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## Administrative Measures on Restricted Use of Hazardous Substances in Electrical and Electronic Products

Release time: 2016-01-21 Source: Policy and Regulation Department

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Ministry of Commerce of People's Republic of China  
General Administration of Customs People's Republic of China  
The State Administration of Quality Supervision, Inspection and  
Quarantine  
Order of 32 numbers

The "Administrative Measures on Restricted Use of Hazardous Substances in Electrical and Electronic Products" has been reviewed and approved by the ministerial meeting of the Ministry of Industry and Information Technology and approved by the Development and Reform Commission, Ministry of Science and Technology, Ministry of Finance, Ministry of Environmental Protection, Ministry of Commerce, General Administration of Customs, and General Administration of Quality Supervision, Inspection and Quarantine are hereby promulgated and 2016 Nian 7 Yue 1 the effective date. 2006 Nian 2 Yue 28 announced the "Electronic Information Products Pollution Control Regulations" (Ministry of Information Industry, Development and Reform Commission, Ministry of Commerce, General Administration of Customs, SAIC, AQSIQ, the former Environmental Protection Administration Decree 39 number) at the same time Abolished.

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2016 Nian 1 Yue 6 Ri

## The first chapter always is

The first is the control and reduction of electrical and electronic products pollution after waste on the environment, the promotion of electrical and electronic industry clean production and comprehensive utilization of resources, encourage green consumption, protect the environment and human health, "Cleaner Production Promotion Law of People's Republic of China," according to, "Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes", "Regulations on the Management of the Recycling of Waste Electrical Appliances and Electronic Products" and other laws and administrative regulations to formulate these Measures.

**Article 2** These Measures apply to the production, sale and import of electrical and electronic products within the territory of the People's Republic of China.

**Article 3** The meanings of the following terms in these measures are:

(A) electrical and electronic products, electromagnetic field or currents that are dependent job or to generate, transmit, and measuring currents and electromagnetic fields for the purpose of the rated working voltage of direct current is not more than 1500 volts, alternating current does not exceed 1000 volts equipment and related products. Excluding equipment that involves the production, transmission, and distribution of electrical energy.

(B) electrical and electronic products pollution, refers to the electrical and electronic products harmful substances contained exceed the national standards or industry standards, resulting in the destruction, damage, waste or other adverse effects on the environment, resources, human health and life, and property.

(C) electrical and electronic equipment Restriction of Hazardous Substances, it refers to the reduction or elimination of electrical and electronic products pollution and the following measures:

1. Design, production process, by changing the design, adjustment process, replacing the use of materials, innovative manufacturing methods and so limit the use of electrical and electronic products technology measures harmful substances;

2. During the process of design, production, sales and import, mark the name and content of hazardous substances, mark the environmental protection use period of electrical and electronic products and other measures;

3. During the sales process, strictly purchase channels and refuse to sell electrical and electronic products that do not meet the national or industry standards for hazardous substances in electrical and electronic products;

4. Prohibit the import of electrical and electronic products that do not meet the national or industry standards for hazardous substances in electrical and electronic products;

5. Measures prescribed by the state to restrict the use of hazardous substances in other electrical and electronic products.

(Iv) electrical and electronic equipment Restriction of Hazardous Substances compliance management directory (hereinafter referred to as compliance management directory) , for the implementation of electrical and electronic products Restriction of Hazardous Substances manage and develop the directory, including electrical and electronic products category, restrict hazardous substances used in the type of , Limited use time and exception requirements.

(5) Harmful substances refer to the following substances contained in electrical and electronic products :

- 1 . Lead and its compounds;
- 2 . Mercury and its compounds;
- 3 . Cadmium and its compounds;
- 4 . Hexavalent chromium compounds;
- 5 . Polybrominated biphenyls (PBB);
- 6 . Polybrominated diphenyl ether (PBDE);
- 7 . Other hazardous substances prescribed by the state.

( 6 ) The environmental protection use period of electrical and electronic products refers to that when the user uses the product in accordance with the product instructions , the hazardous substances contained in the electrical and electronic products will not leak or mutate, will not cause serious pollution to the environment or cause damage to their personal and property The period of serious damage.

**Article 4** The Ministry of Industry and Information Technology, the Development and Reform Commission, the Ministry of Science and Technology, the Ministry of Finance, the Ministry of Environmental Protection, the Ministry of Commerce, the General Administration of Customs, and the General Administration of Quality Supervision, Inspection and Quarantine shall manage and restrict the use of hazardous substances in electrical and electronic products within their respective areas of responsibility supervision.

