



Re. Waste Management (Waste electrical and electronic equipment) (amendment Regulations 2008)

To Whom It May Concern

The Catering Equipment Association (CEA) welcomes the opportunity to present its views to the Department of Environment, Heritage and Local Government as part of the public consultation process on the Waste Management (Waste electrical and electronic equipment) (amendment) Regulations 2008. However, the CEA object to certain elements of the above draft regulations that, in our view, are a significant burden on the Industry, particularly at a time of economic uncertainty.

The Catering Equipment Association

The CEA actively represents and promotes the catering equipment industry and associated food services industry to the government, and are the owners of CATEX, the largest Catering and hospitality exhibition in Ireland. The current membership of CEA stands at fifty companies, and is growing rapidly. CEA is affiliated to Food and Drink Industry Ireland, within the Irish Business and Employers Confederation (IBEC), as well as being a member of the European Federation of Catering Equipment Manufacturers, which represents the industry at EU level.

Key issues:

The CEA support the aim of the Government to ensure the environmentally sound management of waste. However, it is the view of the association's members that this needs to be achieved without placing undue or unnecessary financial/administrative burdens on the catering equipment and associated food services industry.

There are a number of issues in the draft regulations on which we have concerns:

Pages 4 of 22, 4 (f) Section (5)

1. The CEA would welcome the full and clear definition of the 'organiser' of a trade show. CEA are owners of the CATEX Exhibition run on a biennial basis, with a large number of member and non-member exhibitors. However, the organisation of the show is contracted out to an events company, on our behalf.

2. The provision to transfer producer responsibilities to trade show organisers [where individual companies are not WEEE compliant] is unreasonable, unworkable and unwarranted. One of the purposes of trade shows is to act as a stimulus to overall economic activity. While the CEA will continue to promote best practice to all its members in relation to adhering to all legislation, we feel it is still on an individual company level that compliance is met. Also, the policing of such legislation, as we see it, is not and should not be one of the core functions of a trade association.

Trade shows are not designed, resourced or equipped to ensure that exhibitors comply with legislation [whether it be WEEE, company law etc], this is a function of Government and its agencies.

Page 5 of 22, 4 (k)

The CEA would appreciate if greater clarity could be brought to this area. We welcome initiatives to clarify responsibilities, however a simple prohibition on a declaration does nothing in our view to provide clarity. For example, if a customer had been provided with 24 hours notice of a delivery, and they subsequently did not have their [pre August 2005] equipment available for collection, who is responsible for transporting and recycling this equipment?

Page 8 of 22, Section x

In our view, this section is completely impractical and unworkable. For example, if a customer calls to a producers premises [or phones looking for a verbal quotation] and purchases a product, the producer is expected to notify the customer in advance of the sale and in writing that the financing obligation is being transferred to them. It is completely impractical to expect this to occur, particularly in instances where sales volumes are reasonably high volume and it discriminates against the business to business (B2B) sector. In our industry, verbal quotations are common and these provisions are unworkable in our view. Are verbal quotes now prohibited if they are not followed up in writing with this new WEEE requirement?

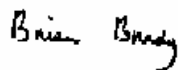
In conclusion, we believe the most significant issue surrounding WEEE is that applications for a B2B scheme has so far been turned down by the Government. There is a need for such a scheme for our Industry as we have highlighted on previous occasions. We are concerned that further WEEE legislation is being brought into force without a B2B scheme in place. As previously highlighted, a B2B scheme would make compliance simpler. The current 'self compliance' system is fragmented. In other countries, where B2B schemes have been approved, compliance is simpler and uniform.

We would welcome your comments on the above matters and would be grateful to receive a written response.

The Catering Equipment Association would like for the Department of Environment, Heritage and Local Government to seriously consider the views of the Catering Equipment and associated food services industry when transposing these Regulations into Irish law.

Should you require any further clarification on any of the points raised, I would be pleased to supply you with same.

Yours sincerely



BRIAN BRADY
Chairman CEA Technical Working Group