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Frequent Q&As on *Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Products*

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Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Products (hereinafter referred to as "the Methods") were enacted on January 6, 2016 and will be formally enforced on July 1, 2016. To enable the parties involved to understand various clauses of the Methods and ensure that the Methods are enforced effectively, The Department of Energy Saving and Comprehensive Utilization, MIIT formed a team of experts from Electronics Industry Standardization Institute of MIIT, Chinese Academy of Information and Communication Technology(CAICT),China Electronic Product Reliability and Environmental Research Institute (CEPREI),China Electrical Equipment Industry Association, China Household Electrical Appliances Association, China Electronics Technology Association of Energy and Chinese Academy of Household Appliances to jointly compile *Frequent Q&As on Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Products*(hereinafter referred to as "Frequent Q&As").

During the process of preparing the Frequent Q&As, efforts have been made to solicit opinions and comments from the Environmental Working Group of the [Executive Committee of Foreign Investment Companies \(ECFIC\)](#) Working Committee, European Electrical and Electronic Industry Office, United States Information Technology Office (USITO), Japan Electronics and Information Technology Industries Association (JEITA) and other foreign associations and institutions, as well as domestic and foreign industry experts. After receiving the approvals of the Development and Reform Commission, Ministry of Finance, Ministry of Environmental Protection, Ministry of Science and Technology, Ministry of Commerce, General Administration of Customs and Administration of Quality Supervision and Inspection and Quarantine (AQSIQ), the Frequent Q&As were developed and released to the public formally.

If interested parties have any questions regarding the Methods and related supporting standards, please feel free to send an email to hbc@miit.gov.cn and wrfz@cesi.cn.

This document will be updated and adjusted as needed with revisions of the Methods and the development of supporting documents, as well as the development of relevant technology and industries.

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Preface

Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Products (hereinafter referred to as "the Methods") were enacted on January 6, 2016 and will be formally enforced on July 1, 2016. To enable the parties involved to understand various clauses of the Methods and ensure that the Methods are enforced effectively, The Department of Energy Saving and Comprehensive Utilization, MIIT formed a team of experts from Electronics Industry Standardization Institute of MIIT, Chinese Academy of Information and Communication Technology(CAICT),China Electronic Product Reliability and Environmental Research Institute (CEPREI),China Electrical Equipment Industry Association, China Household Electrical Appliances Association, China Electronics Technology Association of Energy and Chinese Academy of Household Appliances to jointly compile *Frequent Q&As on Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Product s*(hereinafter referred to as "Frequent Q&As").

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This document will be updated and adjusted as needed with revisions of the Methods and the development of supporting documents, as well as the development of relevant technology and industries.

Part 1 General Questions

Q1. Which laws and administrative regulations are the upper-level legislation to the Methods? What are purpose and significance of developing and revising the Methods?

Answer (A): The Methods are a departmental rule, whose upper-level legislation includes the *Law of the People's Republic of China for the Promotion of Clean Production*, the *Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes*, and the *Regulations on Recycling and Disposal of End-of-life Electrical and Electronic Products*.

The purposes of developing the Methods are as follows:

1. To proactively implement *Made in China 2025*, promote the green production, develop green products and build the system of green product in an all-around way;

2. To make restricting the use of hazardous substances in electrical and electronic products (EEPs) the groundwork for China to promote clean production and recycling of waste EEPs, reflecting the environmental protection principle of “Prevention goes first in controlling pollution”, with an aim to implement the guiding principle of “starting from sources of pollution”.
3. To bring restricting the use of hazardous substances in EEPs under oversight of industry, so as to advance legislation and align with international practices.
4. To ensure hazardous substances in EEPs are substituted and reduced, advocate eco-design, and promote environmental protection and conservation and comprehensive utilization of resources during the manufacturing, use and disposal of EEPs.
5. To accelerate the industrial restructuring and upgrading of products, so as to ensure sustainable development of electronic information industry.

Q2. The Methods come based on a revision of the former *Management Methods for Control of Pollution Caused by Electronic Information Products* (hereinafter called former Methods). Compared with the former Methods, what are the main changes in the Methods?

A: Compared with the former Methods, the Methods as revised have the following main changes:

1. Different scope of products covered in the Methods:

After the revision, the name is changed to *Management Methods for Restricted Use of Hazardous Substances in Electrical and Electronic Products*. Compared with former Methods, the scope of products covered in the Methods extends to EEPs from just electronic information products in the former Methods. But the core contents are related to the restricted use of hazardous substances.

2. Different conformity assessment model:

The Methods still adopts a two-step approach. That is, as the first step, no concentration limits are set for hazardous substances in the products covered in the Methods, but a declaration of hazardous substances is required. At the second step, the products that are included in the *Catalog of Products that Have Met the Requirements for Restricted Use of Hazardous Substances in Electrical and Electronic Products*¹ (hereinafter called Compliance Catalog) have to be subject to concentration limits for hazardous substances.

The difference lies in that regarding the conformity assessment model at the second step, the Article 18 of the Methods points out that "The system of conformity assessment for the restricted use of Hazardous Substances in Electrical and Electronic Products shall be developed in China". Namely according to the practical industrial development, efforts shall be made to formulate the conformity

¹Called *Catalog for Priority Control of Pollution Caused by Electronic Information Products* in the *Management Methods for Control of Pollution Caused by Electronic Information Products*.

assessment model in line with national conditions in China, separately develop relevant documents and make clear specific measures and methods based on the procedure specified in the Method.

