

Current and future implementation of products-related environmental regulation and standard in China

China Quality Certification Centre

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Introduction

Born in 1972

1995 - get the bachelor in analysis chemistry

1998 - get the master in economics

1998 - 2005 work in Beijing entry-exit inspection and quarantine bureau of the PRC, engage in the valuation of the imported machinery.

2005 - work in China Quality Certification Centre –Technical Service Department - Environmental Technology Research Division

Act as secretary of the China working group mirror IEC/TC11

Being the member of IEC/TC111/WG2

Having drafted the China NP about “material declaration” and submitted to the IEC/TC111

Legal System of China

First level: law and regulation

Approved by the Standing Committee of the National People's Congress (NPC) of the People's Republic of China

Second level: administrative regulation

Approved by the State Council of the People's Republic of China

Third level: department rules

Approved by some ministry or department of the State Council

Other relevant legal documents

Some basic relevant environmental law

1. Environmental Protection Law of the People's Republic of China

[adoption date: 1989-12-26] [effective date: 1989-12-26]

2. Law of the People's Republic of China on the Promotion of Clean Production

[adoption date: 2002-06-29] [effective date: 2003-01-01]

3. Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste

[adoption date: 1995-10-30] [effective date: 1996-04-01]

All the three laws are at the first level ,based on these laws requirements, MII along with NDRC and other five governmental authorities under State Council drafted **Administrative Measure on the Control of Pollution Caused by Electronic Information Products**, it is just department Rules and apply only to EIP industry .

主要内容

Main Contents

第一部分 电子信息产品污染控制管理办法简介
Part 1. Brief introduction on Administrative Measure on the Control of Pollution
Caused by Electronic Information Products

第二部分 相关标准介绍

Part 2. Brief introduction on some relevant standards

第一部分

Part 1

❖ 《管理办法》重点解读

Key points of the “Administrative Measure ”

❖ 《管理办法》重点释疑

Explanations on key points of the “Administrative Measure ”

2002年下半年起，信息产业部联合发展改革委等七个国务院部门开始起草制定《电子信息产品污染控制管理办法》。目前，《管理办法》作为部门规章，于2006年2月28日以联合部长令形式颁布；

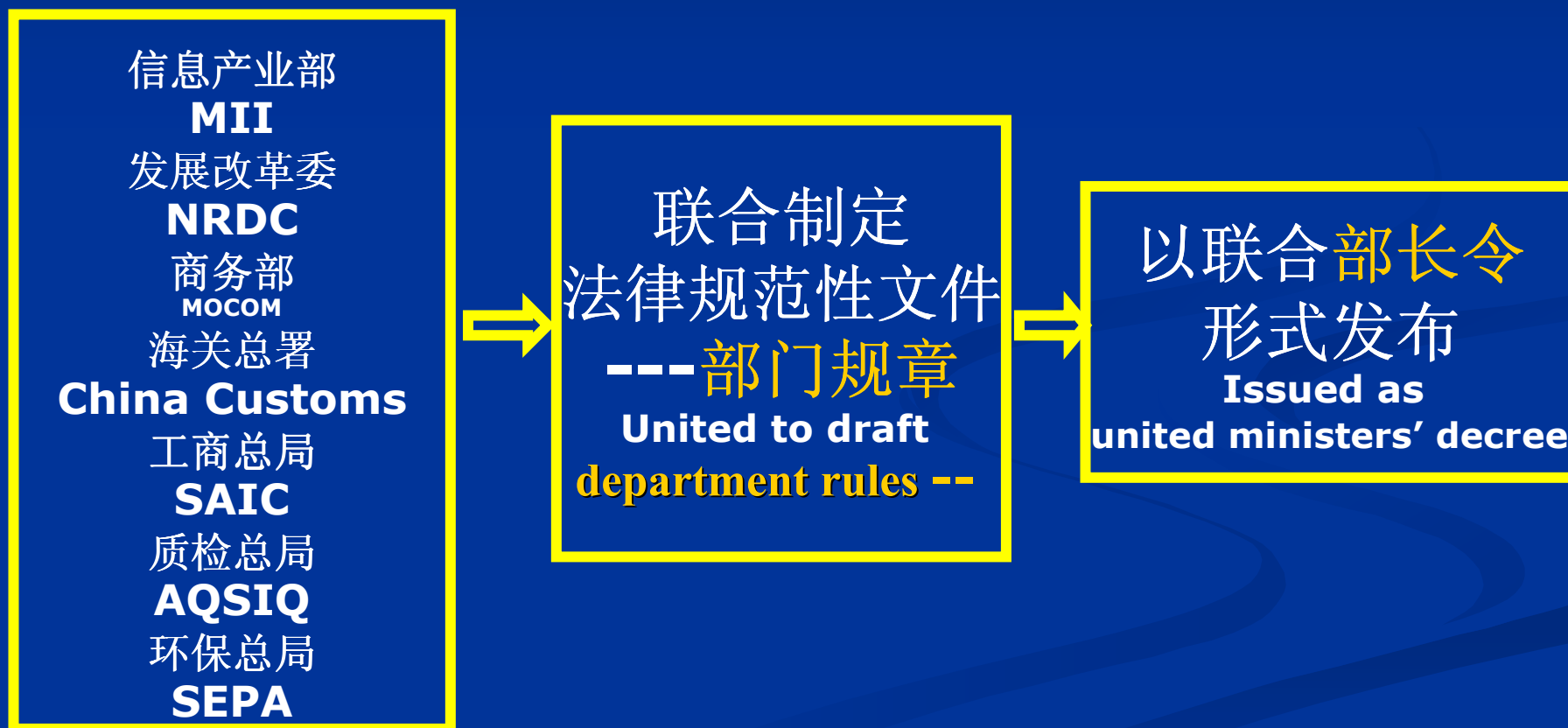
Starting from the second half of 2002, MII, along with NDRC and other five governmental authorities under State Council drafted “**Administrative Measure on the Control of Pollution Caused by Electronic Information Products**”. The Regulations was issued on Feb. 28, 2006

