

Consumer Electronics Retailers Coalition



October 21, 2008

To: New Hampshire E-Waste Study Commission

From: Chris McLean, Executive Director
Consumer Electronics Retailers Coalition

The Consumer Electronics Retailers Coalition (CERC) is a public policy issue organization consisting of the major specialty retailers of consumer electronics products and retail associations. CERC members include Amazon.com, Best Buy, Circuit City, K-Mart, RadioShack, Sears, Target, Wal-Mart, and the leading retail industry trade associations – NRF, NARDA, and RILA.

I very much appreciate the opportunity to weigh in on behalf of CERC during the Commission's proceeding. While I regret that I am not able to appear in person today I thank Curtis Barry of the N.H Retail Federation for presenting these written comments on behalf of myself and CERC in my absence.

As you evaluate this information, I am sure there will be questions. Mr. Barry has graciously agreed to forward those questions to me and I will provide written answers back to you as quickly as possible.

The Consumer Electronic Retailers Coalition and its members support a national approach to e-Waste built on the principles of manufacturer responsibility and flexible implementation rather than a patchwork of state-by-state solutions. We recognize and share the frustration on the part of individual states that a national solution has not yet materialized.

As you consider whether to propose e-waste legislation in New Hampshire ahead of a national solution, we would respectfully point out the following:

- Our members recognize the e-waste challenge and have stepped forward with countless initiatives including the following:
 - **Computer Hardware** - Many retailers' host or sponsor recycling events in store parking lots across the U.S. Accepted items usually include

computers, televisions, monitors, audio equipment, printers, DVD Players, and Fax Machines.

- **Televisions** – Many retailers will remove an old or obsolete television at no charge from a consumers' home when a new product is purchased and is being delivered to the home. The old units are collected by a licensed, third-party recycler.
- **Cell Phones** - In almost all cases, new cell phone customers receive free, postage-paid envelopes to mail old phones to a reuse/recycling partner. Many retailers have free recycling for customers to drop off old cell phones at no cost even when a new phone is not purchased.
- **Batteries & Ink-Jet Cartridges** - Many retailers have free recycling for customers to drop off batteries, and ink-jet cartridges at no cost.
- **Gift Cards for Trade INS** - Many retailers offer gift cards for trade ins of existing electronics items.
- State by state legislation creates compliance problems for retailers.
 - While all states that have enacted e-waste legislation (with the exception of California) have adopted a manufacturer responsibility model, every state has different requirements.
 - These varying requirements make compliance a significant challenge for multi state retailers.
- CERC is working on federal “manufacturer responsibility” legislation with the following parameters:
 - Legislation that will focus on problematic devices
 - Brand manufacturers should be free to develop their own collection and recycling plans that are deemed to be reasonably convenient for consumers.
 - Voluntary programs should be encouraged.
 - Performance measures should be based on weight of what is discarded, be realistic and provide incentives for manufacturers to increase collections.
 - Manufacturers should receive credits for collecting more than their market share.

As I stated earlier, we recognize the frustration on the part of individual states that a national solution has not yet materialized. However, the national effort is gathering momentum and may have even more momentum after the November elections.

We respectfully urge you to delay state e-waste legislation so that a national solution will have time to materialize.

Sincerely,

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