

Chinese Administration on the control of pollution caused by electronic information products (ACPEIP)

Draft proposal for a common understanding of EIP-producers: decisions on marking according to Standard SJ 11364/2006: “Marking Requirements for Control of Pollution Caused by Electronic Information Products”

Please note: the information in this document is based on publicly available sources (http://www.aeanet.org/GovernmentAffairs/gabl_ChinaRoHSpaage0905.asp). The underlying legal requirements (ACPEIP, SJ 11364/2006 etc.) are originally in Chinese. As their English translation can be used for reference purposes only, the information below can not be taken as legally binding.

1) Marking



Figure 1




Figure 2

No.	Question	Source of information, rationale	(proposed) decision
1.0	<p>What is EPUP and is EFUP different?</p> <p>Who is responsible to define the EPUP?</p> <p>Is EPUP and life time of an EIP different?</p>	<p>Acc. Standard 11364-2006 Section 3.5: Environmental Protection Use Period (EPUP or Environmental Friendly Use Period EFUP) refers to the period during which the regulated hazardous substances or elements contained in electronic information products will not leak or mutate under normal intended conditions so that the use of such electronic information products will not result in any severe environmental pollution, any bodily injury or damage to any asset.</p>	<p>There is no difference between EPUP and EFUP.</p> <p>The EPUP is determined by the producer of an EIP. The number can be based on physical and chemical consideration as well on experience or other considerations. Several approaches had been published to determine the EFUP within the last months, but no official regulation exists.</p>

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		<p>Toxic and hazardous substances or elements are Pb, Cd, Hg and compounds thereof, Chromates and PBB, PBDE.</p>	<p>Based on experience, knowledge of the materials used for passive components and physical and chemical considerations the ZVEI members of the components industry decided on an EFUP of 50 years for their product range.</p> <p>The designation of 50 years EFUP is <u>not</u> to be equated with <u>the durability or use-duration</u> of the products.</p> <p>Telecom equipment manufacturers suggest to use an EFUP of 50 years for communication transmission equipment, communications and switch equipment, mobile base stations and 20 years for communications terminal device such as telephones and mobile phones.</p>
1.1	„Green” label without EPUP possible for products compliant to EU RoHS with exemptions, e.g. lead in solder for network infrastructure equipment?	Only equipment with restricted substances below all limits may be labeled „green” – no exemptions like EU-exemptions in ACPEIP.	Orange Label acc. Fig. 2 in Marking Standard, (Section 5.2) with Environmental Protection Use Period (EPUP), for all products not below the Maximum Concentration Values (MCV), regardless EU-RoHS exemptions. The colours green and orange are suggestions.
1.2	Different colour (not orange as suggested) allowed?	Marking Standard, section 5.3: Orange is a suggestion. 5.5.3: molding, spray coating, sticking or printing is allowed	Different colours (e.g. black & white on printed label) are allowed
1.3	Placing of label e.g. inside battery compartment?	The marking standard states " 5.5.3 If the pollution control logos for electronic products are to be marked on the products, they normally shall be marked at a	Marking e.g. inside Battery Compartment allowed.

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		<p>prominent location on the electronic information products, such as the front of the product, side or back where function keys are located. <u>If restricted by functions and appearances so that it is not possible to mark the pollution control logos in prominent locations, they shall be located at other visible places easily detected by consumers</u>".</p> <p>But: Presentation of Mr. Yang Meng, China Electronic Technical Standardization Institute Nov. 2006 (slide 34): "In case the logo cannot be marked on an obvious area of the product due to restrictions of functions and appearance design, it shall be marked somewhere visible to the consumers when use.(...) Such as inside the Cell Phone's battery compartment</p>	
1.4	Marking necessary for repaired / replaced modules, systems etc.?	<p>This is a verbal interpretation from MII on November 7, 2006, that will likely be recorded in some fashion, in an MII interpretive document. MII verbally indicated that such spares/parts would be excluded from the labelling requirements EXCEPT where such spares/parts are manufactured for "independent," commercial sale. Understandably, this interpretations begs clarification, but still represents a promising interpretation."</p>	<p>No separate marking required if spare parts not for separate commercial sale.</p> <p>Interpretation for capacity expansion of a system: similar</p> <p>Marking required if spare parts are for separate commercial sale.</p>
1.5	Differentiation between parts (e.g. modules) and products (e.g. systems): labeling per module or per system?	<p>No exact information in Marking Standard. Proposal: similar to EU-CE marking</p>	<p>Modules/parts mounted in a rack/system which is delivered to customer as whole unit: marking on system is sufficient</p>
1.6	Is an additional marking on the packaging with the symbol according to fig. 1 or fig. 2 of the marking standard allowed?	<p>No information in marking standard During Beijing conference 4-5.Dec. 2006 it was said that customs will not unpack the products and will not check! Check will be done in the</p>	<p>Only marking of packaging material according to GB 18455-2001 is necessary. In accompanying documents a hint might be given on the marked product with</p>

