OCAD3E

Authorized Coordination Body for Waste Electrical and Electronic Equipment

Technical Note

Premiums and penalties applicable to commercial WEEE effective January 1st, 2026

Version: 25/06/2026

Cancels and replaces all previous versions

Purpose of this document

This document presents the **criteria and calculation rules for the premiums and penalties applicable to** financial contributions paid by producers **of professional electrical and electronic equipment, effective January 1st, 2026.**

As the adjustment criteria are subject to approval by the French Ministry of the Environment, the information presented in this document is subject to change based on requests from the supervisory authority (Directorate General for Risk Prevention).

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000052201296

This document is an official English translation of the original French document by Ecologic and Ecosystem. In the event of any ambiguity, misinterpretation, or discrepancy, the French version shall prevail and be considered the authoritative reference.

1. Overview of professional products subject to premiums and penalties

1.1. General Rules

Table1 . Premiums and penalties for professional electrical and electronic equipment

		Premiums		Penalty	
Product family	**Products**	No BFR	Spare parts availability	Battery removability	**Unit**
All other products not listed below (subject to eligibility – see details in the corresponding sections)		€21.00/t	N/A	€80.00/t	€/t
Control and monitoring devices	Gearmotors for sanitary fittings (actuators)	€21.00/t	€25.00/t	€80.00/t	€/t
	Other monitoring and control instruments < or > 50 cm	€21.00/t	NA	€80.00/t	€/t
	Access control equipment	€21.00/t	N/A	€80.00/t	€/t
Lighting and signal devices	Safety lighting systems	€21.00/t	€25.00/t	€80.00/t	€/t
	Other lighting and signal devices	€21.00/t	N/A	€80.00/t	€/t
Electric vehicle charging stations		€21.00/t	N/A	€80.00/t	€/t
Professional printer cartridges	per unit, depending on weight thresholds	€0.001/unit	N/A	€80.00/t	€/unit
	by weight	€21.00/t	N/A	€80.00/t	€/t
Medical devices	Dental treatment units	€21.00/t	NA	€80.00/t	€/t
	Electrical medical equipment	€21.00/t	N/A	€80.00/t	€/t
	Portable in vitro diagnostic medical devices	€21.00/unit	NA	€80.00/t	€/t
	In vitro diagnostic medical devices (fixed and mobile)	€21.00/t	NA	€80.00/t	€/t
	Fixed and mobile medical devices	€21.00/t	NA	€80.00/t	€/t
	Portable medical devices	€21.00/t	NA	€80.00/t	€/t
Vending machines (food and non-food)	Vending machines with or without a refrigerated compartment	€21.00/t	N/A	€80.00/t	€/t
	Water dispensers	€21.00/t	€25.00/t	€80.00/t	€/t
	ATM equipment	€21.00/t	N/A	€80.00/t	€/t
	Fuel pumps	€21.00/t	N/A	€80.00/t	€/t
Personal transportation and electric mobility devices	Electric mobility devices (Segway, e-bikes, etc.)	€21.00/t	N/A	€80.00/t	€/t
	Other electric mobility equipment (electric mobility accessories, charging stations, docking stations, etc.)	€21.00/t	N/A	€80.00/t	€/t
Audio-visual equipment	Audio, video, and photography equipment	€21.00/t	N/A	€80.00/t	€/t
	Display screens	€21.00/t	€40.00/t	€80.00/t	€/t
	Electronic labels	€21.00/t	N/A	€80.00/t	€/t
Installation equipment for low-voltage electrical power networks and communication networks	Network equipment < or > 50 cm	€21.00/t	N/A	€80.00/t	€/t
	Generator set	€21.00/t	€10.00/t	€80.00/t	€/t

		Premiums		Penalty	
Product family	**Products**	No BFR	Spare parts availability	Battery removability	**Unit**
Equipment for the production, conversion, and storage of electrical energy	Uninterruptible power supplies	€21.00/t	€20.00/t	€80.00/t	€/t
	Other production, conversion, and storage equipment < or > 50 cm (excluding transformers and generators)	€21.00/t	N/A	€80.00/t	€/t
Network equipment & IT infrastructure		€21.00/t	N/A	€80.00/t	€/t
Printing, photocopying, and fax equipment		€21.00/t	€20.00/t	N/A	€/t
Professional cooking, drying, and washing equipment		€21.00/t	NA	N/A	€/t
Professional sports and leisure equipment		€21.00/t	N/A	€80.00/t	€/t
Professional hygiene, beauty, and skincare equipment		€21.00/t	NA	€80.00/t	€/t
Refrigerated cabinets, refrigeration systems, built-in and freestanding	Refrigeration units with a direct sales function	€21.00/t	€30.00/t	€80.00/t	€/t
	Chest freezers	€21.00/t	€30.00/t	€80.00/t	€/t
Professional monitors (>100 cm²)	Monitors	€21.00/t	€40.00/t	€80.00/t	€/t
	Digital displays with screen size > 100 cm²	€21.00/t	€20.00/t	€80.00/t	€/t
Production tools and equipment, motors	Other production tools and equipment, engines	€21.00/t	N/A	€80.00/t	€/t
	Welding equipment	€21.00/t	€20.00/t	€80.00/t	€/t
	Drills, screwdrivers, chisels	€21.00/t	€20.00/t	€80.00/t	€/t
Servers		€21.00/t	N/A	€80.00/t	€/t
Point-of-sale and payment system		€0.45/unit	N/A	€18/unit	€/unit

The table above shows the amounts (excl. tax) of premiums related to the absence of brominated flame retardants (BFRs), the availability of spare parts, and penalties related to battery separability.