3. Deletion of marking requirements for packages.

The Methods preserve the requirements that the manufacturers or importers of EEPs, when manufacturing or using packages for the products, shall adopt materials that are non-hazardous, easy to degrade, and easy to recycle. Considering that China has released a national standard for marking requirements for product packages, the marking requirements for product packages in the former Methods are therefore deleted.

Q3. Are there any differences between hazardous substances of restricted use within EEPs mentioned in the Methods and the toxic, hazardous substances or elements mentioned in former Methods?

A: In the Methods, the description of restricted substance is standardized, without affecting the related regulations in the Method.

Q4. Do the Methods apply to Hong Kong, Macao and Taiwan?

A: The Methods don't apply to Hong Kong, Macao and Taiwan. However, any EEPs manufactured in Hong Kong, Macao and Taiwan and sold in Chinese mainland shall comply with relevant requirements of the Methods.

Q5. For the products covered in the Methods, which date should be considered starting date for satisfying the requirements of the Methods,, the manufacture date or the date of going on market?

A: For the products covered in the Methods, their manufacture date shall be starting date for complying with the requirements of the Methods. That is, the products manufactured on and after July 1, 2016 should meet the requirements of the Methods. The manufacture date refers to the date when a product has become a marketable finished product after completing all production-line processes, undergoing inspection and getting packaged.

Q6. Does the manufacture-date approach under the Methods also apply to imported products? Or the date of customs clearance or going on market matters?

A: As with domestically made products, the enforcement date should be manufacturer date of imported products, having nothing to do with the date of customs clearance or of going on market.

Q7. The Methods reference in many articles that “shall comply with national standards or industry standards for restricted use of hazardous substances in EEPs” and “shall not violate national standards or industry standards for restricted use of hazardous substances in EEPs”, please specify what these standards are. Must enterprises have to enforce them?

A: According to Articles 11, 13, 14, 16 and 18 in the Methods, the national standards or industry standards for restricted use of hazardous substances refer to the following standards (including amendments):

1. Marking for the restriction of the use of hazardous substances in electrical and electronic products (SJ/T 11364-2014);
2. Requirements of concentration limits for certain restricted substances in electrical and electronic products (GB/T 26572-2011);
3. Determination methods and standards of hazardous substances

Electrical and electronic products—Determination of six regulated substances (lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls, polybrominated diphenyl ethers)(GB/T26125-2011, IDT IEC 62321:2008);

Determination of Hexavalent Chromium in Electrical and Electronic Products Atomic Fluorescence Spectrometry (GB/T 29783-2013)

The above-mentioned standards are all standards developed to support the Methods and must be implemented as specified in the Methods. Only when enterprises implement these standards, can they meet the requirements of the Methods. As such, the products covered in the Methods must follow the standards.

Q8. A concept of “term of environmental use” appears in Article 3 paragraph 6 of the Methods, does the term of environmental use equal the term of safe use?

A: In the Methods, the term of environmental use of EEPs is defined as the period in which hazardous substances contained in EEPs, when such products are normally used per product instructions, will not leak out or mutate, or produce severe environmental pollution or cause serious damage to personal and property safety of users. The term of safe use is totally different from the term of environmental use which does not include the term of use defined by electrical performance safety and electromagnetic safety. In many cases, however, safety problems come with leaking of hazardous substances.

Q9. As EEPs feature a sophisticated structure, how to fix the term of environmental use of a product? Is the term of environmental use subject to government approval?

A: Per Article 15 of the Methods, the term of environmental use of EEPs can be determined by enterprises on their own, and relevant industry associations are encouraged to develop guidelines for fixing the term of environmental use for EEPs. Enterprises may also refer to the method specified in SJ/Z 11388-2009 *General guidelines of environment-friendly use period of electronic information products* to fix the term of environmental use of products.

In general cases, the term of environmental use of an end product is subject to that of the component with shortest term of environmental use in such end product.

The fixing of the term of environmental use does not require government approval.

Part 2 About the Scope of Products Covered

I. Description of the Scope of Products Covered in the Methods

Q10. What do the “auxiliary products” in the definition of EEPs in the Methods refer to?

A: Such “auxiliary products” in the definition of EEPs in the Methods refer to the components, parts and materials used for electrical and electronic equipment covered in the Methods:

Note: The standard or optional auxiliary products of EEPs and attachments/fitting for repair, renovation, expansion or upgrading, etc also are in the category of the above-mentioned components/parts. Wherein the standard auxiliary products refer to the auxiliary parts equipped together with EEPs. The absence of standard auxiliary products affects the use and performance of products to some extent; the optional auxiliary products refer to the components beyond the standard configuration, capable of enhancing product features and improving the product performance. Unlike the standard auxiliary products, the absence of optional auxiliary products does not affect the basic functionality of the product.

Auxiliary products as part of the EEPs shall comply with the requirements of the Methods.

Q11. Regarding the language “exclusive of equipment relating to generation, transmission and distribution of electric energy”, what equipment is excluded? What other equipment and scenarios are not governed by the Methods?

A: The following electrical and electronic equipment and its dedicated or customized auxiliary products are not governed by the Methods.

