

Frequently Asked Questions – Manufacturers
Environment Article, Title 9 Water, Ice and Sanitary Facilities,
Subtitle 17 Office of Recycling,
Part IV Statewide Electronics Recycling Program

The answers below are general in nature. Refer to the [Statewide Electronics Recycling Program](#) law for exact language.

Question 1 – What is the Statewide Electronics Recycling Program?

The Statewide Electronics Recycling Program is a Maryland law that becomes effective October 1, 2007, and 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 the Maryland Department of the Environment if the manufacturer plans to sell or offer for sale to any person in the State a new covered electronic device.

Question 2 – How does the Statewide Electronics Recycling Program differ from the Statewide Computer Recycling Pilot Program?

The Statewide Electronics Recycling Program becomes effective October 1, 2007, and replaces the Statewide Computer Recycling Pilot Program. The main differences are changes to the scope of electronics covered and to the definition of "manufacturer". The initial registration fee increases to \$10,000 under the Statewide Electronics Recycling Program. In addition, a retailer may not sell a new covered electronic device unless the manufacturer has registered its brands with the Maryland Department of the Environment.

Question 3 – 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.

Question 4 – What is a covered electronic device?

A covered electronic device means a computer or video display device with a screen that is greater than 4 inches measured diagonally.

A covered electronic device does not include a video display device that is part of a motor vehicle or that is contained within a household appliance or commercial, industrial, or medical equipment (*e.g.*, video display device that is contained within a MRI machine, control panel, cash register, clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air-conditioner, dehumidifier, air purifier, etc.).

See Questions 5 and 6 below, for further details.

Question 5 – What is a computer?

A computer is defined as a desktop personal computer, a laptop computer, or a computer monitor. Computer does not include a personal digital assistant device or a computer peripheral device (*i.e.*, a mouse or other similar pointing device, a printer, or a detachable keyboard).

Question 6 – 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.).

Question 7 – When does the Statewide Electronics Recycling Program go into effect?

The law goes into effect on October 1, 2007, and affects all registrations for calendar year 2008, and beyond.

Question 8 – Who has to register?

A manufacturer that manufactured an average of more than 1,000 covered electronic devices per year in the immediately preceding 3-year period must register.

Question 9 – When do I have to register?

Manufacturers must register with, and pay the registration fee to, the Maryland Department of the Environment on or before January 1, 2008, or they may not sell or offer for sale their covered electronic devices in Maryland.

Question 10 – Is there a cost associated with registration?

Yes. Initial registration is \$10,000 for all manufacturers. In subsequent years the renewal registration fee is \$5,000 for a manufacturer who has not implemented a covered electronic device takeback program or \$500 for a manufacturer that implemented, a Maryland Department of the Environment approved, covered electronic device takeback program in the previous year (*e.g.*, for a 2008 registration, the covered electronic device takeback program must be operating in 2007).

The registration fee must be paid annually by January 1st. Fees cover one calendar year and will not be prorated.

Question 11 – How does my company register with MDE?

Complete the [Maryland Electronics Manufacturer Registration Form](#) and mail the completed form and the required registration fee to:

Maryland Department of the Environment
P.O. Box 1417
Baltimore, Maryland 21203-1417

(Note: Please note "PCA 13719" and "AO 5711" in the memo field of the check)

If additional sheets are needed to supply details regarding the information requested on the registration form, please attach them to your registration form.

Registration fee can also be paid via electronic transfer. Email [Hilary Miller](#) for details.

Question 12 – What constitutes a covered electronic device takeback program?

In order for a covered electronic device takeback program to be approved by the Maryland Department of the Environment it **must be operating in the year prior to the registration year** (e.g., A manufacturer must have a covered electronic device takeback program operating in 2007, if they wish to be eligible for the reduced renewal registration fee of \$500 when submitting a renewal registration for 2008).

A manufacturer's covered electronic device takeback program must accept **ALL** of its products that fall under the scope of the Statewide Electronics Recycling Program.

