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Europe Demands Clean Computers

by Louise Knapp

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A storm is brewing between environmental groups and the electronics industry over a proposed European Commission directive requiring the phase-out of toxic materials used in electronics manufacturing.

The Draft Directive on Waste from Electronic and Electrical Equipment will be discussed this week at the National Town Meeting for a Sustainable America in Detroit.

The proposed directive, which would apply to virtually all electronics sold in the European Union, recommends that the use of lead, mercury, cadmium, hexavalent chromium, and halogenated flame retardants be phased out by 1 January 2004. Researchers consider the chemicals bioaccumulative and carcinogenic.

The directive would also require compliance with European standards of clean product design. It would ban the import of electronic products made with less than 5 percent recycled plastic. The proposal's recycling rule, which the directive proposes to enforce retroactively, would place the burden of recycling discarded products on the manufacturers.

US Trade Representative Charlene Barshefsky opposes the draft directive. She has declared her support for the position articulated by the American Electronics Association, whose members include Microsoft, Intel, and IBM.

The AEA asserts that various provisions of the proposed European directive are illegal under international trade law. The report states that the directive's proposed ban on toxic materials runs counter to the prohibition of quantitative restrictions laid out by the General Agreement on Tariffs and Trade.

"First, the bans are not designed to achieve a legitimate environmental protection purpose, as would be necessary to justify such quantitative restrictions," the AEA said in its position paper. "Secondly, the substance restrictions are not 'necessary,' in that there are other less trade-restrictive alternatives to achieve the proffered policy objectives (e.g., selective landfill bans, eco-taxes)."

Jennifer Guhl, senior manager of international trade policy at AEA, said the EU directive would impose a huge financial burden on the electronics industries in Europe and the United States.

"As written in its second draft [it] would cost the European electronics industry an estimated US\$50 billion to implement," Guhl said. The AEA favors a more gradual approach.

"We are willing to take some responsibility," Guhl said. "We share the goals of the draft directive, but a reasonable attitude in working it out is necessary. We're looking for a much longer phase-in of content restrictions."

"We'd like to disabuse the misconception that industry is trying to shirk responsibility. We are looking to work with the government and environmental groups to find a reasonable way to achieve the goals set out in this directive," said Guhl.

Ted Smith, of the International Campaign for Responsible Technology, disagrees. Smith called the estimated \$50-billion implementation costs a "preposterous" figure. "They are simply talking through their hats."

Smith said the electronics industry is already taking steps to phase out use of the toxic substances. Alternatives for many of the toxic materials are already available and so implementation of the proposed directive is viable, Smith said. "It will cost to ensure recycling is carried out, but the companies should bear these costs."

"The American Electronics Association is not supporting the position of the leaders in the electronics industry but rather the laggards, the ones who are left behind," said Smith.

The international Campaign for Responsible Technology, initiated by the San Jose, California-based [Silicon Valley Toxics Coalition](#), is an international network of environmental, labor, health, and community groups promoting sustainable development and accountability from corporations and governments.

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