1. Equipment for generation, transmission and distribution of power, such as system and equipment for power plants, stations of power transmission and distribution, power supply and distribution for buildings;
2. Electrical and electronic equipment for military purpose;
3. Electrical and electronic equipment used for especial or extreme environments;
4. Electrical and electronic equipment for export.

Note: Electrical and electronic equipment for export should comply with regulations regarding restrictions on the use of hazardous substances in countries/areas of export destinations.

5. Products that are imported temporarily and products entering China for repairs but not for sale.
6. Products required for scientific research and tests,
7. Samples and exhibits for exhibition purpose but not for sale.

Q12. Do the Methods have a supporting document similar to the *Explanatory Notes to Classification of Electronic Information Products* to provide a list of products covered in the Methods?

A: The *Explanatory Notes to Classification of Electronic Information Products* supporting the former Methods give a complete list of all the ten categories of products covered in the former Methods. The scope of products covered in the Methods has extended to EEPs and auxiliary products. Considering the fast development of electronics industry and fast evolvement of products, a different approach will be adopted to classify the main equipment covered in the Methods into larger categories with a description,² for reference of the parties involved in classifying the products when implementing the Methods. No other descriptive documents will be developed for the scope of products covered.

It should be noted that the scope of the Methods includes but not limited to the following equipment types and given examples.

1. Communication equipment

Fixed or mobile communication access, transmission and exchange equipment and communication terminals, including wired communication equipment and wireless communication equipment, such as radar speedometer, wireless remote control and navigation equipment, walkie-talkie, mobile phone, fax machine, telephone and wireless RF products.

2. Radio & TV equipment

Radio & TV program production and broadcasting & control equipment, radio & TV transmitter & transmission equipment, and applied TV equipment, such as radio & TV receivers, audio & video recording replay, and stereo equipment, and applied TV equipment such as observation & monitoring TV, education TV, special imaging TV, special function TV and tracking TV.

3. Computer and other office equipment

Computer equipment includes computers and peripherals, computer network equipment, and electronics and terminals for computer used in finance, information security, industrial control, information collection and identification, such as workstations, servers, personal computers, learning machines, electronic dictionary, electronic album, routers, printers, man-machine interactive equipment, IC card reader, smart writing board, biometric recognition equipment, mobile storage media, uninterruptible power system, voice and image output equipment.

Other office equipment includes slide player and projector, camera, copier, offset press, calculator, and currency-counting machine, such as various types of copiers, multi-functional printer/copier/scanner, paper shredder, typewriter, attendance machine, calculator and cash register.

4. Household electrical and electronic equipment

²Main bases for classification of products: National Bureau of Statistics *Industrial classification for national economic activities* (GB/T 4754-2011), Products Classification Catalog used by National Bureau of Statistics, and *Explanatory Notes to Classification of Electronic Information Products*.

Household electrical and electronic equipment refers to electrical and electronic equipment and devices for household and similar purpose, including audio & video equipment, stereo equipment, refrigerator, air conditioner, ventilation appliances, kitchen appliances, sanitary appliances, beauty appliances, healthcare appliances, heating appliances, and processing equipment such as for sewing, knitting and electronic clock and similar products, also including household appliances such as cookers, gas heating apparatus, gas water heaters, solar water heaters, as well as security and monitoring system terminal equipment.

The “for household and similar purposes” refers to non-productive machines and devices³ that are largely used in homes and may be used by non-professional personnel in public places such as offices, shopping malls and restaurants.

5. Electronic instrumentation

Electronic instrumentation is the electronic apparatus or equipment used to detect, measure, observe or calculate various physical values, substance compositions and physical parameters, such as electro technical or electronic meters, electronic analyzers, electronic counter/timer, and electronic monitoring devices and instruments.

6. Industrial electronic equipment

Include industrial processing, manufacturing and testing equipment, and monitoring instruments and equipment for industrial control.

7. Electric tools

Electric tools are mechanical tools that are driven by motor or electromagnet and use transmission gear to drive the working head, including handheld and mobile, such as tools for cutting metals and wood, for grinding, for assembly process, for forestry, for agricultural and husbandry use, and for gardening.

8. Electronic equipment and devices for medical use

The electronic equipment and devices for medical use refer to electronic instruments, equipment, apparatuses and other similar or relating tools used for human body for diagnosis, prevention, monitoring, treatment or mitigation of diseases.

9. Lighting products include electric light sources and lighting fixtures. The electric light sources include incandescent lamps, halogen tungsten lamps, fluorescent lamps and high-intensity discharge lamps, and LED lamps. Lighting fixtures include indoor luminaries, outdoor luminaries, emergency luminaries and blast-proof luminaries.