《管理办法》被称为中国RoHS法规，其本身与制定过程既符合WTO规则，与国际接轨，又结合了中国国情；《管理办法》是一部既迎合了国际潮流和趋势，又体现了中国特色的法律规范性文件；

The **Administrative Measure** are regarded as China RoHS regulations. Its articles and drafting process not only comply with WTO principles, but also integrate with China actual situation.

《管理办法》是一部国务院 部门规章

A department rules under the State Council



DETAILED LIST OF THE SEVEN DEPARTMENTS

- Ministry of Information Industry of the PRC
- National Development and Reform Commission
- Ministry of Commerce of the PRC
- China Customs
- State Administration for Industry & Commerce
- General Administration of Quality Supervision,
Inspection and Quarantine
- State Environmental Protection Administration of
China

《管理办法》调整对象和适用范围

Regulated Objects and Scope

调整对象: Regulated Objects:
所有进入中国市场的**电子信息产品**。
(出口和军工产品除外)

All **electronic information products**
imported to China market
(not including exports
and military products)

“污染控制”是指对产品中含有的“铅、汞、镉、六价铬、多溴联苯、多溴二苯醚六种有毒有害物质的控制，不包括对电子信息产品生产过程中的“三废”排放的控制。


“Prevention and control of pollution caused by electronic information products” refers to control of six toxic and harmful substances or elements contained in electronic information products, i.e. Lead, Mercury, Cadmium, Hexavalent Chromium, Polybrominated biphenyls (PBB), and Polybrominated Diphenyl Ethers (PBDE), not including control of “three waste” discharge during the production process of electronic information products.

Detailed list of the covered products

1. electronic radar product,
2. electronic telecommunications product,
3. broadcast TV product,
4. computer product,
5. household electronic product,
6. electronic measuring instrument,
7. special electronic apparatus,
8. electronic component,
9. electronic applications equipment and
10. electronic material.

《管理办法》调整范围与欧盟RoHS指令调整范围不同

Difference of Scope between China and EU RoHS Directives



欧盟RoHS指令的调整范围是使用交流电1000伏特以下，直流电1500伏特以下的所有电子电气产品。
Regulated objects and scope in EU RoHS Directives are all electronic and electrical products using alternating current 1000V below, and direct current 1500V below.

《管理办法》的调整对象
是电子信息产品
(出口产品、军工产品除外)
Regulated objects and scope in the Administrative Measure
are electronic information products
(not including export and military products)

制定《管理办法》的目的和意义

Purpose and Significance of Formulating the “Administrative Measure ”

1、将电子信息产品污染控制作为废旧电子信息产品回收处理再利用的基础性工作，体现“污染防治，预防在先”环境保护原则，落实“从源头抓起”的工作思路

1. Regard prevention and control of pollution caused by electronic information products as the basic work of recycling and reusing waste and old electronic information products.

2、实现有毒有害物质在电子信息产品中的替代或减量化，保护环境，节约资源

2. Achieve replacement or reduction of toxic and harmful substances in electronic information products, protect environment and save resources.

