



### Introduction

Under the WEEE 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 household EEE has different responsibilities under the regulations, and the costs of treating household WEEE must be paid by the producer and their compliance scheme, based on the producer's market share of that product.

### How to decide what to do

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.

#### Option 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

#### Option 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.