**Article V** of Industry and Information Technology together with the competent departments of the State Council formulated in favor of electrical and electronic products measures to limit the use of hazardous substances, the implementation of electrical and electronic products harmful substances restrictions on the use of the relevant provisions.

**Article** provinces, autonomous regions, municipalities, industry and information technology, development and reform, science and technology, finance, ring environment protection protection authorities, commerce, customs, quality inspection, within their respective areas of responsibility, for electrical and electronic products Restriction of Hazardous Substances implementation Supervision and management.

Provinces, autonomous regions and municipalities directly under the Central Government shall be in charge of the establishment of a provincial coordination mechanism for the use of hazardous substances in electrical and electronic products , and be responsible for coordinating and solving major issues and problems in the restricted use of electrical and electronic products in this administrative area .

**Article 7** The State encourages and supports scientific research, technology development and international cooperation on the restricted use of hazardous substances in electrical and electronic products, and actively promotes technologies and equipment for the substitution and reduction of hazardous substances in electrical and electronic products.

Article VIII of Industry and Information Technology, the competent departments of the State Council to actively develop, develop more stringent than the provisions of electrical and electronic products of organizations and individuals, can give the table Young or reward.

Provinces, autonomous regions and municipalities and industry department in charge of information technology and other relevant authorities of the electrical and electronic products have made outstanding achievements restrict the use of harmful substances in the work and related activities in organizations and individuals, you can give the table Young or reward.

#### Chapter II Restricted Use of Hazardous Substances in Electrical and Electronic Products

Article IX electrical and electronic product designers in the design of electrical and electronic equipment when not violate mandatory standards or laws, administrative standards must be executed rules and regulations shall be in accordance with the premise of meeting the technological requirements of electrical and electronic products using national Restriction of Hazardous Substances Standards or industry standards, using harmless or low-harm, easy to degrade, easy to recycle and other programs.

Article X of electrical and electronic products manufacturers in the production of electrical and electronic equipment when not violate mandatory standards or laws, administrative standards that must be performed regulations and rules should be when in accordance with the electrical and electronic products using national standards or industry standards for restriction of hazardous substances, the use of high resource utilization, easy recycling, is conducive to the ring environment protection protection of materials, technologies and processes, restrict or eliminate the use of hazardous substances in products.

Producers of electrical and electronic products shall not leave or sell electrical and electronic products that do not meet the requirements of these Measures .

Article 11 Imported electrical and electronic products shall not violate the mandatory standards or the standards that must be implemented by laws, administrative regulations and rules, and shall meet the national or industry standards for the restricted use of hazardous substances in electrical and electronic products.

Entry-exit inspection and quarantine institutions shall implement port verification and legal inspection of imported electrical and electronic products in accordance with law. The Customs shall check the "Imported Goods Clearance Form" issued by the entry-exit inspection and quarantine agency and go through the customs clearance procedures as required .

Article XII of electrical and electronic products producers, importers production, the use of electrical and electronic products packaging material, shall not violate mandatory standards or laws, administrative standard rules and regulations that must be performed, it should be used harmless, easy to degradation and to facilitate Recycled materials comply with national standards or industry standards for the use of packaging.

Article XIII of electrical and electronic products producers, importers shall, electrical and electronic products restrict the use of hazardous substances identified by the national standards or industry standards, its market of electrical and electronic products harmful substances contained are labeled, indicating the name of the hazardous substances , Content, whether the components and their products can be recycled, and information that improper use or disposal may have an impact on the environment and human health; if the product volume, shape, surface material or function restrictions cannot be marked on the product, it should be Indicate in the product description.

Article XIV of electrical and electronic products manufacturers, importers shall, electrical and electronic products restrict the use of hazardous substances identified by the national standards or industry standards, in the production or import of electrical and electronic products marked on environmental protection use period; due to product volume, shape, If the surface material or function limitation cannot be marked on the product, it should be indicated in the product description.

Article XV electrical and electronic products environmental protection use period by electrical and electronic products make their own determination of the manufacturer or importer. Relevant industry organizations can formulate guidelines on the environmental protection use period of relevant electrical and electronic products, including product categories, determination methods, and specific deadlines, based on the level of technological development.

The Ministry of Industry and Information Technology encourages relevant industry organizations to submit guidelines on the environmental protection use period of electrical and electronic products to the Ministry of Industry and Information Technology.

