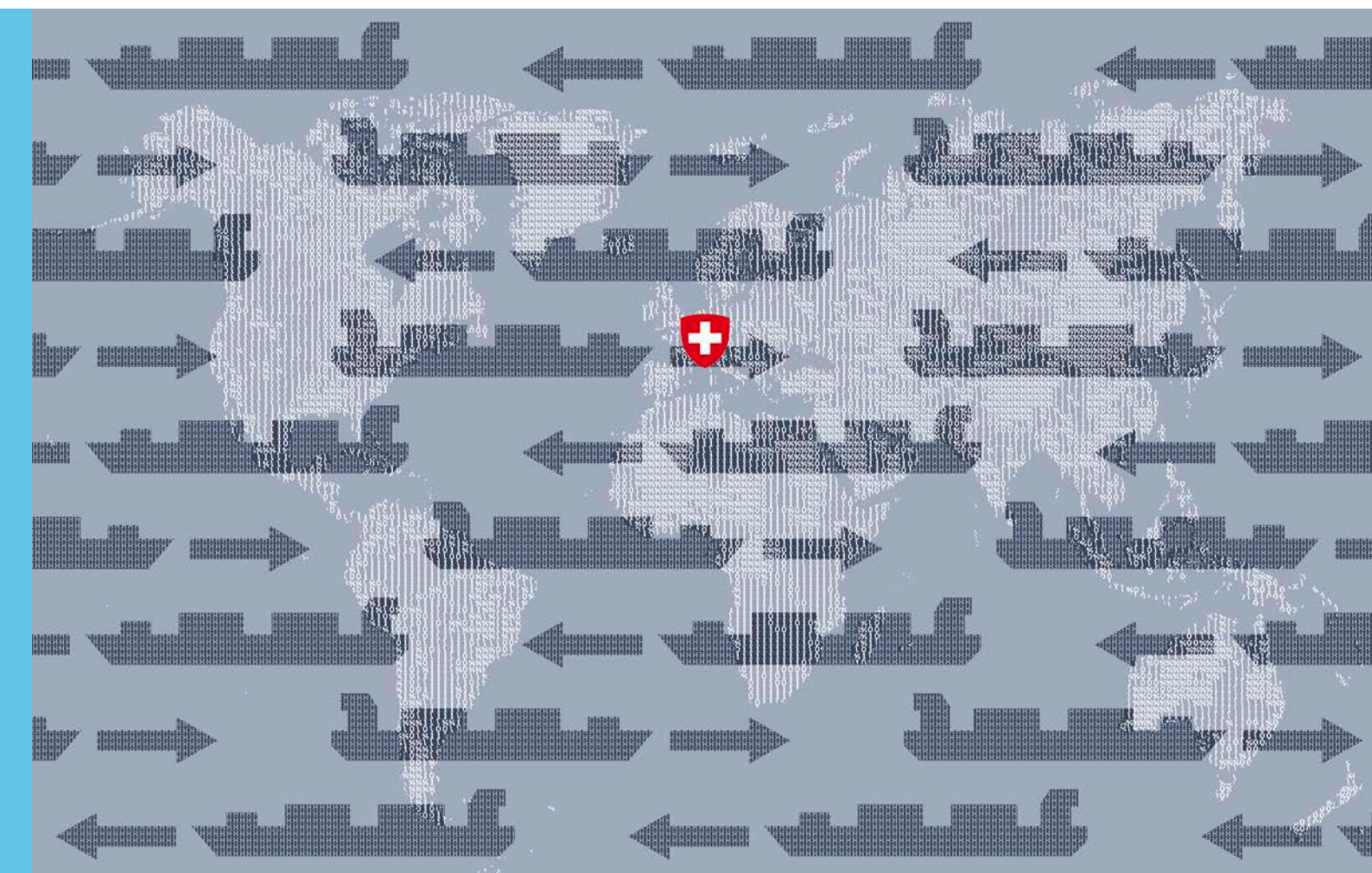

> Exporting consumer goods: Second-hand articles or waste?