10. Electronic products for cultural activities, education, arts, sports and entertainment

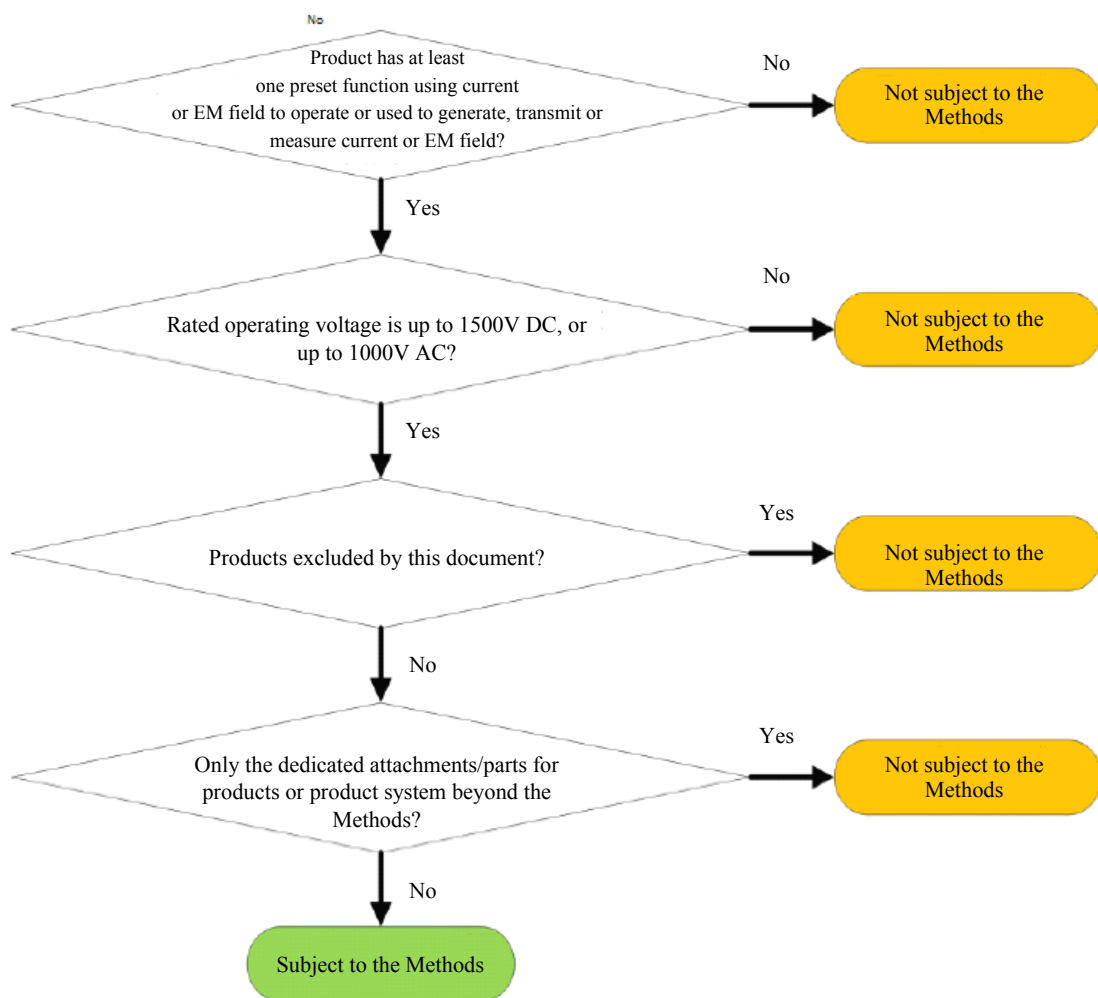
³ Based on a modification of the definition of “Household and similar products” in GB/T21097.1-2007 *General requirements on fixed number of years of safety use and recycling for household and similar electrical appliances* and definition of “household use” in the *Customs Import & Export Tariff of the P.R.C – Statistical Catalog*.

Include various types of electronic musical instruments, and toys, sport requisites, recreational devices and entertainment devices with electronic or electric components.

Q13. How do the parties involved judge whether their products are covered in the Management Methods?

A: The following flow chart summarizes the provisions of the Methods and this document on the scope of the Methods. The parties involved may judge whether their products are covered in the Methods per the following flow chart:

When necessary, the interested parties have responsibilities to preserve and / or provide the evidences to prove that the relevant products are of types explicitly excluded in this document.



II. Cases Relating to the Scope

Q14. Are electric transportation machinery and tools subject to the Methods?

A: Electric transportation machinery and tools transport equipment and electric tools are not EEPs, therefore they are not subject to the Methods.

Q15. For the cells and accumulators for different applications, how to judge whether they are covered in the Methods?

A: Except the dedicated cells and accumulators covered in the exceptions to the Methods as clarified in this document, other types of cells and accumulators are all covered in the Methods.

Q16. For the electric wires and cables for different applications, how to comply with the requirements of the Methods?

A: Except the power transmission wires and cables excluded in the Q11 (1), the wires and cables for EEPs covered in the Methods, and wires and cables used in buildings shall all meet the requirements of the Methods. The wires and cables sold on the market but whose end use is not clear shall also meet the requirements of the Methods.

Q17. Are the consumables such as toner cartridge and ink cartridge subject to the Methods.

A. The consumables that have casing and standard interface, need to be powered up and can be replaced and installed by consumers on their own (e.g. toner cartridge and ink cartridge) are subject to the Methods. For the consumables that are not EEPs, such as the dust bag for dust removers, when sold together with dust removers, they shall meet the requirements of the Methods. When sold separately, they are not subject to the Methods.

Q18. Are products of processing of materials provided by foreign clients and processing with imported materials subject to the Methods?

A: In a broad sense, processing and fitting-together of materials provided by foreign clients refer to processing into finished products or fitting of whole machines by using raw materials or parts supplied by foreign countries for export. The products for export and raw materials, parts and components of imports for export are not subject to the Methods.