5、推进电子信息产业结构调整，产品升级换代，确保电子信息产业可持续发展

5. Advance system adjustment of electronic information industry, upgrade products, ensure sustainable development of electronic information industry.

4、积极应对欧盟RoHS指令

4. Actively respond to EU RoHS Directives

3、将电子信息产品污染控制纳入行业管理，长期化法制化

3. Bring prevention and control of electronic information products into industrial management in a long run and on a legal basis.

《管理办法》重点解读（1）

Key points of the “Management Methods” (1)

《管理办法》共四章二十七条，涉及企业的规定（主要规范的内容）有四项：

There are 4 chapters, 27 articles in total, in the “Administrative Measure”, and the following 4 major parts are concerning to regulations to enterprises

1. 电子信息产品的设计和生產需要采用环保和便于再生利用的方案(第二章：9、10、14条)。

Design and production of EIP need to adopt projects of environment protection and easily recyclable. (Chapter 2: Article 9,10,and 14)

2. 电子信息产品进入市场需要标注有毒有害材料名称与含量、所在部件、环保使用期限、是否可回收的标志（第二章：11、13、14条）。

EIP shall be clearly indicated the names, contents and location of toxic and harmful substances or elements , environment-friendly use period, and recyclability when EIP are putted on the market. (Chapter 2: Article 11, 13, and 14)

3. 进入电子信息产品污染控制重点管理目录的产品将被禁止或限制使用六种有毒有害材料（第二章：18、20、21条）。

The EIP listed in the key administrative Catalogue shall ban or limit use of 6 toxic and harmful substances or elements. (Chapter 2: Article 18, 20 and 21)

4. 对纳入电子信息产品污染控制重点管理目录的电子信息产品实施CCC管理（第二章：19条）。

enforces compulsory product certification on the electronic information products listed in the key administrative Catalogue (Chapter 2: Article 19)

第九条：电子信息产品设计者在设计电子信息产品时，应当依据电子信息产品有毒有害物质控制的国家标准或行业标准，在满足工艺要求的前提下，采用无毒、无害或低毒、低害、易于降解、便于回收利用的方案。

Article 9: When designing an electronic information product, the designer shall comply with industrial or national standards for prevention and control of pollution caused by electronic information products and shall adopt approaches that are non-toxic and harmless, or low-toxic and less harmful, and easily degradable and recyclable, provided that industry-process requirements can be met.

第十条 电子信息产品生产者在生产或制造电子信息产品时，应当依据电子信息产品有毒有害物质控制的国家标准或行业标准，采用资源利用率高、易回收处理、有利于环保的材料、技术和工艺。

Article 10: When producing or manufacturing electronic information products, the producers shall use materials, technologies and processes which are resource efficient, easily recyclable and demonstrate environmental-protection benefits in accordance with the industrial or national standards for the control of pollution caused by electronic information products.

第十四条 电子信息产品生产者、进口者制作并使用电子信息产品包装物时，应当依据电子信息产品有毒有害物质控制的国家标准或行业标准，采用无毒、无害、易降解和便于回收利用的材料。

Article 14. When making and using packaging for electronic information products, producers and importers of electronic information products shall, in accordance with the industrial standards or national standards for the control of pollution caused by electronic information products, use non-toxic, harmless, easily degradable and recyclable materials.

对产品生产、设计提出新的要求：满足工艺要求；依据电子信息产品有毒有害物质控制的国家标准或行业标准进行设计、生产；导入了一个环境友好型产品生产的思想。

The following new requirements have been raised to product design and production:

1. Meet technical requirements;
2. Design and produce electronic information products according to national or industrial standards on the control of toxic and harmful substances or elements.

These requirements put forward an idea of designing and producing environment-friendly products.

Mark and label

第十一条：电子信息产品的环保使用期限由电子信息产品的生产者或进口者自行确定。电子信息产品生产者或进口者应当在其生产或进口的电子信息产品上标注环保使用期限，由于产品体积或功能的限制不能在产品上标注的，应当在产品说明书中注明。

前款规定的标注样式和方式由信息产业部商国务院有关主管部门统一规定，标注的样式和方式应当符合电子信息产品有毒、有害物质活元素控制的国家标准或行业标准。

相关行业组织根据技术发展水平，制定相关电子信息产品环保使用期限的指导意见

Article 11. Producers and importers of electronic information products shall decide by themselves and clearly indicate the environment-friendly use period of the electronic information products they produce or import. If, due to size or function limitation of the products, they are impossible to mark, this information shall be provided in the product manuals.