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		<p>country e.g. in shops. (not confirmed in writing)</p> <p>See answer 1.8!</p>	<p>symbol acc. to fig 1 or 2 of SJ11364-2006.</p> <p>(Wilmerhale, July 2006) Q20: Can self-declarations be made together if both an electronic information product and its packaging contain toxic or hazardous substances?</p> <p>A: The Administration Measures require that toxic and hazardous substances contained in products or packaging shall be marked and declared, but that does not mean declared together. Toxic and hazardous substances contained in packaging shall be marked on the packaging; toxic and hazardous substances contained in a product shall be marked on the product (or in the instructional brochure).</p>
1.7	Is a marking of the production date necessary?	<p>Contradictory (oral) information was given during Conference EU-MII 4./5., Dec. 2006, not confirmed in writing: Production date on the product after the 1 March 2007 is necessary. Otherwise EFUP has no starting date and therefore no expiry date.</p> <p>But: Marking Standard 7. "The date of production for the electronic information product shall be the start date for the environmental protection use period of the product." – No requirement for clear and visible marking of the production date.</p> <p>The manufacturing date must be indicated on the equipment with the following possible formats: Year, YearWeek, YearMonth, YearMonthDay.</p>	<p>No obligation for marking of production date in un-coded text, coded text is allowed. Manufacturing date information can be included in the equipment serial number.</p>

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		These formats are described in the GBT7408-94 standard (Data elements and interchange formats-Information interchange-Representation of dates and times).	
1.8	Who will check the labeling (customs)? Does it help to label "green" or "orange" on outside of packaging?	Oral information from MII, not confirmed in writing: Chinese customs will not check products and unpack them. The standard requires labeling on the product or in the manual. A marking on the outer packaging is not required. Market surveillance regarding marking is done by Chinese market surveillance authorities. "only part of system => does not need to be labeled".	No marking required except the marking for the packaging material according to GB 18455-2001: "Packaging material recycling labels" (refer to 1.6)
1.9	Packaging material: Which kind of marking?	Marking for the packaging material according to GB 18455-2001: "Packaging material recycling labels" "Standards" FAQ Q36: paper and cardboard packages can only bear the recycling symbol: 	Follow GB 18455-2001 + FAQ instructions
1.10	Marking of connecting cables?	See 5.5.2 of marking standard.	No marking possible because of shape If sold separately: documentation regarding marking in manual If part of system: label system only (and have table with details in manual)

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1.11	Marking of electronic components, cables, etc. "not for separate sale".	<p>4. General Rules With respect to the electronic information products that are purchased for manufacturing. Suppliers need not provide the aforementioned marking, but shall supply to the purchaser all necessary information required for marking. Correspondingly, the purchasers [in this case] shall mark the electronic information products they manufacture and the scope of marking shall include that for the electronic information products purchased for manufacturing.</p> <p>Interpretation: "not for separate sale" is taken as: product will not be sold by a retailer to a final customer. E.g.: electronic components supplied to a manufacturer in China.</p>	No marking of the product required only information on hazardous material content if above thresholds and EFUP needs to be provided to the purchaser in order to ensure he can mark accordingly. This information can be provided via Internet.
1.12	How to deal with aggregation of different EPUPs for parts of a product?	<p>See "Standards" Q&A Q20:</p> <ul style="list-style-type: none"> According to "Bucket Theory", the complete product's Environmental Safe Use period in such scenario should use the worst case's environmental safe use period. <p>Comment: Consequence is that integrators can not determine EFUP themselves, as it becomes driven by components/subassemblies EFUP. This is contradictory with the determination methods and values given in the standard. It also does not take into account the component conditions of use to determine EFUP (although the same component used on a mobile phone or on an air conditioned indoor infrastructure equipment might have very different EFUP).</p>	<p>Use of the EFUP determination methods given in the standard. Potential conflicts with components EFUP are not considered.</p> <p>If there are parts with different EPUPs it should be stated in the manual the scope of the EPUPs, e.g.: The EPUP for the product is xy years with the exemption of the consumables which have an EPUP of zy years.</p>

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		Then e.g. for battery containing products always the EPUP of the battery would constitute the EPUP of the product – this could not be the right approach.	

2) Names & Content of toxic and hazardous substances or elements (6.2.)

