

# FEM POSITION ON WEEE & RoHS

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## INTRODUCTION

FEM is the European federation of national associations of material handling, storage and hoisting equipment manufacturers. Its 12 members represent more than 1,000 companies with about 110,000 employees, or about 80% of all eligible companies in Europe. With a production value of more than €20 billion, this is the largest branch within the mechanical engineering sector.

Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE) and Directive 2002/95/EC on the Restriction of Hazardous Substances in Electrical and Electronic Equipment (RoHS) were published in the Official Journal of the European Union on 13 February 2003 and had to be transposed into national law by 13 August 2004.

Directive 2002/96/EC (WEEE) is applicable from 13 August 2005, and Directive 2002/95/EC (RoHS) is applicable from 1 July 2006.

## A. DIRECTIVE 2002/96/EC (WEEE)

The scope of Directive 2002/96/EC (WEEE) remains unclear and, since it has been transposed differently from one member state to another, FEM wishes to clarify the situation for material handling products.

## FEM POSITION

***After careful study of the scope of Directive 2002/96/EC (WEEE) FEM considers that the equipment produced by the manufacturers it represents is not covered by the directives.***

## JUSTIFICATION OF THE FEM POSITION

### 1. SCOPE OF DIRECTIVE 2002/96/EC

**Article 2 of Directive 2002/96/EC (WEEE) defines the scope as follows:** 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.

***WARNING: Transposition into the national law of each Member State of Directive 2002/96/EC (WEEE), particularly Article 2 and Annex IA, might differ from the original directive. To clarify any uncertainties, please contact your national professional association who will be able to advise.***

## **Annex IA of Directive 2002/96/EC (WEEE) refers to**

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

### **Therefore**

- Non-electrical equipment
  - Equipment not covered by the list in annex IA and
  - Components, sub-assemblies or spare parts which are not finished products and are part of equipment which does not fall under the scope of the WEEE Directive
- **ARE OUTSIDE THE SCOPE OF THE WEEE DIRECTIVE**

### EXAMPLE OF FEM PRODUCTS NOT COVERED

- by the scope  
**Non-electrical lift trucks, non-electrical mobile elevating work platforms, pallet trucks, stacking trucks**
- by Annex IA  
**Electrical mobile elevating work platforms including their interchangeable equipment, hoists and winches, elevating tables, industrial trucks (e.g. lift trucks)**
- components, sub-assemblies integrated in FEM equipment
  - **Hoists and winches, remote controls, panel (pendent) control and measuring equipment, car radios....**
  - **Spare parts for FEM equipment**

## **2. ADDITIONAL CONSIDERATIONS REGARDING CATEGORY 6 LISTED IN ANNEX IA**

### **Category 6 of Annex IA excludes large-scale stationary industrial tools**

The Commission F.A.Q.s<sup>1</sup> document defines "Large-scale stationary industrial tools" as "machines or systems, consisting of a combination of equipment, systems, finished products and/or components, each of which is designed to be used in industry only, permanently fixed and installed by professionals at a given place in an industrial machinery or in an industrial building<sup>2</sup> to perform a specific task".

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<sup>1</sup> [http://ec.europa.eu/environment/waste/pdf/faq\\_weee.pdf](http://ec.europa.eu/environment/waste/pdf/faq_weee.pdf)

<sup>2</sup> FEM understands "industrial building" to include industrial work sites.

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## **EXAMPLES OF LARGE-SCALE STATIONARY INDUSTRIAL TOOLS IN FEM INDUSTRIES**

Tower cranes, gantry cranes, stationary (ground-mounted or building-mounted) jib cranes, industrial manipulators, bridge cranes, suspended cranes, continuous handling equipment

## **B. DIRECTIVE 2002/95/EC (ROHS)**

Directive 2002/95/EC (RoHS) applies to certain types of electrical and electronic equipment that is "put on the market" as from 1 July 2006 as a finished product. However, manufacturers of components, sub-assemblies and spare parts for such equipment are also affected. Directive 2002/95/EC (RoHS) addresses material contents and restrictions of material use in a given finished product. Even if a component or part of a finished product is not within the scope of the directive, restrictions imposed on the finished product also imply requirements for those parts which compose the finished product, and which contain substances which are restricted according to the directive.

**Therefore, to determine whether a component needs to meet the material restrictions specified in Directive 2002/95/EC (RoHS), it is necessary to determine if the finished product into which the component will be incorporated is itself within the scope of the RoHS Directive.**

According to Article 2 of Directive 2002/95/EC (RoHS) which refers to Annex IA under Directive 2002/96/EC (WEEE), only the following product categories fall within the scope of the RoHS directive:

- Large household appliances
- Small household appliances
- IT and telecommunications equipment
- Consumer equipment
- Lighting equipment (electric light bulbs and luminaires in households are explicitly included)
- Electrical and electronic tools, with the exception of large-scale stationary industrial tools
- Toys, sports and leisure equipment
- Automatic dispensers

### **Annex to the Directive 2002/95/EC (RoHS) & exemptions**

The Annex to Directive 2002/95/EC (RoHS) lists specific applications of the restricted substances that are currently exempted because no valid substitute exists. All exemptions are subject to periodic review.

**Please contact your national professional association who will be able to advise on these exemptions.**

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