The samples and methods of the marks shall be formulated by the MII in conjunction with other relevant State agencies, and conform to the industrial or national standards for prevention and control of pollution caused by electronic information products.

The relevant industry organizations may provide guidance on the environment-friendly use period of electronic information products based on the development technology.

第十三条：电子信息产品生产者、进口者应对其投放市场的电子信息产品中含有的毒有害物质的部件进行标注，标明有毒有害物质的名称、含量、所在部件以及其可否回收利用等；由于产品体积或功能的限制不能在产品上注明的，应在产品包装上或说明书中予以注明。

前款规定的标注样式和方式由信息产业部商国务院有关主管部门统一规定，标注的样式和方式应当符合电子信息产品有毒、有害物质活元素控制的国家标准或行业标准。

Article 13. Producers and importers of electronic information products shall indicate the names , contents , locations of toxic or hazardous substances or elements and recyclability, etc. on electronic information products they put on the market. If, due to size or functional limitations of the products, it is difficult to make such indication on the products, the information may be provided on the product packaging or in the product manual.

The samples and methods of such marking will be uniformly specified and issued for enforcement by the Ministry of Information Industry in consultation with other relevant state agencies and conform to the industrial or national standards for prevention and control of pollution caused by electronic information products.

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第十四条 电子信息产品生产者、进口者制作并使用电子信息产品包装物时，应当依据电子信息产品有毒、有害物质或元素控制国家标准或行业标准，采用无毒、无害、易降解和便于回收利用的材料。

电子信息产品生产者、进口者应当在其生产或进口的电子信息产品包装物上，标注包装物材料名称；由于体积和外表面的限制不能标注的，应当在产品说明书中注明。

前款规定的标注样式和方式由信息产业部商国务院有关主管部门统一规定，标注的样式和方式应当符合电子信息产品有毒、有害物质或元素控制国家标准或行业标准。

Article 14. When making and using packaging for electronic information products, producers and importers of electronic information products shall, in accordance with the industrial standards or national standards for the control of pollution caused by electronic information products, use non-toxic, harmless, readily degradable and recyclable materials.

Producers and importers of electronic information products shall clearly mark the names of packaging materials on the packaging of their products; if, due to size or exterior surface limitation of the products, they are impossible to mark, this information may be provided in the product manuals.

The samples and methods of such marking will be uniformly specified and issued for enforcement by the Ministry of Information Industry in consultation with other relevant state agencies and conform to the industrial or national standards for prevention and control of pollution caused by electronic information products.

第十六条：进口的电子信息产品应当符合电子信息产品有毒有害物质控制的国家标准或行业标准。

Article 16. Imported electronic information products shall conform to the industrial or national standards for the control of pollution caused by electronic information products.

- ❖ 在国内市场销售的（包括进口的）电子信息产品须注明环保使用期限。这是一项既有利于企业也有利于消费者的规定；企业应保留相应电子文档直到产品完全退出市场；生产者制定的产品环保使用期限可以与行业组织制定的产品环保使用期限相一致，也可以不一致。

Marking electronic information products sold in domestic market (including imported products) with environment-friendly use period is not only beneficial for enterprises, but also good to consumers. Manufacturers or importers should keep related electronic files until the products withdraw from the market. Safe-use period set by manufacturers may be consistent or not with that formulated by industry organizations. But it is also

- ❖ 企业应在产品上标注相关环保信息，便于产品废弃后的回收处理，减少对环境造成的污染。特殊情况的可以在说明书中加以说明。

Manufacturers should indicate relevant environmental protection information, convenient for recycle and treatment of products discarded, reducing pollution to environment. Under special circumstances, this information may be provided in the product manuals

the key administrative Catalogue

第十八条：信息产业部商发展改革委、商务部、海关总署、工商总局、质检总局、环保总局编制、调整电子信息产品污染控制重点管理目录。

电子信息产品污染控制重点管理目录由电子信息产品类目、限制使用的有毒有害物质种类及其限制使用期限组成，并根据实际情况和科学技术发展水平的要求进行逐年调整。

- MII shall coordinate with the NDRC, the MoCom, the Customs, the SAIC, the AQSIQ, and the SEPA to formulate and revise the key administrative catalogue (the Catalogue) for the control of pollution caused by electronic information products.
- The Catalogue for the control of pollution caused by electronic information products shall consist of lists of regulated electronic information products: types of toxic or hazardous substances or elements restricted for use in electronic information products and their limited use life . The catalogue shall be revised annually based on the actual circumstances and the level of scientific technology development.