These are set as flat rates in €/unit placed on the market and vary depending on the criteria and products to which they apply.

For equipment where the scale is listed in €/unit, it is the responsibility of the Producer Responsibility Organization to calculate the number of premiums and penalties expressed in €/unit based on the average weight of equipment of the same type reported to it, using the amount in €/ton listed below.

Rules for applying the adjustment criteria

A premium cannot be obtained if a penalty has already been applied to the product in question. As an exception to this rule, the premium for incorporating recycled plastics may be combined with penalties. In this case only, the amounts of each premium and penalty are combined and added to the reference contribution amount to determine the total contribution owed by the marketer for each unit.

Pre-declaration for super-modulation

Definitions

For the purposes of this note, the following definitions apply:

- **Supermodulation**: a mechanism involving the payment of premiums to producers based on the quantity of recycled plastics incorporated.
- **Pre-declaration**: the annual preliminary declaration by which the producer notifies its Producer Responsibility Organization of its intention to apply for a premium under the supermodulation criterion for a given calendar year, accompanied by the required estimates and supporting documents and in accordance with the procedures established by the Producer Responsibility Organization.
- **First-time filer**: a producer submitting a supermodulation pre-declaration to their Producer Responsibility Organization for the first time.

Purpose of the pre-declaration

The pre-declaration serves two purposes for the Producer Responsibility Organization:

1. Verify, within a timeframe consistent with the payment of premiums, that the supporting documents provided by the producer comply with the requirements, given the complexity of the eligibility criteria and the amounts involved.
2. Ensure that the financial provisions set aside are sufficient to cover the premiums likely to be paid during the fiscal year in question.

Content of the pre-declaration related to the IRP

Prerequisite — Availability of Certifications

The identification numbers of the certifications meeting the criteria mentioned in section 5.4 of this note must be available and accessible via the public databases of the certifying bodies, where such databases exist, or submitted to the Producer Responsibility Organization.

If a certificate is in the process of being obtained as of the date of the pre-declaration, it must be submitted no later than **December 31st of the current year** and be valid for the period covered by the final declaration.

Content of the preliminary declaration

When submitting their annual pre-declaration, producers wishing to receive the per-ton premium must provide a good-faith estimate of the tonnages of recycled plastics incorporated, broken down by product and origin of the eligible plastic.

Pre-declaration procedure

1. *Notification of intent*

Any producer wishing to benefit from the super-modulation for the current year must notify their Producer Responsibility Organization of this intention via a pre-declaration **no later than March 31st of the current year for the entire year**.

2. *Changes during the year*

For any new product launched during the year, a pre-declaration may be submitted after this date and will then be valid for units placed on the market starting from the following quarter.

The schedule below specifies the eligible units based on the date the pre-declaration is submitted:

Period of pre-declaration	**Eligible units**
On or before March 31st	Units sold from January 1st through December 31st
Between April 1st and June 30th, inclusive	Units sold from July 1st through December 31st
Between July 1st and September 30th, inclusive	Units sold from October 1st through December 31st
Between October 1st and December 31st, inclusive	No eligible units

Any preliminary declaration received **on or after October 1st of the current year** is inadmissible for the current year.

3. *Submission of supporting documents*

Supporting documents must be submitted to the Producer Responsibility Organization **no later than December 31st of the current year** or within the timeframe previously specified in the pre-declarations.

4. *Extended deadline for first-time filers*

As an exception, the Producer Responsibility Organization may grant a first-time filer an extension for submitting supporting documents. This extension may not exceed **three months** from December 31st of the current year, i.e., no later than **March 31st of the following year**. This exception may be granted only once per producer.

5. *Inspection Procedures and Applicable Penalties*

The inspection procedures and penalties applicable in the event of non-compliance with these provisions are defined in the chapter “Control Process.”