Processing with imported materials refers to processing into finished products or fitting of whole machines by using raw materials or components supplied by foreign countries for sales. For export, it is not subject to the Method. For sales within Chinese market, it shall be subject to the Methods.

The exports shall comply with the rules regarding restrictions on the use of hazardous substances in countries / areas of export destination.

Q19. If an EEP is already installed into products beyond the scope of the Methods, is such EEP subject to the Methods?

A: For the EEPs already installed into the products beyond the Methods, even if they are universal products, they are not subject to the Methods, such as display screens used in the vehicle or plane seats, and universal components used in power

generators. However when these products are not clear in terms of final purpose and sold separately in the market are subject to the Methods .

Q20. Are end products used for replacement in the after-sale service subject to the Methods?

A: When the end products used for replacement are considered new products identical to original products and brought to market, they are subject to the Methods.

Q21. The used EEPs, when sold again, are subject to the Methods?

A: The used products are not subject to the Methods.

Q22. Are the products for leasing regulated by the Methods?

A: The products put on market for leasing is considered those for sale, and are therefore subject to the Methods.

Q23. If an overseas parent company resells EEPs to its subsidiary based in China after the Methods take effect, do such products need to meet the requirements of the Methods?

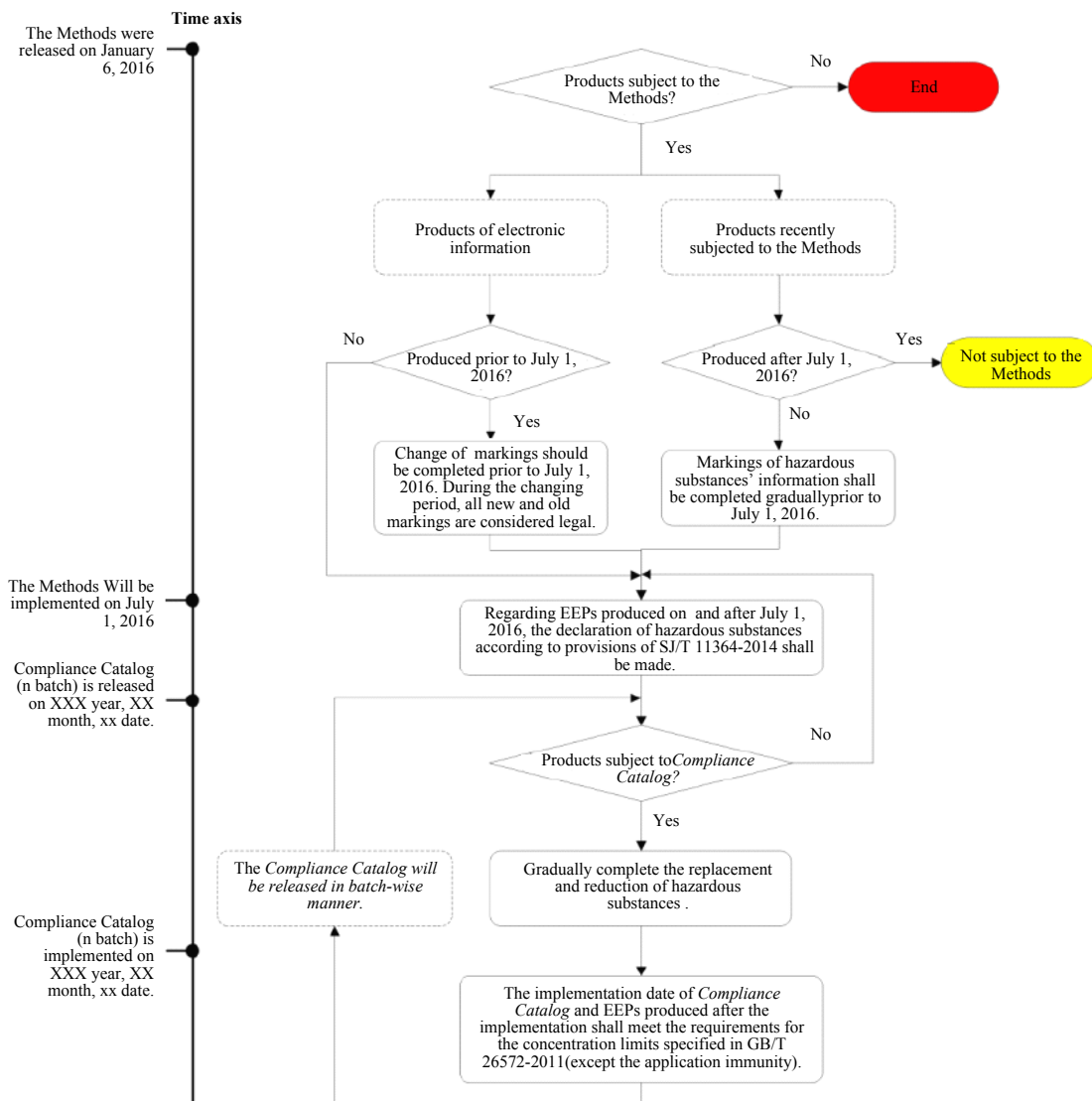
A: If the parent company resells its products to its China subsidiary with a different legal person status, the products shall meet the requirements of the Methods. But if the parent company resells its products to its China branch with same legal person status, this scenario is considered in-house transfer of assets other than an action of “put on market”, and thus does not require compliance with the Methods.