*Useful tips for dealers, carriers and relief organisations
2nd updated edition, April 2016*



Schweizerische Eidgenossenschaft
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Swiss Confederation

Federal Office for the Environment FOEN

> Introduction

Countries in Africa and Asia are being flooded with waste items that have been declared second-hand goods (especially electronic scrap). Clearly, reusing second-hand goods instead of disposing of them is desirable in terms of a sustainable environmental and resource policy. However, if the second-hand goods market is used to circumvent the regulations governing waste disposal in order to get rid of waste products cheaply in developing countries, then these actions are illegal. In fact, it often happens that goods declared usable are already waste when they leave the country of export. Other times the goods become waste because they are damaged during transport as a result of being inadequately secured. In the countries of import there is often no technical infrastructure for an environmentally compatible treatment of the waste. The inappropriate disposal of waste endangers people's health and the environment. The industrialised countries are therefore called on to stop illegal waste transports disguised as trade in second-hand goods.

This information brochure gives tips for distinguishing between waste and second-hand goods and contains practical advice on how to conform to the relevant environmental regulations. It is directed principally at traders, carriers and relief organisations and aims to bring to their notice the problems associated with the illegal export of waste disguised as trade in second-hand goods.

Waste or second-hand goods?

Waste goods are movable objects that the owner wants to part with or that need to be disposed of in the public interest. Whether an object is a second-hand article or a piece of waste is crucial in deciding whether or not it can be traded freely.

If it is a piece of waste, it is either subject to controls (e.g. used electronic goods) or may be exported according to the so-called "green" control procedure (e.g. pure, uncontaminated metal scrap). Authorisation from the FOEN is necessary for the export of waste that is subject to controls. When waste goods are exported as "green-listed" waste they must be accompanied by the shipping document contained in Annex VII of the Regulation (EC) No 1013/2006 on shipments of waste. The export of controlled waste is only allowed to OECD countries and to countries within the European Union. More information on this subject can be found at www.bafu.admin.ch/waste > Transboundary movements of waste.

In general, objects are classified as second-hand goods insofar as they fulfil all the following requirements:

- > they are in working order and are permitted for use;
- > they are used for their original purpose; and
- > they are packaged well enough to prevent damage during transit.

However, second-hand goods may only be exported, if they:

- > do not contain any substances that are banned by the chemicals legislation (e.g. asbestos, PCBs or mercury etc.); and
- > are built to be operated without CFCs.

If one or more of the five criteria listed above are not fulfilled then the goods are waste. The export of controlled waste is forbidden without authorisation. If the environmental or customs authorities find out that waste is being illegally exported they will have it returned to the exporting nation. The ensuing costs for return carriage, sorting, disposal and monitoring by the authorities or through competent persons appointed by them must be borne by the exporter. A criminal complaint will normally be filed and a fine will be charged.

If the customs authorities cannot inspect the freight, for example when vehicles have been sealed, then the transport will be halted by the customs until an inspection is made possible or the exporter takes the goods back.

The most common (often unknowingly) illegally exported items are office and consumer electronics devices and appliances, cooling appliances, vehicles, vehicle parts and textiles. The following pages explain how the definition of waste must be applied to these particular objects so that the goods can be exported in accordance with the law. The terms "controlled waste" and "green-listed waste" are explained on p. 11.

> Office and consumer electronics appliances

Televisions and monitors

The fluorescent layer of cathode ray tubes and the rear lighting of flat screen monitors contain environmentally dangerous heavy metals (e.g. mercury).

Second-hand goods:

- > functioning appliances that will be used in the destination country for their original purpose; or
- > appliances still under guarantee that are being returned to the manufacturer (with documentary evidence of this).

Controlled waste:

- > appliances that are not in working order, i.e. that cannot be switched on;
- > appliances from which the power cord has been cut off;
- > monitors with inadequately protected front panels which would be damaged during transport;
- > appliances that are exported in order to be repaired (except guarantee jobs); or
- > appliances that are exported to be taken apart and recycled.

Computers

Computers contain substances and components that can be harmful to people and the environment if they are handled incorrectly.

Second-hand goods:

- > functioning appliances that can be re-used in the destination country for their original purpose, and for which there is a retail market in the destination country; or
- > appliances still under guarantee that are being returned to the manufacturer (with documentary evidence of this).

Controlled waste:

- > appliances that are not in working order, i.e. that cannot be switched on (to test them connect them to a monitor);
- > appliances from which the power cord has been cut off;
- > appliances that are exported in order to be repaired* (except for guarantee claims); or
- > appliances that are exported to be taken apart and recycled.

*Included here in particular is the export of several broken appliances in order to build a single functioning appliance from them.



