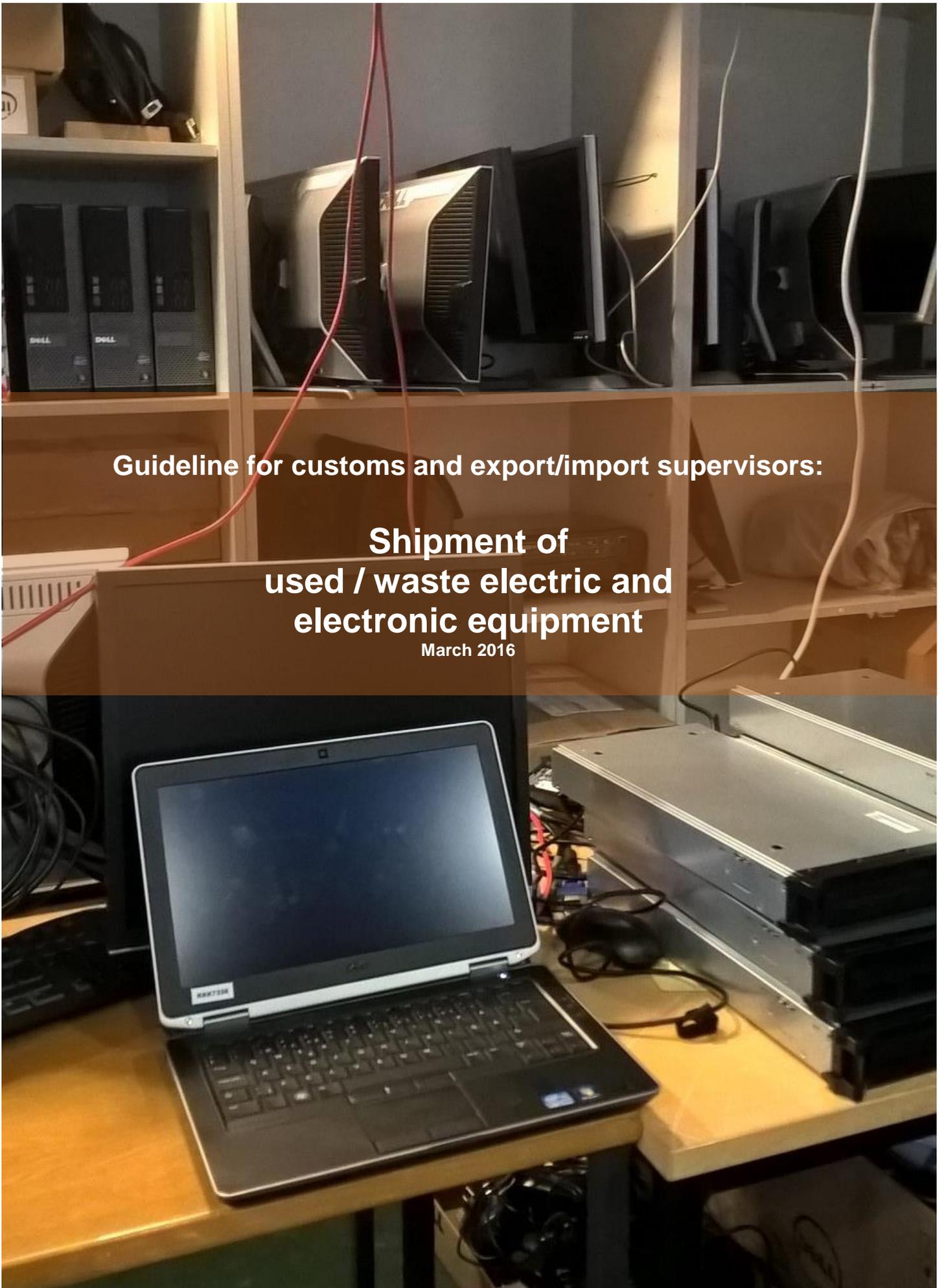


**Guideline for customs and export/import supervisors:**

**Shipment of  
used / waste electric and  
electronic equipment**

March 2016



## Export of used electrical and electronic equipment (used EEE)

This guideline is dedicated to customs and export/import supervisors and to the work related to export of used electric and electronic equipment (used EEE) and how to separate this from waste electrical and electronic equipment (WEEE). This distinction is important because WEEE can be hazardous and harmful for the environment and should be treated at facilities specialized in handling this waste.

