



A Manufacturer's Guide to Wisconsin's Electronics Recycling Law

Wisconsin's electronics recycling law requires manufacturers/brand owners of certain electronic devices to register annually with the state Department of Natural Resources, pay a registration fee (if they meet a threshold for units sold in the state), and help cover the cost of recycling electronics from Wisconsin households and schools. This law has several different components that can be confusing for manufacturers. This guide is designed to help answer manufacturer questions about the law and the program that implements it, E-Cycle Wisconsin.

Definitions

Who is considered a manufacturer?

Under Wisconsin's law, "manufacturer" essentially means the brand owner for a covered electronic device. If your company is the brand owner, you are responsible for ensuring your brand is registered, whether or not your company does the actual production/assembly of your devices. You may choose to delegate this responsibility to a licensee, or have a third party fill out your paperwork, but it is your responsibility to make sure your brand is registered.



Covered electronic devices



Covered electronic devices, or CEDs, are electronics that manufacturers must register with the state of Wisconsin. Covered electronic devices include:

- ▶ TVs and monitors with a screen of at least 7" in the longest diagonal direction (including security monitors and touchscreen monitors).
- ▶ Desktop, laptop, netbook and tablet computers (including kids' tablets) and servers used by households and schools.
- ▶ Desktop printers (including those that scan, fax and/or copy).

Only products available for sale to Wisconsin households or K-12 schools are covered.

What does "available for sale in Wisconsin" mean?

Even if you do not directly sell your product in the state of Wisconsin, it may still be available to Wisconsin residents. If your product is sold online, it is likely available to Wisconsin residents. If your product is marketed through a distributor that works with big box stores or online retailers, it is likely available to Wisconsin residents. Unless you are only selling your product through specific stores that do not have an online presence or a brick-and-mortar presence in the state, your products are likely available in Wisconsin and must be registered.



Registration deadlines

Manufacturers must register with E-Cycle Wisconsin within 10 days of their covered electronic devices being available to state residents. September 1 is the annual re-registration deadline. Program years run from July to June (following the state's fiscal year).

Registration

Who needs to register?

If you...

Manufacture or are the brand owner/licensee of a covered electronic device currently for sale in Wisconsin or online*

YES

You must register and follow all manufacturer requirements:

- ▶ Submit an online registration form (must be done annually).
- ▶ Permanently affix a label to your covered electronic devices that is readily visible and that shows your brand.
- ▶ Pay an annual registration fee, if applicable.
- ▶ Work with registered recyclers to meet your annual recycling target, if applicable.

Manufacture non-covered devices **OR** do not have products available for sale in Wisconsin **OR** are a refurbisher

NO

You do not need to register. If a retailer is asking you to register, please email DNRWle-cycling@wisconsin.gov and we can work with you to help retailers understand why you do not need to register.

*There should only be one party responsible for each type of covered device under a brand name. We can help determine if you are the correct party to register a brand.

Are unsure if you qualify for registration

MAYBE

Please email DNRWle-cycling@wisconsin.gov and we can work with you to determine if you need to register.

How do I register?

Our registration form is online. The first step in registration is for us to get some basic information from you and set you up with secure access to our system. Contact us at DNRWle-cycling@wisconsin.gov to get started. Please note the annual registration deadline of September 1.

As part of the registration process, you will be asked to provide your sales data for sales of covered electronic devices to households and schools in Wisconsin. This information is used in calculating how much you will need to recycle in the state. See below for more details on sales data and recycling targets.

Why should I register?

E-Cycle Wisconsin maintains a list of unregistered brands on a Do Not Sell list posted on the DNR website. Until a brand has registered with E-Cycle Wisconsin and paid applicable fees, it is listed as unregistered and retailers, including online retailers, may not sell it to Wisconsin residents.

Who needs to pay registration fees and how much are they?

When you fill out the online registration form, the system will calculate your registration fee and produce an invoice for you. The fees are based on how many units of covered electronics you sold to Wisconsin households and schools during the previous program year. If you sold 500 or more units to these entities, the fee is \$5,000; \$1,250 if you sold between 250 and 499 units; and \$0 if you sold fewer than 250 units, including manufacturers of new products that were not sold during the relevant time period.

How do I know how much I've sold in Wisconsin?

When you are calculating sales information for your registration, you need to include all sales of your covered products, including through retailers of any kind. If you do not have complete, specific information for Wisconsin, use your national sales numbers and estimate Wisconsin's share by multiplying national sales by Wisconsin's population share (ask the DNR for the current population multiplier).



Recycling requirements

What does “recycling target” mean and how is it calculated?

Each program year, a manufacturer must pay for recycling a certain weight of electronics collected in Wisconsin. This is based on the weight of covered electronics that manufacturer sold in Wisconsin and is called a “recycling target.”

Recycling targets are based on the weight of covered electronics manufacturers sold to Wisconsin households and K-12 schools during the program year beginning two years prior. For example, in the program year beginning July 1, 2021, the targets are based on sales between July 1, 2019, and June 30, 2020. You will enter this weight on your registration form, and the system will calculate 80 percent of that weight, which is your target. If your company has only recently begun selling covered electronics in Wisconsin and did not have any sales during the relevant period, your recycling target is 0.

What do I do with my recycling target?

Once you are registered, you must decide how you will meet your recycling target, if you have one. You can choose to work directly with a registered E-Cycle Wisconsin recycler or join a manufacturer collective that works with recyclers to meet targets for a group of manufacturers. A manufacturer may recycle any eligible device of any brand but is not required to accept all eligible devices or all brands. For more information on eligible devices, visit dnr.wi.gov and search “ecycle.”



Manufacturers that exceed their recycling targets (in other words, recycle more than is required under the program) earn carryover credits. Manufacturers that do not meet their targets must pay shortfall fees to the DNR.

How it works

E-Cycle Wisconsin process



Manufacturer's role

Manufacturers sell electronics through retailers, distributors and/or directly. Some of these products are sold into Wisconsin, which has a law covering electronics manufacturers.

The law assigns manufacturers annual "recycling targets" based on the weight of covered products the manufacturer sells in Wisconsin.

Manufacturers make agreements with registered recyclers or with brokers that work with registered recyclers to pay a certain number of cents per pound to meet recycling targets.

Manufacturers fulfill their contracts with recyclers, keeping costs lower for the public.

For more information, visit dnr.wi.gov and search "ecycle."



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