Part 3 Basic Requirements of the Methods

I. Process of Implementing the Methods and Enterprise Operation

Q24. How is the process of implementing the Method and enterprise operation?

A: The following procedure summarizes the general process of implementing the Methods and enterprise operation.



II. Types of Restricted Hazardous Substances

Q25. How to understand “7. Other hazardous substances specified by the State” in Article 3 paragraph (5) of the Methods?

A: This is a general way of representation in Chinese normative documents.

With the development of technology and increasing requirements for the environment, MIIT will conduct an assessment over whether impose restriction on other hazardous substances, and based on assessment results, revise the list of substances in this article.

III. Marking Requirements

(I) Enforcement of standards within the transition

Q26. How the parties involved shall enforce the SJ/T 11364-2014 provisions before the effective date of the Methods?

A: SJ/T 11364-2014 was released on July 9, 2014, and per the MIIT Announcement No.88 (2014),⁴, SJ/T 11364-2014 and the Methods would take effect on the same day, i.e. from the date when the Methods take effect, SJ/T 11364 will become effective.

As such, before the effective date of the Methods, the parties involved may gradually shift to new SJ/T 11363 standard. If an enterprise has completed transition to new standard during the period, compliance with SJ/T 11364-2014 standard shall constitute acceptable marking. For the products newly covered in the Methods, the parties involved shall gradually complete the marking of hazardous substances during the transition, per the SJ/T11364-2014 standard.

The parties involved shall ensure their EEPs manufactured from the effective date of the Methods comply with relevant provisions of SJ/T 11364-2014.

Q27. How enterprises should meet relevant provisions of SJ/T 11364-2014 and based on which documents they are to make declarations regarding the information of hazardous substances in the products?

A: Interested parties may, according to their own manner of hazardous substances control and risk management measures, collect and integrate the information on the hazardous substances in the EEPs and mark the information on the hazardous substances in the products as per requirements of SJ/T 11364-2014, through but not limited to the combinations of following measures:

- a) To require upstream suppliers to provide relevant information of self-declaration and the supporting technical documents;
- b) To commission third parties or make own efforts to determine the hazardous substances in the products pursuant to the available authentic and effective product testing report from any parties;
- c) The valid third-party product certification.

Interested parties shall be responsible for the authenticity and validity of declared information.

Q28. What date shall be the starting date of the term of environmental use of EEPs?

A: Yes, the starting date of the term of environmental use shall be manufacture date of products.

Q29. Can enterprises continue to use the concentration table not used up after SJ/T 11364-2014 takes effect, or use an insert to serve as corrigendum for original table?

⁴Announcement on Suspending the Implementation of SJ/T 11364-2014 (No.88(2014)) posted by the MIIT on its official website on January 8, 2015, for details please visit: <http://www.miit.gov.cn/n1146285/n1146352/n3054355/n3057542/n3057550/c3540183/content.html>

A: Generally, after SJ/T 11364 takes effect, if the remaining “Table of name and concentration of hazardous substances” does not meet the requirement of the standard, it cannot be used continuously. If such table is part of the product manual or printed on the product packages, such manual/package can continue to be used. To save the operations costs, enterprises may use an insert to serve as corrigendum for original table.

(II) Questions relating to scope of standard

Q30. The Methods apply to EEPs while SJ / T 11364-2014 apply to electrical and electronic products. How should enterprises implement SJ / T 11364-2014?

A: Products subject to the Methods shall be marked in accordance with provisions in the SJ / T 11364-2014; products not subject to the Methods but subject to standard scope of SJ / T 11364-2014 shall be marked in accordance with provisions in the SJ / T 11364-2014, as recommended to related enterprises.

(III) Marking of EEPs auxiliary products

Q31. In purchasing for supporting the manufacturing of end products, how should upstream and downstream enterprises in the supply chain pass and indicate the hazardous substance information?

Q31.A: As per the provision of SJ/T 11364-2014, “for the EEPs purchased for supporting the manufacturing of end products, suppliers may not label such products they supply, but must provide the purchaser with all the information required for labeling.” This provision is largely made to avoid repeated labeling and waste of resources, and emphasize that upstream suppliers have responsibility and obligations to offer customers all the information required for labeling. At the same time, marking information shall cover all the parts of such product. “the EEPs purchased for supporting the manufacturing of end products” include EEP parts, components and raw materials purchased from overseas to support manufacturing of end products.

Q32. Should attachments/fittings for after-sale replacement or repairs be marked?

A: Because attachments/fittings of EEPs are typically used for repairing or upgrading products of same types, in order to avoid repeated marking, such attachments/fittings of EEPs for the after-sale services do not need to be marked.

Q33. For some attachments/fittings that are not EEPs, when they are sold together with end product, how should they be marked? Should the Table of name and concentration of hazardous substances indicate the concentration of hazardous substances of these attachments/fittings?

A: For some attachments/fittings that are not EEPs, e.g. extension board of electric sewing machine and lens hood of camera, if they are sold together with end product, they shall be marked together with end product according to SJ/T 11364-2014, the concentration of hazardous substances in the attachments/fittings shall be indicated in the list of hazardous substances names and concentrations, otherwise no marking is required.