In addition, a Manufacturer's takeback program must be free to the returner of a covered electronic device and contain a method of returning a covered electronic device (e.g., postage paid mailing packages, designated collection points throughout the State, etc.) for recycling, reuse, or refurbishing. A manufacturer may also contract with a recycler, local government, other manufacturer or any other person to manage the takeback of its products. Additionally, there must be a toll-free number or website address that provides information about the covered electronic device takeback program, including a detailed description of how a person may return a covered electronic device for recycling, refurbishing, or reuse.

Question 13 – 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 manufactured by the manufacturer if the manufacturer has not registered and paid the required registration fee to the Maryland Department of the Environment.

Manufacturers and retailers who fail to comply with the Statewide Electronics Recycling Program are subject to a civil penalty, not exceeding \$10,000, and an administrative penalty up to \$1,000 for each violation (where each day a violation occurs is a separate violation), but not exceeding \$50,000.

In addition, the Maryland Comptroller may assess against any retailer that violates §9-1728.1(b) of the Statewide Electronics Recycling Program a fine up to \$500 for each violation, but not exceeding \$5,000 total.

Question 14 – I was registered under the Statewide Computer Recycling Pilot Program. How will the Statewide Electronics Recycling Program affect my renewal registration?

If you implemented a Maryland Department of the Environment approved takeback program and qualified for the reduced renewal registration fee of \$500 under the Statewide Computer Recycling Pilot Program, you must ensure that the takeback program accepts **ALL** covered

electronic devices, as defined by the Statewide Electronics Recycling Program, in order to remain eligible for the reduced renewal registration fee of \$500.

If you do not offer a Maryland Department of the Environment approved covered electronic device takeback program, you will not be affected. Your renewal registration fee will remain at \$5,000.

Question 15 – My company purchases covered electronic devices as defined under the Statewide Electronics Recycling 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 Maryland law?

Yes. As the brand owner of the covered electronic device, you are required to comply if you manufacture an average of more than 1,000 covered electronic devices per year in the immediately preceding 3-year period. The company from whom you purchased the equipment would also be required to comply if they sell the covered electronic device in Maryland under their own brand name and manufacture an average of more than 1,000 covered electronic devices per year in the immediately preceding 3-year period.

Question 16 – 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 an average of more than 1,000 covered electronic devices per year in the immediately preceding 3-year period to register and pay the required fee.

Question 17 – My company only manufactures an average of 600 covered electronic devices of one type and 600 covered electronic devices of another type per year. Does my company still have to register with the Maryland Department of the Environment?

Yes. The average 1,000 covered electronic devices per year in the immediately preceding 3-year period includes the total number of covered electronic devices manufactured by a company (*e.g.*, 600 (of 1 type) + 600 (of an another type) = 1,200/year for 3 years, which is more than the 3-year 1,000 covered electronic device average).

Question 18 – My company only sold 50 covered electronic devices in Maryland 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 Maryland 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 the Maryland Department of the Environment.

Question 19 – My company only manufactures covered electronic devices in Japan. Is my company still required to comply with the Statewide Electronics Recycling Program?

Yes, your company is required to comply if your company sells or offers for sale, at least 1 (one) covered electronic device in Maryland on or after January 1, 2008. The law does not specify

where the covered electronic devices are manufactured, only that an average of more than 1,000 devices per year in the immediately preceding 3-year period are manufactured.

Question 20 – How will I know if my registration has been received, reviewed, and accepted?

A list of manufacturers who have successfully registered with the Maryland Department of the Environment will be posted on the Maryland Department of the Environment's eCycling web page at www.mde.state.md.us/eCycling.

Question 21 – Is there someone I can contact if I have additional questions?

Yes. Contact Ms. Hilary Miller by email at hmill@md.state.md.us, by phone at 410-537-3431, or by mail at:

Ms. Hilary Miller
c/o Maryland Department of the Environment
WAS/Recycling and Operations Program
1800 Washington Boulevard
Suite 610
Baltimore, MD 21230-1719

Additional information regarding Maryland's Statewide Computer Recycling Pilot Program, including a copy of the law, is available on the Maryland Department of the Environment's electronics recycling web page at www.mde.state.md.us/eCycling.