Certain rules apply to the shipment of used EEE in order to hinder export of used products that in fact are waste. As a supervisor it can be a challenge to distinguish between used EEE and WEEE. In this guideline you can find a checklist of what to look for when inspecting shipments of used EEE.

The basic rule is that when shipping used EEE it is the exporter's responsibility to document that the shipment does not contain waste, but equipment that are functional. In general, a test of functionality and an evaluation of hazardous substances are required to prove that the used electronic equipment exported are suitable for reuse. In this guideline you can get more information on when a shipment of used EEE is suspected to be a shipment of WEEE, what the rules are and what to do if a shipment of used EEE is in fact WEEE.

A guideline on testing of used equipment is available with more detailed information, designed for exporters of used EEE.

### The rules of export in brief

The following rules apply to shipments of used EEE:

- The used EEE must be appropriately protected against damage during transportation and loading by sufficient packaging.
- A relevant transport document (e.g. CMR or waybill) must follow the shipment.
- A declaration made by the liable person for the shipment on its responsibility must follow the shipment.
- Functionality of the equipment shall be tested and documented.
- Presence of hazardous substances in the equipment shall be evaluated and documented.
- Required documentation shall accompany the shipment (a list on page 3).

If the required documentation is not present the shipment of used EEE will be considered waste and the shipment can be classified as waste. Since these types of shipment of WEEE are illegal without a prior written notification and consent the shipment will then be an illegal shipment of waste.

## Exceptions from requirements of testing, evaluation and functionality

Some of these requirements do not apply in case when it is documented by conclusive proof that the shipment is taking place in the framework of a business-to-business transfer agreement, with the intention of reuse, and that

- a) The EEE is sent back to producer or its third party as defective for repair under warranty; or
- b) The used EEE for professional use is sent to the producer or a third party acting on his behalf or a third-party facility in OECD-countries, for refurbishment or repair under a valid contract; or
- c) The defective used EEE for professional use, such as medical devices, is sent to producer or its third party, for root cause analysis, under a valid contract

Requirements for shipments listed in exemptions a) b) or c) above:

- Appropriate protection against damages
- Declaration that the shipment does not contain waste
- B2B transfer agreement
- Relevant transport document
- Declaration of liability

Used equipment for professional use means equipment that is designed to be solely used by professional users. Equipment that is likely to be used by private households, or by private households as well as by professional users is not equipment for professional use. E.g., mainframe computers and large copying machines would be professional equipment whereas personal computers, mobile phones and small copying machines would not be equipment for professional use.

Conclusive proof could for instance be: a signed solemn declaration stating that the shipment includes solely professional equipment (b), a valid contract for repair (a and b), contract if there is a third party acting on producers behalf (a, b and c), or documentation of a warranty (a).

## Suspected to be WEEE - when?

In order to determine whether a shipment of used EEE is in fact WEEE it is necessary to examine the shipment and the history of the equipment on a case-by-case basis. As a general rule, used EEE can be suspected to be WEEE when one or more of the following characteristics are present, or if the document listed for control is not present: <sup>1</sup>

Visually:

- Packaging is insufficient and does not give proper protection against damage during transportation and unloading.
- The equipment is incomplete with essential parts missing e.g. plugs, electrical cords, batteries in portable devices, insulation in cooling equipment or loose movable parts.
- The equipment shows physical damage that could impair its functionality or safety, e.g. burned parts, broken pieces, leakage from batteries or cracked casings.
- The equipment includes parts that are required to be discarded such as prohibited hazardous substances like CFC-compounds.