Q34. For the removable attachments/fittings of EEPs are also end products, should they be marked alone or together with the end product regarding the marking of the term of environmental use?

A: For some removable attachments/fittings of an EEP are also end products, e.g. (such as a power adapter, keyboard, etc.), enterprises may choose whether to mark them together with end product. If concurrent marking, the “Table of name and concentration of hazardous substances” shall contain the information of hazardous substances in such attachments/fittings. If respective marking, the table shall give respective indication. But the Table shall include the attachments/fittings and indicate where hazardous substances are.

For attachments/fittings in need of regular replacement and containing hazardous substances, especially when the term of environmental use of such attachments/fittings is less than other parts of EEPs, attachments/fittings in need of regular replacement and end products should be marked separately, so that the term of environmental use shall not be affected by the replacement parts.

Q35. How should enterprises mark the complete equipment containing a plurality of EEPs? For Example, should a television and remote control sold together with the television be marked separately?

A: If the terms of environmental use of these EEPs in the complete equipment differ, they should be marked separately; if the terms of environmental use of these EEPs in the complete equipment are the same, respective marking or indication may be made on the main product. The Table of Concentration should include the concentrations of hazardous substances and indicate where hazardous substances are.

(IV) Questions relating to contents and carrier of marking

Q36. When the concentration of all the hazardous substances in products does not exceed the concentration limits specified in GB/T 26572-2011, should the products bear an “e” mark as shown in Fig.1 of SJ/T 11364-2014?

A: Per 6.2.1 of SJ/T11364-2014, if the concentration of hazardous substances in products does not exceed the concentration limits specified in GB/T 26572-2011, Fig.1 (“e” mark) shall be chosen for marking, without need to declare the table of concentration of hazardous substances.

Q37. What is the font of “e” in Fig.1 in 5.1 of SJ/T11364-2014, and what is the aspect ratio?

A: For a nice-looking design, the “e” in the mark is presented in artistic style, and its aspect ratio can be obtained from the standard mesh chart in Fig.3 in 5.4.1 of the *Marking for the restriction of the use of hazardous substances*. Interested parties can access the following website to download the electronic version of FIG. 1 and FIG. 2:

[:http://www.cesi.cn/cesi/wrkz/biaozhunhuayanjiu/2016/0309/12419.html](http://www.cesi.cn/cesi/wrkz/biaozhunhuayanjiu/2016/0309/12419.html)

Q38. Is it mandatory to choose between green mark and orange mark specified in SJ/T 11364-2014? When the color of a product is close to that of mark, how to handle this?

A: SJ/T 11364-2014 does not prescribe the color of marking for restricted use of hazardous substances. Per 5.3 of SJ/T 11364-2014, green and orange are recommended colors for different marks. Manufacturers or importers may, as the case may be, choose other colors for marking per the specifications of size, but shall comply with 6.1.1 of the standard.

Q39. The minimum size of marks as specified in 5.4.2 of SJ/T11364-2014 is 5mm×5mm, what if marks of such size fail to be striking on the products?

A: The mark specifications given in SJ/T 11364-2014 are only minimum requirements. When carrying out marking, the mark can zoom in *pro rata*.

Q40. What does it mean by “enterprises can, as the case may be, further explain the technical reasons for putting an “x” beside the above items” at the bottom of Table 1 in 6.2.2 of SJ/T 11364-2014?

A: Per the provisions of SJ/T 11364-2014, when the concentration of certain hazardous substance in products exceeds the concentration limits specified in GB/T 26572, then put a “x”. When it is impossible to realize substitution or reduction of hazardous substances due to technical or economic reasons, further explanations can be given in the bracket.

Q41. SJ/T 11364-2014 requires that the name and concentration of hazardous substances shall be indicated for specific parts, and then how to divide the parts? Do the parts containing no hazardous substances need to be listed in the table of declared concentration of hazardous substances?

A: EEPs are diverse, and it is impossible to list all of the parts of a product. The division method can be determined by enterprises on their own, but shall include all the portions of the product. The concentration of hazardous substances is preferably declared with single part or same type of parts as a unit, to fully reflect the presence of hazardous substances in the product.

The parts containing no hazardous substances are not required to be listed in Table 1 Table of concentration of hazardous substances in 6.2.2 of SJ/T 11364-2014.

Q42. Can the term “other” be used to indicate the parts hard to divide? i.e. use “Other” as the name of the parts in Table 1 of SJ/T 11364-2014.

A: The purpose of indicating the name and concentration of hazardous components by part is to let the recycling entities better understand the information on substance composition of the products and carry out recycling based on their type. Use of the term “other” to replace “part name” cannot serve the purpose noticeably, and so it is not allowed.

Q43. When using SJ/T 11364-2014 Table 1 to indicate relevant environmental information in the product manual, can the scope of marking in the table be expanded to provide more hazardous substance information?

A: The table given in SJ/T 11364-2014 is minimum, and enterprises can expand the marking scope of the table for purpose of providing more hazardous substance information for consumers and recycling entities, but shall not delete or reduce the information required by the original table or influence the indication of original information. It is allowed to declare more hazardous substances and indicate the term of environmental use of each component on such components.

Q44. SJ/T 11364-2014 requires in 6.3 that “..., where choose Fig.2 for marking, enterprises shall replace the number with the actual term of environmental use of the product, and give a detailed description of use conditions for achieving the term of environmental use and special marks for auxiliary products.” Please further explain the use conditions and special marks for auxiliary products.