- 第二十条：纳入电子信息产品污染控制重点管理目录中的电子信息产品，除应满足本办法有关电子信息产品污染控制的规定以外，还应当符合电子信息产品污染控制重点管理目录中规定的重点污染控制要求。
- 未列入电子信息产品污染控制重点管理目录中的电子信息产品，应当满足本办法有关电子信息产品污染控制的其他规定。
- Article 20. The electronic information products listed in the Catalogue shall not only satisfy the provisions in these administrative measure on the control of pollution caused by electronic information products, but also conform to the strict requirements stated in the Catalogue.
- Those electronic information products not listed in the Catalogue shall satisfy the provisions in these administrative measure on the control of pollution caused by electronic information products .

第二十一条：信息产业部商发展改革委、商务部、海关总署、工商总局、质检总局、环保总局，根据产业发展的实际状况，发布被列入电子信息产品污染控制重点管理目录的电子信息产品中不得含有有毒有害物质的实施期限。

After consultation with the NDRC, the MoCom, the Customs, the SAIC, the AQSIQ, and the SEPA , the Ministry of Information Industry will promulgate the deadline for the elimination of toxic and hazardous substances in electronic information products listed in Catalogues .

- ❖根据我国的国情，有毒有害物质的控制采用了与欧盟ROHS不同的目录管理模式，采取成熟一个放入一个的方式，既要有效限制产品中使用有毒有害物质，又考虑产业的发展现状。

Based on China's current situation ,controlling toxic and harmful substances or elements adopted Catalog management model, different from EU RoHS model. That is, when it is technically feasible and economical, it would be listed in the Catalog. This method not only effectively prevents toxic and harmful substances or elements in products, but also take the whole industry development into consideration.

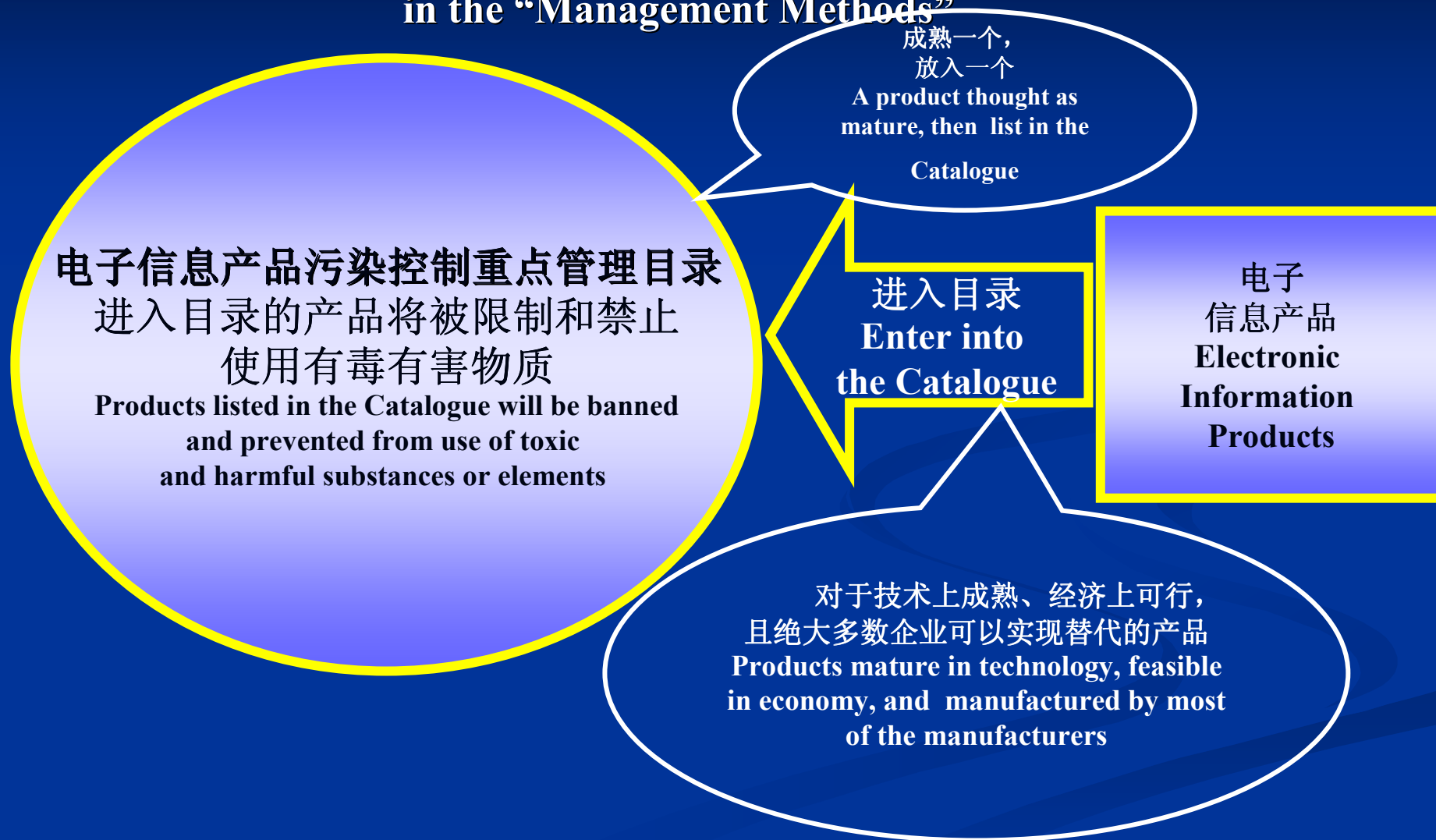
- ❖规定了重点管理目录的内容组成,确定管理目录是一个动态的目录，随着技术的不断发展和客观实际的需要，其内容将会不断被调整，调整由信息产业部商其他六个部委共同来完成。

