

Common Problems with Manufacturer/Collective E-waste Acceptance Programs

The Department has determined that many covered electronic equipment (CEE) manufacturers may be in violation of the New York State Electronic Equipment Recycling and Reuse Act (Act) for the reasons listed below. All manufacturers (and their collective representatives, if applicable) must review their programs to ensure they are in compliance with the Act. Manufacturers must correct any applicable issues immediately and before submitting their 2014 annual reports.

Public Education Program and Website Problems [ECL § 27-2605(5)(c)]:

- The website does not exist or the link provided to the Department does not work.
- The website does not provide instructions on how consumers may destroy data before returning CEE for recycling.
- A website selling CEE does not provide information to consumers regarding one-for-one brand acceptance, or website specifically states only manufacturer-brand items are accepted. (ECL Section 27-2603(1)(b) requires manufacturers to accept one piece of electronic waste of any manufacturer's brand if offered by a consumer, with the purchase of CEE of the same type by a consumer.)
- The phone number provided on the website is not functioning properly. Either the number is busy 24 hours a day, no one answers and there is no voicemail option, or messages left to the voicemail go unreturned.
- Collection Site/Event Search function is not functioning properly (e.g. zip code box does not work).
- The website states collection sites or events are an acceptance option for consumers, but the website does not list the locations or dates.
- The website should provide New York State-specific information to consumers.
- Manufacturers participating in collectives should link to their collective program's public education program website from their own individual websites.

Mail Back Program Problems:

- The mail back program involves charging consumers for packaging/shipping which is prohibited under the Act. [ECL § 27-2605(8)]
- Instructions for providing/receiving free packaging from the manufacturer/collective are lacking. [ECL § 27-2605(8)]
- The shipping label creation function does not work on the website.
- Consumers are asked to provide information on their CEE for return via the website and are told they will be e-mailed a shipping label or further instructions; however, consumers never receive anything via e-mail.
- The mail back program does not accept other branded CEE. [ECL § 27-2603 (1)(b)]
- The mail back program is restricted to only certain types of CEE (e.g. TVs excluded) even though the manufacturer sells such types of CEE and does not provide for an alternative reasonably convenient method of acceptance.
- The mail back program has a weight limit or size limit, with no other reasonably convenient acceptance method provided to consumers as an alternative. (ECL § Section 27-2605(5)(a))
- The mail back program may only be used for product trade-ins, and not for recycling CEE.