Monitors protected from damage by cardboard or polystyrene padding



Inadequate packaging of monitors



Appliance cannot be switched on

> Cooling appliances

Refrigerators and freezers, air-conditioning units

Old refrigerators usually contain refrigerants made of ozone-depleting substances (e.g. CFCs). The refrigerant used is given on the rear side of the appliance (usually on the compressor) as an R-Code (= Refrigerant).

Second-hand goods:

- > functioning appliances that will be re-used in the destination country for their original purpose and containing refrigerants that are permitted in Switzerland, i.e. that were introduced after 1994; or
- > items that are under guarantee.

Items that may not be exported according to chemicals legislation:

- > appliances that contain ozone-depleting substances (for example R12, R22, R401, R402 or R502, see the list of most common refrigerants in the Appendix); or
- > appliances that are designed to be operated with such substances.

Controlled waste:

- > non-functioning appliances;
- > appliances from which the power cord has been cut off;
- > appliances that are exported to be repaired, to be re-sold abroad or to be re-used; or
- > appliances that are exported to be taken apart and recycled.



Old cooling appliances containing ozone-depleting substances



Refrigerator with forbidden refrigerant R12

Compressors

Old cooling appliances compressors were designed to be used with a specific refrigerant. Many of these are ozone depleting.

Second-hand goods:

- > functioning compressors that use refrigerants permitted in Switzerland.

Items that may not be exported according to chemicals legislation:

- > appliances that contain ozone-depleting substances (for example R12, R22, R401, R402 or R502, see list of most common refrigerants on page 6).

Green-listed waste:

- > completely empty compressors (from which the oil and refrigerant have been duly drained by a person holding a special license for the use of refrigerants and which then have been made unusable by means of a drill hole or a slit).

Controlled waste:

- > compressors that contain residues of oil and refrigerants.



Cooling compressors



Compressors which have been pierced or slit may be exported according to the "green" control procedure.



Cooling compressor with forbidden refrigerant

> List of the most common refrigerants

Export prohibited

| CFCs ¹ | HCFCs ² |
|-------------------|--------------------|
| R11 | R22 |
| R12 | R123 |
| R13 | R124 |
| R114 | R142b |
| R500 | R401a |
| R502 | R402a |
| R503 | R402b |
| | R403a |
| | R403b |
| | R408a |
| | R409a |
| | R409b |

Export permitted

| HFCs ³ | others |
|-------------------|---------------------------|
| R23 | R170 (ethane) |
| R32 | R290 (propane) |
| R107a | R600a (isobutane) |
| R125 | R717 (ammonium) |
| R134a | R744 (Co ₂) |
| R152a | R1270 (propylene/propene) |
| R227ea | R718 (water) |
| R236a | |
| R316a | |
| R404a | |
| R407a | |
| R407b | |
| R407c | |
| R410a | |
| R507 | |
| R508a | |
| R508b | |
| Isceon 59 | |
| Isceon 89 | |

¹ CFCs: Chlorofluorocarbons

² HCFCs: Hydrochlorofluorocarbons

³ HFCs: Hydrofluorocarbons

Source: Ordinance of 18 May 2005 on Risk Reduction related to the Use of certain particularly dangerous Substances, Preparations and Articles (Ordinance on Chemical Risk Reduction, ORRChem)

> Textiles

Old clothes

Garment bags from old clothes containers often contain damaged garments and other waste such as electrical and electronic appliances and household rubbish. Improper disposal of these unwanted items and rubbish is harmful to the environment.

Used goods:

- > Undamaged clothes and shoes (in pairs) that are not soiled by waste;
- > Undamaged clothes and shoes (in pairs) that are mixed with individual clothes hangers, bags, belts and other accessories.

Note: Some countries require a certificate to show that used textiles intended for re-use have been disinfected.

Waste subject to the “green” control procedure:

- > Textiles (including damaged goods) that are not soiled with other waste;
- > Textiles that are mixed with shoes;
- > Textiles that are mixed with leather goods.

Note: Some countries regard textiles that are mixed with shoes and leather goods as waste subject to control. This makes export under the green control procedure impossible. For these cases, export is only permissible with a licence.

Waste subject to control:

- > Old clothes that have been soiled with waste that is subject to control procedures (e. g. electrical and electronic appliances, batteries, light-bulbs).