The measure specifies the contents of Catalogues, identify the Catalogue is a dynamic catalogue. As technology continually develops and situation requires, the contents would be adjusted in accordance with actual situation. The adjustment would be completed by Ministry of Information Industry and other six ministries through consultation.

- 所有的电子信息产品分为两大类，一类是重点管理目录以外的电子信息产品，另一类是放入重点管理目录中的电子信息产品。纳入重点管理目录中的产品应该满足《管理办法》中每一条款所规定的要求；未纳入重点管理目录的电子信息产品需满足与重点管理目录相关规定外的条款的要求。
- All electronic information products have been categorized into two types: One type is electronic information products not listed in the Catalogue; Another is those listed in the Catalogue. For these listed in the Catalogue, they must comply to requirements of each article of the “Management Methods”. For those not listed in the Catalogue, they must comply to requirement of other articles not related to the Catalogue.
- 对于重点管理目录中的产品限制使用有毒有害物质的期限由政府发布，从该时间开始，该产品中含有的重点管理目录中列出的相应的有毒有害物质的含量必须达到相应的国家标准或行业标准的要求，产品也必须经过强制认证才能进入市场。
- The deadline for preventing from use of toxic and harmful substances or elements in products specified by the Catalogue should be issued by the government. Since the effective date, content of toxic and harmful substances or elements in this product must comply to relevant national or industrial standard, and this product must pass through compulsory certificate before entering into market.

《管理办法》确定的对有毒有害物质的管理模式

Management Model for Toxic and Harmful Substances or Elements in the “Management Methods”



欧盟RoHS指令对有毒有害物质的管理模式 Management Model for Toxic and Harmful Substances or Elements in the “Management Methods”

欧盟RoHS指令限制使用六种有毒有害物质的产品范围:WEEE指令中规定第1-7、10, 共八大类产品

**Product scope in EU RoHS Directives:
Article 1-7, and 10 in WEEE Directive,
8 categories of products in total.**

不受RoHS指令约束
**Unrestricted by
RoHS Directive**

豁免产品将不受限制和禁止措施约束

**Products in exemption list
will be exempted by
control and preventive
measures**

豁免清单
Exemption List

对技术上、经济上实行有害物质控制不可行的产品实行豁免。
**Products unfeasible in technology
and economy are exempted to
control toxic substances**

