

美国加州新法议案向欧盟RoHS指令看齐

美国加利福尼亚州现有法案(《2003年电子废弃物回收法》)规定, 最迟从2007年1月1日起, 该州将禁止销售重金属含量不符合欧盟RoHS指令2002/95/EC的电子设备(阴极射线管、阴极射线管设备、平板显示器或其它屏幕对角线大于4英寸的类似视频显示器)。

但是, 由于该法案涵盖的电子设备种类非常有限, 加州政府拟定扩大“电子设备”定义的范围, 具体增加的项目包括:

1. 欧盟指令2002/96/EC附件IA中列举的设备(见备注);
2. 欧盟指令2002/95/EC第2条中列举的并且符合该指令第3(a)条“电子电器设备”定义的设备(见备注);
3. 欧盟RoHS指令豁免的设备及零部件也将获得豁免。

该法案将采取以下进一步措施, 力争与欧盟指令2002/95/EC达成一致, 并计划于2010年开始执行:

1. 采用技术改制委员会和欧盟成员国公布的欧盟指令2002/95/EC条例解释办法;
2. 该部分的执行应与欧盟成员国对指令2002/95/EC统一的执行方法相一致;
3. 如果欧盟成员国对指令2002/95/EC的执行方法不统一, 该部分的执行应与2006年7月1日起正式生效的英国2005年第2748号法令的规定相一致。

备注

欧盟指令2002/96/EC附件IA(类别)

1. 大型家电
2. 小型家电
3. 信息技术及电信设备
4. 消费设备
5. 照明设备
6. 电动工具(大型静态工业工具除外)
7. 玩具、休闲及运动器械
8. 医疗设备(所有被植入及被感染的产品除外)
9. 监控设备
10. 自动售货机

欧盟指令2002/95/EC第2条(范围)

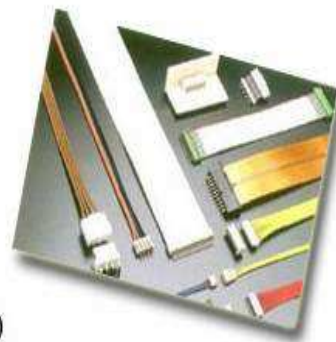
(A)在不违反第6条的情况下, 本指令应适用于欧盟指令2002/96/EC(WEEE)附件IA规定的第1, 2, 3, 4, 5, 6, 7 和10类电子电器设备, 以及家用电灯泡及照明设备。

(B) 该指令的实施不应违反欧盟关于安全、健康及废物处理方面的相关立法。

(C) 本指令不适用于2006年7月1日以前上市销售的用于电子电器设备维修及再利用的零部件。

欧盟指令2002/95/EC第3(a)条(定义)

“电子电器设备”或“EEE”是指依靠电流或电磁场进行工作的设备, 以及属于欧盟指令2002/96/EC附件1A中所列举的能产生、传输和测量电流及电磁场的设备, 且这些设备的设计功率交流电不超过1000伏、直流电不超过1500伏。



California/USA Proposes a Bill to Align with RoHS Directive

The current Californian Act (Electronic Waste Recycling Act of 2003) prohibits an electronic device (cathode ray tube, cathode ray tube device, flat panel screen, or any other similar video display device with a screen size that is greater than four inches in size measured diagonally) from being sold or offered for sale in the state of California if it does not meet the Heavy Metal requirement as stated in RoHS Directive 2002/95/EC by January 1, 2007.

However, the Act covers limited electronic devices. So the California Government proposes to widen the definition of "electronic device" by adopting:

1. devices fall under Annex IA of Directive 2002/96/EC (See remark);
2. devices fall within the scope of Article 2 and meet the definition of "Electrical and Electronic Equipment" of Article 3(a) of Directive 2002/95/EC (See remark);
3. device, or a component of an electronic device, that is exempt from the RoHS directive is also exempted.

The bill takes further step to align with the Directive 2002/95/EC as follows and proposes to become effective by January 1, 2010:

1. the published decisions of the Technical Adaptation Committee and European Union member states that interpret the requirements of Directive 2002/95/EC shall be used;
2. implementation of this section shall be consistent with any uniform implementation guidelines for Directive 2002/95/EC that are adopted by the European Union;
3. If Directive 2002/95/EC is not consistently implemented by the member states of the European Union, the implementation of this section shall be consistent with the provisions of the Statutory Instrument 2005 No. 2748 of the United Kingdom, as in effect on July 1, 2006.

Remark

Annex IA of Directive 2002/96/EC (Categories)

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

Article 2 of Directive 2002/95/EC (Scope)

(A) Without prejudice to Article 6, this Directive shall apply to electrical and electronic equipment falling under the categories 1, 2, 3, 4, 5, 6, 7 and 10 set out in Annex IA to Directive No 2002/96/EC (WEEE) and to electric light bulbs, and luminaires in households.

(B) This Directive shall apply without prejudice to Community legislation on safety and health requirements and specific Community waste management legislation.

(C) This Directive does not apply to spare parts for the repair, or to the reuse, of electrical and electronic equipment put on the market before 1 July 2006.

Article 3(a) of Directive 2002/95/EC (Definitions)

'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 to Directive 2002/96/EC (WEEE) and designed for use with a voltage rating not exceeding 1000 volts for alternating current and 1500 volts for direct current.