Other relevant characteristics:

- The equipment is destined for disposal or material recovery instead of reuse, for example that this is stated in the documentation provided.
- The product is old or outdated and destined to gain spare parts.
- The product is not working as intended.
- There is no regular market for the equipment.

Document control:

- Declaration from the exporter or the holder that the shipment does not contain waste
- Transport document (CMR or waybill)
- Declaration by the liable person on its liability
- Copy of invoice and contract - equipment is destined for direct reuse and is fully functional
- Documentation on test of functionality and evaluation of hazardous substances
  - copy of records also on every item within the shipment

For product specific characteristics and examples see checklist on next pages.

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<sup>1</sup> Waste Act 646/2011, Section 117a  
Valtionevoston asetus sähkö- ja elektroniikkalaiteromusta 519/2014, Liite 6

## Checklist for inspection of shipments of used EEE

Component	Requirement	Description
<b>GENERAL INSPECTION ON SHIPMENTS OF USED EEE:</b>		
<b>Packaging</b>	The used EEE must be appropriately protected against damage during transportation and loading by sufficient packaging.	
<b>Equipment inspection</b>	<p>The equipment is complete and without damage that could affect its functionality.</p> <ul style="list-style-type: none"> <li>• Complete housing / cabinet / cover(s).</li> <li>• All components necessary for main functionality present and without functional damage.</li> <li>• Power-cord / battery / charger (if relevant for functionality) present without damage.</li> <li>• No damage that will affect main functionality.</li> </ul>	Minor damages and sign of wear are accepted if they will not affect main functionality of the equipment.
<b>Documents</b>	<ul style="list-style-type: none"> <li>• A relevant transport document such as CMR or waybill is present.</li> <li>• Declaration from the exporter or the holder that arranges the transport that none of the equipment or none of the material in the consignment or shipment is waste.</li> <li>• Copy of invoice and contract that states that the equipment is destined for direct reuse and is fully functional.</li> </ul>	
<b>Record from test of functionality and evaluation of hazardous substances</b>	<p>Record shall contain the following information:</p> <ul style="list-style-type: none"> <li>• Name and category of equipment.</li> <li>• Identification number (where applicable).</li> <li>• Year of production (if available).</li> <li>• Name and address of company responsible for testing and evaluation of equipment.</li> <li>• Date of functionality test.</li> <li>• Test results.</li> <li>• Kind of test performed, either by a reference to the test procedure or by describing the procedure.</li> <li>• Evaluation of hazardous substances.</li> </ul>	<p>The results must also be fixed securely on either the product itself (if not packed) or on the packaging so it can be read without unpacking.</p> <p>It is recommended that the test and evaluation is performed according to the guideline for exporters.</p>