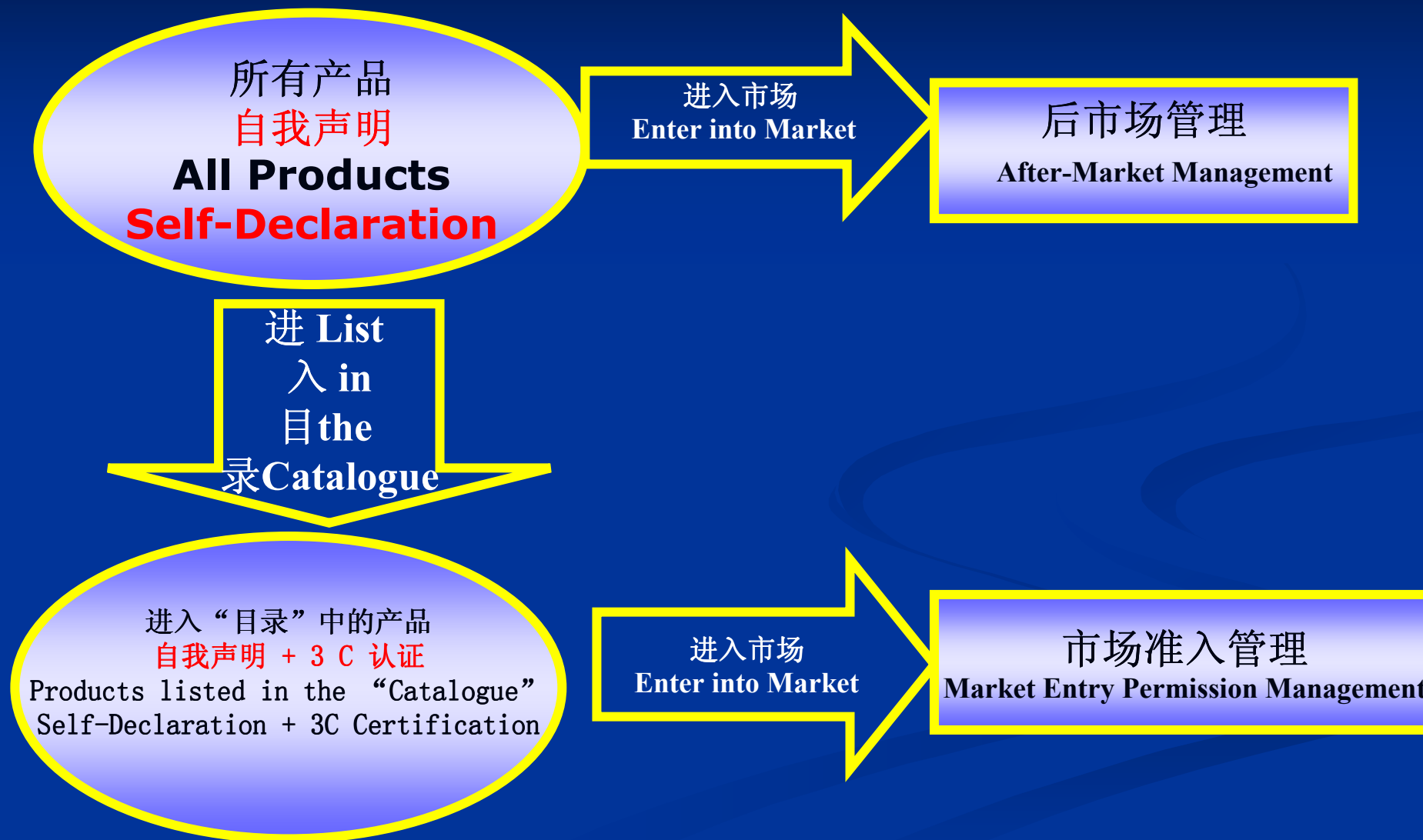
第十九条 国家认证认可监督管理委员会依法对纳入电子信息产品污染控制重点管理目录的电子信息产品实施强制性产品认证管理。

出入境检验检疫机构依法对进口的电子信息产品实施口岸验证和到货检验。海关凭出入境检验检疫机构签发的《入境货物通关单》办理验放手续。

Article 19. Certification and Accreditation Administration of China will execute compulsory certification management to electronic information products listed in the Catalogue for Pollution Prevention and Control in Key Electronic Information Products in accordance with relevant laws.

Entry-Exit Inspection and Quarantine Agencies will examine and inspect the imported EIP at the entry port. The Customs will allow products to enter based on “Imported Commodities Customs Declaration” issued by Entry-Exit Inspection and Quarantine Agencies.

- ❖ 对列入电子信息产品污染重点管理目录中的产品中限制使用六种有毒有害物质要实施强制认证管理，在产品进入市场前必须首先进行产品强制认证。
- ❖ products listed in the Catalogue should be executed compulsory certificate management. Before products entering into the market, they must be granted product compulsory certificate.
- ❖ 列入污染控制重点管理目录中的产品进口时，其含有的有毒有害物质必须符合我国的电子信息产品中含有的有毒有害物质控制标准，才可以入境。海关凭借出入境检验检疫机构签发的《入境货物通关单》，办理验放手续。
- ❖ Contents of toxic and harmful substances or elements in imported products listed in the Catalogue should comply to control standards on toxic and harmful substances or elements in electronic information products. The Customs will allow products to enter based on “Imported Commodities Customs Declaration” issued by Entry-Exit Inspection and Quarantine Agencies.