Collection container for used textiles



Sorting facility for used textiles



Unchecked textiles from containers

> Vehicles, vehicle parts and tyres

Vehicles

Motor vehicles such as cars, heavy goods vehicles, construction machines, agricultural vehicles and motor-cycles contain numerous environmentally harmful fluids and other pollutants. The inappropriate repair or dismantling of vehicles endangers people and the environment.

Second-hand goods:

- > roadworthy vehicles that contain all the parts needed to be driven (e.g. tyres, engine etc.);
- > vehicles that have been involved in an accident with only slight damage; or
- > vintage vehicles that first entered into services more than 30 years ago.

Note: When used cars are exported they must be accompanied by the (cancelled) vehicle registration certificate.

Objects that may not be exported according to chemicals legislation:

- > vehicles with air-conditioning or cooling devices that contain ozone-depleting substances such as R12, R22, R401, R402 and R502 or that require these substances to operate (see the list of most common refrigerants on p. 6).



Vehicle with flooded engine compartment



Vehicle with flooded passenger compartment



Vehicle with burnt-out engine compartment



Badly deformed vehicle

Vehicle parts

Parts obtained from dismantling disused vehicles (e.g. engine, gearboxes, shock absorbers) that are re-used as replacement parts often contain environmentally harmful fluids.

Second-hand goods:

> Dismantled functioning vehicle parts or components obtained from vehicles, which will be used as replacement parts and for their original purpose. Components may not contain any load-bearing or mechanical elements (e.g. bumper with undamaged lights and indicators, spoiler and radiator grill):

- a packing list and invoice are included; and
- the operating fluids have been either previously removed from the replacement parts or the parts are sealed or loaded in such a way that no fluids can escape.

Controlled waste:

- > vehicle parts or components that are leaking fluids,
- > vehicle components containing load-bearing or mechanical elements (e.g. when the front has been cut through the middle of the bonnet).



Vehicle replacement parts without a packing list



Vehicle components containing load-bearing or mechanical elements



Vehicle replacement parts leaking oil



Vehicle components containing no load-bearing or mechanical elements that can be completely remounted



Tyres

In many countries used tyres are often landfilled without any form of control. These tyre dumps are breeding sites for disease-carrying insects. It is particularly dangerous for people and the environment when tyres are burned in the open air.

Second-hand goods:

- > tyres in a usable condition with a tread depth of at least 1.6 mm.

Controlled waste:

- > tyres with a tread depth of less than 1.6 mm;
- > tyres with irregular abrasion marks and other mechanical damage; or
- > tyres fitted inside one another (in twos or threes).

Note: The export of tyres fitted inside one another without authorisation is only permitted if the tyre dealer participates in the control system of the Swiss Tyre Association (RVS), thereby ensuring that only usable tyres with a profile of at least 1.6 mm are being exported. Further information can be found at www.swisspneu.ch.



Fitting of tyres inside one another

> Appendix

Controlled waste

For the purposes of transboundary movements, controlled waste is waste as defined by the Basel Convention. This includes hazardous waste [S] and other waste subject to controls [ak] as defined in the Swiss List of Wastes, waste as defined in the OECD Amber List or as defined in Annexes II and VIII of the Basel Convention as well as waste with hazardous characteristics as defined by Annexes I and III of the Basel Convention. Such waste may only be exported with authorisation from the FOEN. Similarly subject to mandatory control is waste that is not expressly mentioned on the OECD Green List or in List B (Annex IX) of the Basel Convention.

A guide to the export of waste subject to controls is available at www.bafu.admin.ch/waste > Transboundary movements of waste > Notification for export

Green-listed waste

Waste featuring on the Green List of the OECD Resolution or on List B (Annex IX) of the Basel Convention may be exported or imported for recovery without authorisation, provided it is not waste as defined by the Basel Convention.

It should be noted that transboundary movements of waste featuring on the OECD Green List but which the Swiss List of Wastes stipulates as subject to controls must be notified. Such waste may not be shipped according to the “green” control procedure. This applies, for example, to used tyres, drained motor vehicle wrecks, electric cables and depolluted circuit boards.

Please note that the country of import can also subject green-listed waste to control under their national law.

Detailed information on the “green” control procedure is available at www.bafu.admin.ch/waste > Movements of waste > Transboundary movements of waste > Green-listed waste: information and documents

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