine
- 8.6 Laboratory equipment for *in-vitro* diagnosis
- 8.7 Analysers
- 8.8 Freezers
- 8.9 Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability

9. Monitoring and control instruments

- 9.1 Smoke detector
- 9.2 Heating regulators
- 9.3 Thermostats
- 9.4 Measuring, weighing or adjusting appliances for household or as laboratory equipment
- 9.5 Other monitoring and control instruments used in industrial installations (e.g. in control panels)

10. Automatic dispensers

- 10.1 Automatic dispensers, including machines for the preparation and automatic or semi-automatic supply of food and drinks
 - a) for hot drinks
 - b) for hot or cold bottles or cans
 - c) for solid products
- 10.2 Automatic dispensers for money
- 10.3 All appliances which deliver automatically all kind of products

1. TECHNICAL REQUIREMENTS OF TREATMENT INSTALLATIONS

1.1 Treatment installations covered by the present decree are not characterised by environmental impacts above those of any industrial installation and do not bring with them, therefore, particular precautions owing to the nature of the material treated

1.2 The treatment installation must be bounded by appropriate fencing all around the perimeter. The external protection barrier must be created with hedges, masting and mobile screens, built to minimise the visual impact of the of the installation. The environmental protection barrier's maintenance over time must be guaranteed. The installation must be appropriately equipped to:

- a) handle the specific flow of the equipment
- b) identify and manage the dangerous components that must be removed in advance at the treatment phase.

1.3 The presence of qualified and suitably trained personnel to manage the specific waste must be guaranteed, avoiding environmental releases, and able to take emergency actions in good time in case of accidents, based on enforced National Legislation concerning the safety on the job site.

1.4 On closure of the installation a restoration plan has to have been drawn up to guarantee the availability of the site in line with the area's intended use.

1.2 Organization and equipment of the treatment facility.

1.2.1 There must be areas on the installation for inbound waste storage distinct from those used for outbound waste storage and for the materials to start recovery. The installation must be organised in the following specific sectors corresponding, as far as applicable, to the respective treatment phases:

- a) dismissed WEEE delivery and storage sector;
- b) safety set-up sector;
- c) sector for dismantling of reusable pieces;
- d) frame crushing sector;
- e) storage sector for environmentally critical components;
- f) storage sector for recoverable materials and components;
- g) storage sector for non-recoverable waste resulting from treatment operations intended for disposal.

1.2.2 The installation must be installed with:

- a) scales for measuring the weight of treated waste;
- b) suitable defensive drainage system from external meteoric water;
- c) suitable collection and removal system for meteoric water with separator of first rain water, to start the treatment installation;
- d) suitable flow back collection system; in case of storage of waste containing oily substances, the presence of settlers and degreasing-detersives must be guaranteed;
- e) surfaces impermeable to attack from chemical waste;
- f) Weatherproof covering for the areas for delivery, safety set-up, storage for environmentally critical components, dismantled pieces and materials intended for recovery.

1.2.3 The sectors for dismissed WEEE delivery and storage, safety set-up and storage for environmentally critical components must have weatherproof surfaces with an angle to direct any liquid in appropriate channels and collection wells.

1.2.4 The delivery area must have such dimensions as to allow easy movement by means of transport and inbound and outbound equipment.

1.2.5 The treatment installations for equipment containing ozone-damaging substances must respect the requirements set out in the Ministerial Decree of 20 September 2002, published in the Official Gazette of the Italian Republic no. 230 on 1 October 2002.

WEEE MANAGEMENT METHODS

1. Collection and delivery methods

1.1 The collection of WEEE to undergo treatment operations must be carried out by adopting criteria that guarantee the protection of the discarded equipment during transportation and loading and unloading operations.

1.2 The must not be subject to any damage that may cause the release of substances polluting or dangerous to the environment or that may compromise later recovery operations.

1.3 Harm to fridge circuits and walls must be avoided in the case of refrigerators in order to avoid the release into the atmosphere of refrigerants or oils, as well as cathode tubes, in the case of televisions and computers. Lighting equipment under Subpoint 5 of Annex 1B, during the collection, storing and handling phases, must be kept whole to avoid the dispersal of dust and vapours container in the equipment, even through the use of specific containers that guarantee their protection.