各项标准正在积极制定当中
Some standards are being actively drafted. It is anticipated to be issued soon

《管理办法》
“ administrative measure ”

标准
Standards

重点管理目录
Catalogue

目前正在研究制定目录的程序、规则。管理目录的具体内容尚没有开始制定。
Now the procedures and rules of drafting the Catalogue is under research. The detailed contents of Catalogue has not been formulated.

将继续遵循
符合WTO规则，与国际接轨，
的原则
Continuingly comply with WTO principles,
and integrate with international practice

所有电子信息产品

All electronic information products

重点管理目录
中的产品

Products listed in the Catalogue

从**2007年3月1日**起,
开始执行《管理办法》
除第**18、19、20、21**条
以外的所有条款

Starting on Mar.1, 2007,
except for Article 18, 19, 20 and 21,
all other articles will be effective.

从管理目录实施期限
开始执行《管理办法》
所有条款

Starting on the date the Catalogue is effective,
all articles in the “Management Methods” will be effective.

几个时间点:

Several Dates:

2006年2月28日
Feb. 28, 2006

《管理办法》颁布的时间。
Issue date of the “administrative measure”,



2006年3月—2007年3月
是留给企业的准备和过渡期
Mar. 2006–Mar. 2007

Preparatory and transition period for Manufacturers

2007年3月1日
Mar. 1, 2007

《管理办法》开始实施，
除了与重点管理目录相关的条款，
其他条款均开始生效。

The “administrative measure” will take into effect,
except articles related to the “Catalogue”,
other articles begin to be effective.

重点管理目录实施期限
Effective date for the Catalogue

从公布的该实施期限开始，
列入重点管理目录中的产品
将限制使用六种有毒有害物质。
该时间对于不同的产品而言可能不一样。
Starting from this date, products listed in the “Catalogue”
will control use of six toxic and harmful substances.
To different products, the date would be different.

制定电子信息产品污染控制 重点管理目录

Draft the Catalogue

- ❖正在研究确定管理目录的制定程序和规则问题；

The procedure and rules on how to make the Catalogue is now being researched.

- ❖制定目录的原则和立法的原则一样：符合WTO规则，和国际接轨，结合中国国情；

The principle of formulating the Catalogue is the same as the principle of making laws. That is, comply with WTO principle, integrate with international practice, and consider China's situation.

- ❖坚持“公开、透明、公正”的原则。

Stick to “open, transparent, justice” principles.

第二部分 相关标准介绍

Part 2. Brief introduction on some relevant standards

Standard system of China

- National standard
- Industrial standard
- Local standard
- Enterprise standard

制定电子信息产品污染防治标准 Formulate standards on the control of pollution caused by electronic information products / Industrial standard

2004年10月部组织成立了
电子信息产品污染防治标准工作组
下设三个小组

In Oct. 2004, Form standard working group,
which consists of the following three subgroups

有害物质
限量与检测
小组

Subgroup on
limited volume
and testing of
harmful substances

无铅焊接
小组

Subgroup in charge of
jointing without lead

标志与认证
小组

Subgroup in charge of
label and certification

1.电子信息产品中有害物质的限量要求

Requirements for concentration limits for certain hazardous substances in electronic information products

Main content:

1.Classification of materials (unit) in EIP

- Homogeneous materials (mcv is the same as rohs)
- Mental coating material of component (not Adding (HS) intentionally)
- Some small component or material that cannot be mechanically dismantled further (mcv is the same as rohs)

Qualification evaluation: if all the material (unit) in EIP conform to the concentration limits requirement ,then the whole product can be seen as complying with the administrative measure.

2. 电子信息产品污染控制标识要求

Marking for the control of pollution caused by electronic information products

1. Mark for the control of pollution



2. style of name and content of the hazardous substance or elements

表一 有毒有害物质或元素名称及含量标识样式						
部件名称	有毒有害物质或元素					
	铅 (Pb)	汞 (Hg)	镉 (Cd)	六价铬 (Cr ⁶⁺)	多溴联苯 (PBB)	多溴二苯醚 (PBDE)

全国电工电子产品与系统的环境标准化技术委员会

ENVIRONMENTAL STANDARDIZATION

FOR ELECTRICAL AND ELECTRONIC

PRODUCTS AND SYSTEMS T C

Mirror IEC/TC111

Secretarial : in CQC

Some national standard are in the progress of
drafting to support the enforcement of
administrative measure.

谢谢!
Thank You!