A: The term of environmental use of a product may vary under different use conditions. At the same time in order to avoid the possible harm caused to human health and the environment due to the improper use or disposal of products, manufacturers or importers, when indicating the term of environmental use, need to mark the environmental conditions and methods of usage as well as prompts or warning messages of misuse prevention on the product description e.g. “away from heat” or “may not be disassembled”, according to the product features, predetermined design features or occasions.

“Special marks for auxiliary products” refer to use of separate marks of hazardous substance concentration restriction by manufacturers or importers for special auxiliary products such as printer consumables and cells.

(V) Some cases relating to marking

Q45. Now many EEPs have cells that cannot be taken down, so only one mark is required in such cases?

A: For the EEPs having cells that cannot be taken down, only one mark indicating restricted use of hazardous substances is required, but the table of concentration of hazardous substances shall cover all the units of product including cells.

Q46. The nameplate of some mobile phones is usually located within the cell compartment, can the mark be attached within the compartment with the nameplate?

A: Yes. Removable battery for mobile phones, the battery compartment is a visible part of the consumer when removing the battery, so this kind of mobile phones in the battery compartment can be identified, and should meet the requirements of SJ / T 11364-2014 6.1.1 that the mark shall be clearly visible and not easily fade and not easily removable.

Q47. When product instructions cannot be separated from the package, can the mark and concentration table be attached on the package alone?

A: Per Chapter 4 “General Provisions” paragraph 3 of SJ/T11364-2014, the carrier of product instructions can be packages. If meeting the conditions specified in 6.1.2 paragraph 2, marking on the package alone is allowed.

IV. Requirements of Concentration Limits

Q48. The Methods specify that all the products included in the Compliance Catalog shall meet the requirements of concentration limits, so can enterprises get involved in the development of Compliance Catalog?

A: Yes. MIIT will work with relevant ministries and release the Compliance Catalog in the batch-wise manner based on the condition of industrial development in the spirits of openness and transparency.

Q49. For the products included in the Compliance Catalog, are there any exceptions (exemption) to the restriction on certain hazardous substances in products?

A: In developing the Compliance Catalog, some exceptions to restrictions will be concurrently assessed and clarified, and will be released together with the Catalog.

Q50. Is there a period of transition to the Compliance Catalog?

A: A period of transition will be set for implementing the Compliance Catalog, and clarified when the Catalog is released.

Q51. Per Article 18 of the Methods, the products included in the Compliance Catalog shall be managed by introducing a conformity assessment model on restricted use of hazardous substances in EEPs. What are the forms and contents of the conformity assessment system?

A: The conformity assessment model on restricted use of hazardous substances in EEPs shall be released in an appropriate form according to the stipulations in second paragraph of Article 18 of the Methods.

Part 4 Other Requirements of the Methods

Q52. The Methods require that the design and manufacturing of EEPs shall comply with corresponding national standards or industry standards, and while satisfying the process requirements, adopt the approaches conducive to environmental protection. Then are there mandatory requirements for product design and manufacturing?

A: Per Articles 9 and 10 of the Methods, in designing and manufacturing EEPs, the parties involved need to comply with relevant national standards or industry standards, adopt the approaches and technologies that enable efficient resource utilization and ease of recycling and disposal, and facilitate environmental protection, to restrict or eliminate the use of hazardous substances in products. The two articles are provisions for encouragement purpose, and there are no mandatory requirements.

Q53. Are EEP packages subject to the Methods?

A: Article 12 of the Methods requires that the EEP packages shall comply with relevant standards and adopt the materials that are non-hazardous, easy to degrade and recycle. As such, the packages for EEPs are subject to the Methods. However, this article is now a clause for encouragement purpose.

As the current Methods have excluded the provisions on marking of packages, please refer to relevant regulations and national standard for the marking of EEP packages.

Q54. Do the Methods involve the take-back, disposal and reuse of end-of-life EEPs?

A: The purpose of developing the Methods is to facilitate the dismantling and disposal of end-of-life EEPs, and reduce environmental pollution caused by waste EEPs. But the Methods emphasize the need to “start from sources of pollution”, and raise requirements for design, manufacturing, sale and import of EEPs. The take-back, disposal and reuse of end-of-life EEPs shall follow relevant provisions of the *Regulations on Recycling and Disposal of Waste Electrical and Electronic Products* (State Council Order No.551).

Part 5 About the Penalty Provisions

Q55. Chapter 3 does not provide specific punishment measures for the violations of the Methods, why?

A: As relevant ministries/commissions have provided for penalty clauses for different cases of violations respectively, to ensure consistency, it is inappropriate for the Methods to provide specific measures in this chapter. As such, per Article 19 of the Methods, any organization or individual violating the Methods will be referred to the commerce or quality inspection or customs departments for taking punishment measures within the domain of their respective duties.

Q56. After the Methods take effect, suppose if end products are found violating the Methods due to supply chain problems even if a manufacturer of end products has developed a sound green supply chain management system, who are to blame, the manufacturer of end products or supplier of components?

A: If the end products are found violating the Methods, the manufacturer of end products should bear the responsibility even if such violation is caused by upstream suppliers of parts or components. The responsibility of the upstream suppliers shall be looked into by the end product manufacturer on its own.