1.4 There must be:

- a) appropriately selected lifting equipment;
- b) the removal of any residual substances releasable during the handling of the equipment;
- c) the guaranteed closure of doors and the fixture of movable parts;
- d) the maintenance of the of the unit as regards liquids and gases contained in the circuits.
- e) to avoid volumetric reduction before the disposal of dangerous substances
- f) load the containers using correct measures

2. Management of incoming waste

2.1 The materials to undergo treatment have to be distinguished and separated by individual type in order to identify the specific treatment methodology.

2.2 A radoactivity detector at the entrance to the installation must enable any radioactive materials present in the waste to be detected.

3. Criteria for waste storage

3.1 The storage of dismantled pieces and waste must be carried out in a way that does not modify their characteristics and compromise their later recovery.

3.2 The stationary and movable receptacles, including baths and basins used for waste storage, must possess adequate resistance qualities in relation to the physical-chemical properties and the dangerousness characteristics of the waste.

3.3 The tanks containing the dangerous liquid waste must be supplied with suitable anti-spilling devices and containing devices.

3.4 The containers for volatile fluids must be watertight and kept in controlled temperature conditions.

3.5 If the storage of the dangerous waste is in movable receptacles these must be supplied with:

- a) appropriate closures to prevent the escape of the stored waste;

- b) devices built to carry out filling and emptying operations in safety;
 - c) plugging to make handling operations secure and smooth.
- 3.6 Appropriate labelling with the indication of the stored waste must be attached to stationary and movable receptacles
- 3.7 The storage of CFC and HCFC must take place in compliance with the Ministerial Decree of 20 September, 2002 which was published in the Official Gazette of the Italian Republic, no. 230 of 1 October 2002.
- 3.8 The storage of oils used must be carried out in compliance with Legislative Decree no. 95/92 and Ministerial Decree no.392 of 16 May 1996.
- 3.9 The storage of batteries and capacitors containing PCB and other waste containing dangerous or radioactive substances must be in adequate containers in terms of the regulations that govern the deposit of dangerous substances in those containers.
- 3.10 The handling and storage of the equipment and the ensuing waste must be done in a way to avoid any contamination of the ground and the surfaces and depths of the receiving bodies.
- 3.11 Every precaution must be taken to prevent the creation of smells and the dispersal of aerosols and dust.
- 3.12 The discarded equipment storage sector must be organised in distinct areas for each type of different WEEE treatments. In the case of equipment containing dangerous substances, these areas must be labelled with forms that are highly visible in size and position for the handling of waste and for the containment of risks to people and the environment.
- 3.13 Procedures must be adopted in the discarded equipment storage sector to avoid stacking up the equipment without appropriate safety measures for the operators and the protection of the equipment.

4. WEEE safety measures and set-up

4.1 The activity lies in the whole of the operations necessary to make the equipment environmentally safe and ready for the ensuing operations.

4.2 The safety measures and set-up must include, beforehand, the removal of all the fluids and the following substances, preparations and components:

- a) polychlorinated biphenyls (PCB) containing capacitors to be treated in accordance with Legislative Decree no. 209/99 ;
- b) mercury containing components, such as switches or backlighting lamps;
- c) batteries;
- d) — printed circuit boards of mobile phones generally, and of other devices if the surface of the printed circuit board is greater than 10 square centimetres,
- e) toner cartridges, liquid and pasty, as well as colour toner,
- f) plastic containing brominated flame retardants,
- g) asbestos waste and components which contain asbestos,
- h) cathode ray tubes,
- i) chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC) or hydrofluorocarbons (HFC), hydrocarbons (HC),
- l) gas discharge lamps,
- m) liquid crystal displays (together with their casing where appropriate) of a surface greater than 100 square centimetres and all those back-lighted with gas discharge lamps,
- n) external electric cables,
- o) components containing refractory ceramic fibres as described in Commission Directive 97/69/EC of 5 December 1997 adapting to technical progress Council Directive 67/548/EEC relating to the classification, packaging and labelling of dangerous substances,

- p) components containing radioactive substances with the exception of components that are below the exemption thresholds set in Article 3 of and Annex I to Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation,
- q) electrolyte capacitors containing substances of concern (height > 25 mm, diameter > 25 mm or proportionately similar volume)

4.3 The listed substances and components shall be eliminated or recovered without creating risks to the health of people and the environment.