部件名称 Name of the part	有毒有害物质或元素 Hazardous substances					
	铅 (Pb)	汞 (Hg)	镉 (Cd)	六价铬 (Cr(VI))	多溴联苯 (PBB)	多溴二苯醚 (PBDE)
机体外壳 Cab Top	○	○	○	×	○	○
LCD 屏 LCD Display	×	○	○	○	○	○
线路板 PCBA	×	○	○	○	○	○

○ : 表示该有毒有害物质在该部件所有均质材料中的含量均在 SJ/T11363-2006 标准规定的限量要求以下。 indicate all homogeneous materials' hazardous substances content are below the ST/T11363-2006 MCV limit

× : 表示该有毒有害物质至少在该部件的某一均质材料中的含量超出 SJ/T11363-2006 标准规定的限量要求。 indicates that the hazardous substance content contained in any one of the homogeneous materials of the part exceeded the MCV limits specified in the Standard SJ/T 11363-2006。

No.	Question	Source of information, rationale	(proposed) decision
2.1	Which information in the manual /product description is necessary?	Marking Standard SJ 11364/2006: <ul style="list-style-type: none"> • Table with substances and information which substances are higher than mcvs (standard SJ/T 11363-2006),,differentiated by parts/modules (see 6.2 of standard), (e.g. "Housing, Display, PCB") • Marking fig. 1 or 2 if no marking on product itself is possible. 	Not too detailed information (only by parts) in the table (see table on top). Proposal for text: "The parts marked with "x" in the table might contain HS above the maximum concentration values". Information needs to be in Chinese!
2.2	Can default values for "typical" configuration of a system be used?	If a manual covers different configurations (e.g. a certain number of modules, subracks), it should be possible to list the types of parts in the table regarding the hazardous substances accordingly.	Yes, as long as they are in line with systems configuration options in manual t.b.c.
2.3	How detailed information is required in the table acc. to 6.2?	See Presentation of Mr. Yang Meng, China Electronic Technical Standardization Institute Nov. 2006 (slide 50) "Q&A: <ul style="list-style-type: none"> • Q: <Labeling Standards> requires to label the names and the contents of the hazardous substances corresponding to the parts if these parts contain the hazardous substances exceeding the control limits, how to classify or define "parts"? • A: "Parts" is referred to items in a product formed by a number of sub-assemblies of independent functions which are assembled with components and materials. Classification of parts is defined by the producers/enterprises as long as it follows the industrial practices and covers the whole products. ... 	Follow industry practice, not too detailed; e.g. for a TV "Housing", "Display", "PCB" and "cable" should be sufficient. For Telecom equipment e.g.: "Metal parts", "PCBs", "Plastic parts", "Cable and cable assemblies", "Circuit breakers", "batteries". (cf. 2.1)
2.4	If product information is not a printed manual – can the table be integrated in a CD-ROM-manual?	Yes, in "Standards "Q&A Q13:	Yes, integration in electronic manual is possible. In addition, web page etc. is possible- But accessible and readable for Chinese.

3) Scope / affected products

No.	Question	Source of information, rationale	(proposed) decision
3.1	Batteries and rechargeable batteries in handsets etc. under China-RoHS restrictions?	Batteries are restricted by ACPEIP - need to be marked separately when sold separately (verbal confirmation of Mr. Yuang, Director of MII during China RoHS Conference 4./5.December 2006 in Beijing.	
3.2	Do prototypes and models for R&D, experiments and testing require marking of names of toxic and hazardous substances and environmental-friendly use period?	Section 1. Scope "The standard applies to the electronic information products for sale in the People's Republic of China." The prototypes and models for R&D, experiments and testing are used for exhibition, experiments and R&D, they are not "put on the market".	No marking
3.3	Which products are in the Chinese RoHS?	The product list for Information products from March 2006 with 1800 products is still valid. The products are only examples. The list has no logic structure. It will not be changed. Information from MII during visit of German Minister on 8. Dec 2006.	Included are also Medical devices and also production equipment like pick and place machines.

4) Date of entering into force

No.	Question	Source of information, rationale	(proposed) decision
4.1	To which date refers the obligation 1.3.2007?	FAQ-Document by MII as of 1 December 2006: Q: In Clause 13 in "China RoHS", EIP "put onto the market" after March1 07 should fulfil marking requirements, What date is deemed as "put onto the market" date? A: "Put onto the market" can be interpreted as "manufacture date" in common sense, which is "date for the product leaving the production line". EIP with "Manufacture date" later than the effective date (2007.03.01) should fulfil the relevant requirements in the "China RoHS".	It refers to 1 March 2007 as production date.