



FAQ-Frequently Asked Questions – Electronics Management Program

Manufacturers Registration

The answers below are general in nature. Refer to the Electronics Management Program law for exact language.

What is the Electronics Management Program?

The Electronics Management Program is a North Carolina law that became effective July 1, 2010. The new law requires a manufacturer of a covered electronic device to affix its products with a label that contains the name of the manufacturer or the manufacturer's brand label. It also requires a manufacturer of a covered electronic device to register with, and pay a registration fee to NC DENR if the manufacturer plans to sell or offer for sale to any person in the State a new covered electronic device.

What is a manufacturer?

A manufacturer means a person that is the brand owner of a covered electronic device brand sold or offered for sale in the state, by any means, *including transactions conducted through sales outlets, catalogs, or the internet.*

What is a covered electronic device?

A covered electronic device means computer equipment or televisions. Computer equipment is defined as laptops, desktops, printers, scanners, printer-scanner-fax combinations, video displays, monitors, mice, keyboards and other peripheral equipment. Computer equipment does not include an automated typewriter, professional workstation, server, ICI device, ICI system, mobile telephone, portable handheld calculator, portable digital assistant (PDA), MP3 player, or other similar device; an automobile; a television; a household appliance; a large piece of commercial or industrial equipment, such as commercial medical equipment, that contains a cathode ray tube, a cathode ray tube device, a flat panel display, or similar video display device that is contained within, and is not separate from, the larger piece of equipment, or other medical devices as that term is defined under the federal Food, Drug, and Cosmetic Act.

What is a video display device?

A video display device means an electronic device with an output surface that displays or is capable of displaying moving graphical images or visual representations of image sequences or pictures that show a number of quickly changing images on a screen to create the illusion of motion. A video display device includes a device that is an integral

part of the display and cannot easily be removed from the display by the consumer and that produces the moving image on the screen. A video display device may use a cathode ray tube (CRT), liquid crystal display (LCD), gas plasma, digital light processing, or other image–projection technology (e.g. televisions, monitors, portable DVD players, etc.).

Is a manufacturer of stand-alone mice and keyboards considered a "Computer Equipment Manufacturer" under the NC regulation?

Under North Carolina law, any manufacturer of mice and keyboards is a computer equipment manufacturer and subject to the state's electronics recycling law. The law does not differentiate between manufacturers that sell small amounts of products from those that sell large amounts.

Are there plans to review the law concerning the parts of it that seem unfair to manufacturers who sell very few (and inexpensive) items such as mice and keyboards? Some manufacturers must make a business decision not to pay the \$15,000 fee in order to sell possibly only \$200 worth of equipment in NC in a year.

Yes, written into the law is a section which states that there will be a study of the fee structure which is due to the NC General Assembly next year. The concerns which have been communicated to DENR will be included as part of this study.

How are consumer printer, scanner and combination units defined?

Computer equipment includes "printing device such as a printer, a scanner, a combination print-scanner-fax machine, or other device designed to produce hard paper copies from a computer" which are "of the type that would be used by consumers."

Does the law differentiate between printer manufacturers which sell only to businesses from those that sell to consumers?

Printers which are available for sale by internet or retail sales are considered "computer equipment" under the law. The only exception is "a large piece of commercial or industrial equipment". NC DENR believes that there is not a manufacturer who only produces printers of such size that there is not their brand in a home business or a small non-profit organization.

When does the Electronics Management Program go into effect?

The law went into effect on July 1, 2010.

Who has to register, who must pay?

All manufacturers worldwide must register if they do or have manufactured equipment for use by consumers and sell more than 1000 units. All manufacturers who sell more than 1000 units worldwide must pay an initial registration fee and annual fees. NC DENR believes that the global nature of electronic equipment sales means that any computer equipment manufactured abroad and sold in the United States has a chance of being discarded in North Carolina. The sales of the unit may be by a retailer or may be catalog or internet sales.

When does my company need to register?

Manufacturers must register with, and pay the registration fee NC DENR on or before August 1, 2010, or they may not sell or offer for sale their covered electronic devices in North Carolina.

Is there a cost associated with registration?

Yes. Initial registration is \$2,500 for all television manufacturers and either \$15,000 (Level I) or \$10,000 (Level II or Level III). In subsequent years the renewal registration \$2,500 for televisions and for computer equipment the fee is: Level I - \$15,000, Level II - \$7,500, or Level III- \$2,500. The registration fee must be paid annually by July 1. Fees cover one calendar year and will not be prorated.

How does my company register with NC DENR?

Complete the appropriate form for either, [North Carolina Computer Electronics Manufacturer Registration Form](#) or [North Carolina Television Manufacturers Registration Form](#) and mail/email the completed form and the required registration fee to: electronic_recycling@ncdenr.gov or

NC DENR Division of Waste Management - Solid Waste Section
Electronics Management Fund
1646 Mail Service Center
Raleigh, NC 27699-1646

What happens if I don't register?

A retailer may not sell or offer for sale to any person in the state a new covered electronic device of the manufacturer if the manufacturer has not registered and paid the required registration fee to NC DENR. A list of the manufacturers who have complied with the law will be on our website.

Do collectors, transporters or recyclers who may be employed by a manufacturer have a separate registration?

Under North Carolina law, collectors, transporters, and recyclers of computer and television equipment are not required to register with the Department.

My company purchases covered electronic devices as defined under the Electronics Management Program from another company and uses this equipment in systems for sale under my company's brand name. Am I required to comply with the North Carolina law?

Yes, every labeled computer equipment or television item sold in NC must have a manufacturer registered. If the manufacturer registers and pays the fees then you may sell in NC, if the manufacturer does not comply then in order for you to sell the brand you must register and pay the fee.

My company is a manufacturer as defined by the law. However, my company only manufactures a small number of covered electronic devices. Are we still required to register?

The law requires manufacturers that manufactured more than 1,000 covered electronic devices per year in the immediately preceding fiscal year to register and pay the required fee.

My company only sold 50 covered electronic devices in North Carolina during the last calendar year. Are we still required to register?

Yes. The law does not set a minimum number of electronic devices that must be sold in North Carolina for a manufacturer to be subject to the law. A manufacturer may not sell or offer for sale to any person in the State a new covered electronic device unless the device is labeled with the name of the manufacturer or manufacturer's brand label and the manufacturer has registered and paid the required registration fee to NC DENR.

My company only manufactures covered electronic devices in Japan. Is my company still required to comply with the Electronics Management Program?

Yes, your company is required to comply if your company sells or offers for sale, at least 1 (one) covered electronic device in North Carolina on or after July 1, 2010. The law does not specify where the covered electronic devices are manufactured; only that more than 1,000 devices per year in the immediately preceding fiscal year are manufactured.

How will I know if my registration has been received?

Acknowledgement letters are sent after receipt of the registration. A list of manufacturers who have successfully registered with the NC DENR will be available on our website <http://portal.ncdenr.org/web/wm/sw/electronics>.

Is there someone I can contact if I have additional questions?

Yes. Contact Ellen.Lorscheider@ncdenr.gov or by phone at 919-508-8499. Additional information regarding North Carolina's Electronic Management Program, including a copy of the law, is available on the NC DENR electronics management web page at <http://portal.ncdenr.org/web/wm/sw/electronics>.



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