



Reference: 125737  
 Cross Reference: 104465

April 15, 2010

To: All Electronic and Electrical Equipment Producers

**Re: Recycling Regulation Compliance Deadline for Electronics and Electrical Producers**

Dear Sir or Madam:

In December 2008, the BC Government amended the Recycling Regulation to include more electronic and electrical products including their accessories (batteries and light bulbs). In December 2009 the regulation was amended to extend the deadlines for some product categories and allow industry more time to develop and implement product stewardship programs. The regulation makes electronics and electrical equipment producers (manufacturer, distributor, importer) responsible for the life-cycle management of their products. The products in the electronic and electrical product category are listed in the table below and the product definitions are provided in Schedule 4 of the Regulation.

	Phase 1	Phase 2	Phase 3	Phase 4
E-waste Products	<ul style="list-style-type: none"> <li>• Televisions</li> <li>• Computers</li> <li>• Computer monitors, keyboards, mice and other peripherals</li> <li>• Printers</li> </ul>	<ul style="list-style-type: none"> <li>• IT and telecommunications equipment</li> <li>• Audio-visual and Consumer equipment</li> <li>• Thermostats</li> <li>• Residential fluorescent lamps</li> <li>• Batteries used in Phase 2 products</li> </ul>	<ul style="list-style-type: none"> <li>• Small appliances</li> <li>• Smoke detectors</li> <li>• Batteries used in Phase 3 products</li> </ul>	<ul style="list-style-type: none"> <li>• Large appliances</li> <li>• Electrical and electronic tools</li> <li>• Medical devices</li> <li>• Automatic dispensers</li> <li>• Lighting equipment</li> <li>• Toys, leisure and sports equipment</li> <li>• Monitoring and control instruments</li> <li>• Batteries used in Phase 4 products</li> </ul>
Stewardship Plan to Ministry	Completed 2007	Completed January 1, 2010	July 1, 2010	October 1, 2011
Launch Program	Completed 2007	July 1, 2010	April 1, 2011	July 1, 2012

**Ministry of Environment**

Environmental Quality Branch  
 Environmental Protection Division

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All phase two electronic and electrical equipment producers must be in compliance with the Recycling Regulation by July 1, 2010, by either having an approved product stewardship plan under Part 2 of the regulation or by complying with Part 3. Phase three electronic and electrical equipment producers must be in compliance by April 1, 2011 and phase four by July 1, 2012.

If a producer chooses to appoint an agency to carry out its duties under Part 2, then the producer must notify the agency in writing stating that it has appointed the agency and the specific duties the agency will perform on behalf of the producer. The agency must maintain an up to date list of producer members for the director's reference. For more information on compliance, please see the attached sheet.

Please be aware that you are required to comply with the *Recycling Regulation* and a failure to do so constitutes an offence as detailed under Section 16.

For more information on the Recycling Regulation and the requirements for electronic and electrical equipment producers, visit the ministry's website at [www.recycling.gov.bc.ca](http://www.recycling.gov.bc.ca) or contact Teresa Conner (250) 387-9754 or [Teresa.Conner@gov.bc.ca](mailto:Teresa.Conner@gov.bc.ca)

Sincerely,



Kris Ord  
Manager, Community Waste Reduction Section

Attachment: Recycling Regulation Summary



### ***Information for a producer selling, importing or distributing products regulated in B.C.***

The purpose of this sheet is to provide existing, new and potential producers with direction and assistance on meeting their obligations under the Recycling Regulation. However, it is important to note that this sheet does not take precedence over the *Environmental Management Act* or the Recycling Regulation.

#### **Regulatory Framework**

In the Province of British Columbia, waste management legislation extends responsibility to the producer. The Recycling Regulation provides a framework for extended producer responsibility (EPR). The results-based regulation includes core requirements applying to all programs and schedules for each product category covered by the regulation. The regulation may be expanded to include a new product category through the addition of a schedule for that product.

#### **Legal basis**

The Recycling Regulation (B.C. Reg. 449/2004) was enacted in October 2004 under authority of the *Environmental Management Act*. Official copies of the Act or Regulation can be obtained from Crown Publications, 106 Ontario Street, Victoria, BC V8V 1M9; Tel: (250) 386-4636 or Toll Free 1-877-747-4636; Fax: (250) 386-0221; [www.crownpub.bc.ca](http://www.crownpub.bc.ca). For information purposes the regulation is available online at [www.recycling.gov.bc.ca](http://www.recycling.gov.bc.ca).

#### **What is Extended Producer Responsibility (EPR) in British Columbia?**

In British Columbia, EPR or "industry product stewardship", is defined as "a management system based on industry and consumers taking life-cycle responsibility for the products they produce and use".

#### **Who does the regulation effect?**

The producer is the regulated entity and is principally the first-seller of the product in the province. In practice the producer is typically the product manufacturer, distributor or brand-owner. The producer could also be an importer, broker or retailer who sells the product directly to a consumer, including those whose sales are transacted by catalogue or over the Internet. The definition of producer is provided in section 1 of the Regulation.

#### **What are a producer's basic obligations?**

A producer must either have an approved Product Stewardship Plan and comply with the plan or comply with section 9 (Part 3) in order to sell or distribute the product in British Columbia. Section 2(2) of the Regulation provides producers the option of appointing an agency to carry out its duties under a product stewardship plan. If a producer chooses to appoint an agency, the producer must notify the agency in writing before the agency begins to carry out the duties of the producer. The agency must maintain an up to date list of producer members, available at the request of ministry staff.

#### **What happens if there is no stewardship plan?**

If a producer has not submitted a plan or joined an existing plan, the producer is immediately subject to and must comply with section 9 (Part 3) in the Regulation. Importantly Part 3 of the regulation does not provide scope for producers in the beverage container product category and these producers must operate under a stewardship plan.

#### **What are the consequences for non-compliance?**

Persons contravening the regulation commit an offence as detailed under section 16 and are liable to a fine not exceeding \$200,000.

**British Columbia Ministry of Environment Contact** - David Lawes, Unit Head, Product Stewardship – call (250) 387-3588 or email [David.Lawes@gov.bc.ca](mailto:David.Lawes@gov.bc.ca).

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Ministry of Environment

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