Article XVI electrical and electronic products sales are not allowed to sell in violation of electrical and electronic equipment Restriction of Hazardous Substances national standards or industry standards of electrical and electronic products.

Article 17 The restricted use of hazardous substances in electrical and electronic products shall be carried out by means of catalog management. According to the actual situation of industrial development, the Ministry of Industry and Information Technology has compiled, adjusted, and released the management catalog for compliance with the Development and Reform Commission, Ministry of Science and Technology, Ministry of Finance, Ministry of Environmental Protection, Ministry of Commerce, General Administration of Customs, and General Administration of Quality Supervision, Inspection and Quarantine.

Article 18 The State establishes a conformity assessment system for the restricted use of hazardous substances in electrical and electronic products. Directory into the standard management of electrical and electronic products shall meet the electrical and electronic products Restriction of Hazardous Substances limited requirements of national standards or industry standards, according to the electrical and electronic products to manage the use of conformity assessment system Restriction of Hazardous Substances.

According to the Ministry of Industry and Information Technology of electrical and electronic products restrict the use of harmful substances in the work of the overall arrangement, to the State Certification and Accreditation competent authorities establish electrical and electronic equipment Restriction of Hazardous Substances recommend the use of conformity assessment systems. The competent department of national certification, accreditation and supervision shall formulate, issue and organize the implementation of a conformity assessment system in accordance with the functions in conjunction with the Ministry of Industry and Information Technology. According to the actual situation, the Ministry of Industry and Information Technology, together with the Ministry of Finance and other departments, establish a relevant credit acceptance mechanism for the conformity assessment results.

#### The third chapter penalty is

Article 19 Anyone who violates these measures and has one of the following circumstances shall be punished by the commerce, customs, quality inspection and other departments within the scope of

their respective duties:

(1) The producers of electrical and electronic products violate the provisions of Article 10 of these Measures, the materials, technologies and processes used violate the national or industry standards for the restriction of hazardous substances in electrical and electronic products , and electrical and electronic products that will not meet the requirements of these Measures The product leaves the factory and is sold;

(B) electrical and electronic products imported in violation of the provisions of Article XI of this approach, the import of electrical and electronic products in violation of electrical and electronic equipment Restriction of Hazardous Substances national standards or industry standards;

(3) Producers and importers of electrical and electronic products violate the provisions of Article 12 of these Measures, and the packaging of electrical or electronic products produced or used violates national or industry standards for the use of packaging;

(4) Producers and importers of electrical and electronic products have violated the provisions of Article 13 of these Measures and have not marked the names and contents of hazardous substances in electrical and electronic products , whether their parts and their products can be recycled, and improper use or disposal may Information about the impact of the environment and human health;

(5) Producers and importers of electrical and electronic products have violated the provisions of Article 14 of these Measures and have not marked the environmental protection use period of electrical and electronic products ;

( Six ) electrical and electronic products sold in violation of the provisions of Article XVI of this approach, sales in violation of electrical and electronic equipment Restriction of Hazardous Substances national standards or industry standards of electrical and electronic products of;

( 7 ) Producers, sellers and importers of electrical and electronic products violate the provisions of Article 17 of these Measures, and since the implementation of the restricted use of hazardous substances in electrical and electronic products listed in the standard management catalog , the production, sale or import of harmful substances Electrical and electronic products whose content exceeds the relevant national standards or industry standards for the restricted use limits of hazardous substances in electrical and electronic products .

**Article 20:** Staff members of relevant departments who abuse their powers, engage in malpractices for personal gains, condone or cover up acts that violate the provisions of these Measures, or help parties violating the provisions of these Measures to avoid investigation and punishment shall be given administrative sanctions according to law.

#### Chapter IV attached to the

**Article 21** Any organization or individual has the right to complain and report to the relevant department for violations of these Measures.

**Article 22** These Measures shall be interpreted by the Commercial Development and Reform Commission of the Ministry of Industry and Information Technology, the Ministry of Science and Technology, the Ministry of Finance, the Ministry of Environmental Protection, the Ministry of Commerce, the General Administration of Customs, and the General Administration of Quality Supervision, Inspection and Quarantine.

**Article 23** These Measures 2016 Nian 7 Yue 1 the effective date. 2006 Nian 2 Yue 28 announced the "Electronic Information Products Pollution Control Regulations" ( former Ministry of Information Industry, Development and Reform Commission, Ministry of Commerce, General Administration of

Customs, SAIC, AQSIQ, the former Environmental Protection Administration Decree 39 number) at the same time Abolished.

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