## Indicators that the shipment contains waste

Equipment type	Indicators of non-functionality
<b>All equipment</b>	<ul style="list-style-type: none"> <li>• Equipment is not protected (i.e. packed) against damage in transport and loading.</li> <li>• Required documents are not accompanying the shipment.</li> <li>• The equipment is banned for export.</li> <li>• The equipment is damaged or is missing vital parts necessary for its functionality.</li> </ul>
<b>Refrigerators and freezers</b>	<ul style="list-style-type: none"> <li>• CFC- and HCFC-compounds are ozone depletion gases and are banned for export (see list on page 6). These gases were used as refrigerants and in foam in refrigerators and freezers. Usually the gas type is marked on the backside of the cabinet and/or on the compressor. Prohibited refrigerants are listed in separate table. Equipment marked on the backside with “pentane”, “cyclopentane” or “non CFC / HCFC” is ok for export.</li> <li>• The export of equipment which are planned to use the above mentioned banned compounds is not allowed also if no such compound is present at the moment of export.</li> <li>• Door, door hinges or door seal is missing or seriously damaged and cannot lock tight.</li> <li>• Switches or control panel is missing or seriously damaged.</li> <li>• Power cord or plug is missing or seriously damaged.</li> <li>• Compressor or cooling matrix (backside) is missing or seriously damaged.</li> </ul>
<b>Washing machine</b>	<ul style="list-style-type: none"> <li>• Door, door hinges or door seal is missing or seriously damaged and cannot lock tight.</li> <li>• Switches or control panel is missing or seriously damaged.</li> <li>• Power cord or plug is missing or seriously damaged.</li> <li>• Water hoses and connectors are missing or seriously damaged.</li> </ul>
<b>Desktop and laptop computers</b>	<ul style="list-style-type: none"> <li>• Cabinet is seriously damaged.</li> <li>• Components necessary for main functionality (hard-drive, sockets, switches etc.) are missing or seriously damaged.</li> <li>• On laptops: screen is missing or broken.</li> <li>• On laptops: keyboard is missing.</li> <li>• On laptops: battery or charger is missing.</li> </ul>
<b>Computer monitors and TVs</b>	<ul style="list-style-type: none"> <li>• Cabinet is seriously damaged.</li> <li>• Screen is broken.</li> <li>• Control switches are missing or seriously damaged.</li> </ul>
<b>Mobile phones and tablets</b>	<ul style="list-style-type: none"> <li>• Housing and covers are missing or seriously damaged.</li> <li>• Screen is broken.</li> <li>• Battery or charger is missing.</li> </ul>

## Further reading

Title	Description and reference
<b>Waste Act 646/2011</b>	Legal requirement for waste in Finland: <a href="http://www.finlex.fi/fi/laki/kaannokset/2011/en20110646.pdf">http://www.finlex.fi/fi/laki/kaannokset/2011/en20110646.pdf</a>
<b>Valtioneuvoston asetus sähkö- ja elektroniikkalaiteromusta 519/2014</b>	Legal requirement for WEEE in Finland: <a href="http://www.finlex.fi/fi/laki/ajantasa/2014/20140519?search%5Btype%5D=pika&amp;search%5Bpika%5D=s%C3%A4hk%C3%B6-%20ja%20elektroniikkalaiteromu">http://www.finlex.fi/fi/laki/ajantasa/2014/20140519?search%5Btype%5D=pika&amp;search%5Bpika%5D=s%C3%A4hk%C3%B6-%20ja%20elektroniikkalaiteromu</a>
<b>Finnish Environment Institute; Transfrontier shipments of waste</b>	Information on transfrontier shipments of waste in Finland: <a href="http://www.environment.fi/tfs">http://www.environment.fi/tfs</a>
<b>Directive 2012/19/EU on waste electrical and electronic equipment (WEEE), annex IV</b>	Legal requirement for shipment of used EEE for reuse: <a href="http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF">http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF</a>
<b>Regulation (EC) No 1013/2006 on shipments of waste</b>	Legal requirements for shipment of waste: <a href="http://ec.europa.eu/environment/waste/shipments/legis.htm">http://ec.europa.eu/environment/waste/shipments/legis.htm</a>
<b>EU correspondent guidelines No 1 on shipments of WEEE</b>	EU guidance on shipments of WEEE: <a href="http://ec.europa.eu/environment/waste/shipments/pdf/correspondents_guidelines_en.pdf">http://ec.europa.eu/environment/waste/shipments/pdf/correspondents_guidelines_en.pdf</a>

## List of prohibited refrigerants

### Non-exhaustive list.

CFC-compounds	HCFC-compounds
R11	R21
R12	R22
R13	R123
R113	R124
R114	R142b
R115	R401a
R500	R401b
R501	R402a
R502	R402b
R503	R403a
	R403b
	R406a
	R408a
	R409a
	R409b
	R411B

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