

**The end of free electronics give-aways? WEEE might scupper them at least.**

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On July 1<sup>st</sup>, the Waste Electronic and Electrical Equipment (WEEE) Directive came into force in the UK. Although July 1<sup>st</sup> felt like any other day to most of us, producers of electronic equipment were busy, preparing contracts with recycling services providers, and making provisions to ensure that products within their brand ranges have clear instructions for their disposal at the end of their useful life.

There has been a fair amount of build-up to the transposition of the WEEE directive; in particular for those who clearly fall into definitions of a producer. The vagaries of the directive were the topic of discontent for many debates among stakeholders; in particular the exact definition of phrases such as “producer” and “distributor” and “put on the market”. More recently, you may have seen adverts on the TV with electrical store retailers offering in-store take back of old goods when you buy a new one. Consumer education is likely to increase over the next 6 months.

However, one small group which may have slipped through the net are companies offering prizes of electronic goods. Offering the latest gadget and gizmo in exchange for a purchase or as a competition prize seems a simple marketing mechanism to draw more interest to an offer. Take for example an email I received on 29<sup>th</sup> May 2007 from STA travel with the subject line:

***American Airlines flight sale ends tomorrow + get a free iPod***

Tempting indeed, but what STA may not be aware of that such an action will make them a distributor of electronic goods, and as such they may be liable to finance the cost of recycling the MP3 players that they give away.

This may be a minor concern for them, especially since their business model does not rely on giving away electronic freebies regularly; however typing "free iPod" into Google returns 2,070,000 results! There are thousands of other organisations offering free MP3 players and other electronic devices as incentives for purchasing, or in exchange of consumer information as part of viral marketing campaigns.

One area which may feel the burden of this is the drinks industry, since many companies supply branded refrigerators to retailers so that they can stock their branded drinks in those fridges. It is also unclear whether drink and confectionary vending machines (also providing some refrigeration) will also come a cropper. This goes further, with corporate gifts emblazoned with a company's logo which will also class that company as a distributor under the eyes of the directive.

Evidently, organisations could circumvent this problem by offering a voucher for a retail store that would then make the retailer responsible, however a corporate gift of a voucher, or effectively telling prize winners to go and get the prize themselves, will no doubt detract from some of the excitement and kudos for the awarding organisation! As yet, it is unknown whether such cases will be a cause for concern. Furthermore, since consumers are still relatively in the dark about what to do with their old electronic products, they may not realise the role of the "distributor" if they are given free electronic items in any case.

What is clear is that there is a requirement for clearer communication from the Department of Trade and Industry to wider stakeholders who may not have been privy to the details and scope of the WEEE Directive, in particular consumers and prize givers.

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