4.4 The following components of WEEE that is separately collected have to be treated as indicated:

- a) cathode ray tubes: the fluorescent coating has to be removed,
- b) equipment containing gases that are ozone depleting or have a global warming potential (GWP) above 15, such as those contained in foams and refrigeration circuits: the gases must be properly extracted and properly treated. Ozone-depleting gases must be treated in accordance with Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer, and the Ministerial Decree of 20 September, 2002 which was published in the Official Gazette of the Italian Republic, no. 230 of 1 October 2002.
- c) gas discharge lamps: the mercury shall be removed avoiding the dispersal of dust and vapours.

5. Environmental protection

5.1 WEEE treatment installations must be operated in such a way as to avoid any contamination the ground and the surfaces and/or depths of the receiving bodies.

5.2 Every precaution must be taken to prevent the release of dangerous fluids, the creation of smells and the dispersal of aerosols and dust.

5.3 In the case of the formation of gaseous and/or dust emissions the installation must be supplied with an appropriate capture and abatement system for these.

5.4 For treatment installations of equipment containing ozone-damaging substances the emission limit values and the related controls are foreseen in Articles 3 and 4 the Ministerial Decree of 20 September, 2002 which was published in the Official Gazette of the Italian Republic, no. 230 of 1 October 2002.

Symbol for the marking of electrical and electronic equipment

The symbol indicating separate collection for electrical and electronic equipment consists of the crossed-out wheeled bin, as shown below. The symbol must be printed visibly, legibly and indelibly.



APPLICATIONS EXEMPTED FROM THE REQUIREMENTS OF ARTICLE 5¹

1. Mercury in compact fluorescent lamps, up to a maximum of 5 mg per lamp.
2. Mercury in fluorescent tubes, for generic use up to a maximum of:
 - halophosphate 10 mg.
 - normal life triphosphate 5 mg.
 - long life triphosphate 8 mg.
3. Mercury in fluorescent tubes for special uses.
4. Mercury in other fluorescent lamps not expressly mentioned in the present annex.
5. Lead in cathode ray glass tubes, electronic components and fluorescent tubes.
6. Lead as an alloy element in steel containing up to 0.35% of lead by weight, aluminium containing up to 0.4% of lead by weight and copper alloys containing up to 4% of lead by weight.
7. - lead in high temperature fusion soldering (or lead-based soldering containing 85% or more of lead),
 - Lead in soldering for servers, memory systems and array memory, switching, signalling and transmission equipment for infrastructure networks as for telecommunication management networks,
 - Lead in ceramic components (for example, in piezoelectric devices).
8. Cadmium and its components in electrical contacts and in cadmium-based plating, with the exception of applications banned under Directive 91/338/EEC modifying Directive 76/769/EEC relating to the limitation of putting on the market and use of dangerous substances and preparations.
 - Hexavalent chromium as anti-corrosive in carbon steel cooling systems and in absorption refrigerators .
 - Used lead in pin connection systems.
 - Used lead as a C-ring coating in thermal conduction modules
 - Lead and cadmium in optical glass and for filters.
 - Lead in soldering made up of more than two elements, for the connection between the stem and the casing of micro-processors with a lead content between 80% 85% by weight.
 - Lead in soldering to create an electrical connection between the semi-conductor matrix and the carrier within the flip chip integrated circuits.

¹ In similar material a maximum concentration is tolerated of 0.1% in weight of lead, mercury, hexavalent chromium, polybrominated biphenyls (PBB), and polybrominated diphenyl ethers (PBDE), and 0.01% in weight of cadmium; similar material is understood to be a unit which cannot be mechanically dismantled into separate materials.