1.2. Availability of spare parts

Products	Availability period	List of parts that must be available
Display screens **Monitors** **Digital terminals with screens > 100 cm²**	≥ 10 years	Defined in Annex I, §5. a) 1) and §5. a) 2) of REGULATION (EU) 2019/2021
Refrigeration units with a direct sales function **Water dispensers**	≥ 10 years	As defined in Annex II, §2. a) 1) and §2. a) 2) of REGULATION (EU) 2019/2024
Commercial chest freezers	≥ 15 years	Defined in Annex II, §3. a) 1) and §3. a) 2) of REGULATION (EU) 2019/2019
Welding equipment	≥ 15 years	Defined in Annex II, §2. a) 1) of REGULATION (EU) 2019/1784
Printing, photocopying, and fax equipment, etc.	≥ 6 years	Paper tray/cassette/drawer, Power supply unit, Motherboard/logic board/ Formatter board, Duplex unit, if applicable, Printer hard drive, if applicable, External main power cable, Paper separator, Control panel / display / screen, Document feeder / Automatic Document Feeder (ADF)
Safety lighting systems	≥ 10 years	- Pictograms / signage, - Cable glands, covers, and sealing elements if a "standard" part (including housing gaskets) - Batteries - Light sources if declared replaceable, - Accessories (vandal-proof grilles, pictogram flags, suspension kits, signage plates)
Uninterruptible power supplies < 50 cm	≥ 10 years	DC filter capacitors, AC filter capacitors, fans, batteries
Uninterruptible power supplies ≥ 50 cm	≥ 12 years	
Generators	≥ 10 years	[list of parts to be finalized]
Drills, screwdrivers, chisels	≥ 17 years	Motors, cables, switches, mechanical parts, electrical parts, carbon brushes, electronics, chuck, wear parts.
Gear motors for plumbing fixtures (actuators)	≥ 10 years	[list of parts to be finalized]

The following supporting documents must be provided:

- Terms and Conditions of Sale (T&C)

Or, failing that:

- Single agreement and/or category-specific/special contract
- Special Terms and Conditions of Sale (STCS)
- Product user manual (publicly accessible)

1.3. Incorporation of recycled plastics

The producer may be eligible for a premium for the incorporation of recycled plastic materials (RPM), **the amount** of which **is determined based on the total quantity of RP incorporated into units placed on the market in France and subject to the WEEE EPR scheme**. The terms of this premium were established by decree dated September 5, 2025, and apply uniformly across all EPR schemes.

Two premium levels are established, depending on the origin of the recycled material:

Origin of the waste	**"OPEN LOOP":** RP derived from **post-consumer waste from EPR schemes**	**"CLOSED LOOP":** RP derived from **post-consumer WEEE**
Premiums (excl. tax)	€450/t of RP	€550/t of RP

To qualify for this incentive, the producer must ensure compliance with all criteria listed in the figure below. These criteria can be verified through the certifications and supporting documents listed in the green boxes

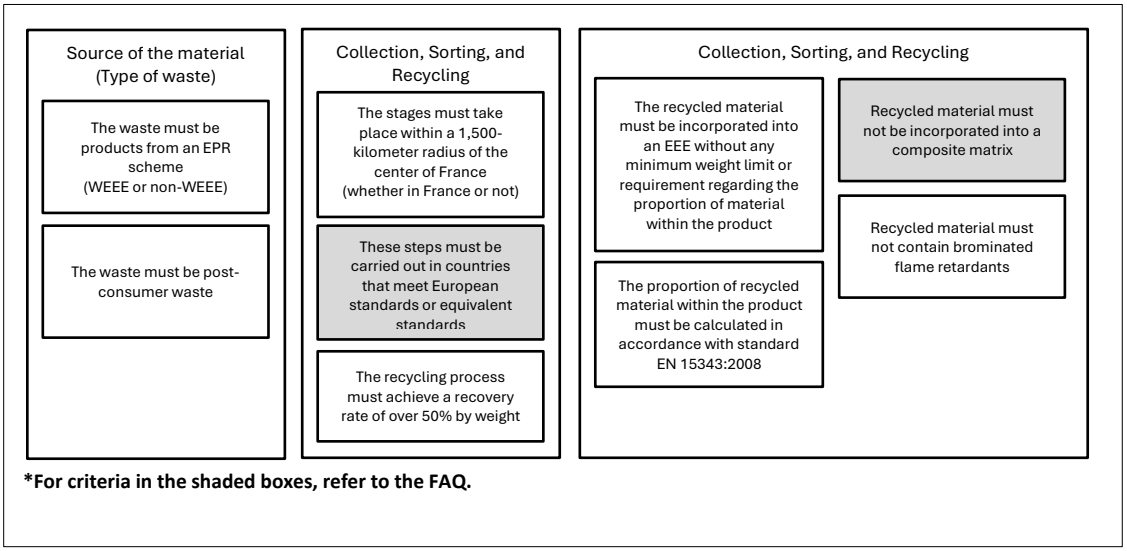

Figure1- Conditions for obtaining the incentive for the incorporation of recycled plastic and associated standards

OCAD3E has established a list of countries part of whose territory is located within a maximum radius of 1,500 kilometers from the barycenter of mainland France (46° 29' 38" N, 2° 36' 10" E) and which are members of the European Union: Germany, Austria, Belgium, Croatia, Denmark, Spain, France, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, and Czechia. The EU countries not included within the 1,500 km radius are: Bulgaria, Finland, Estonia, Lithuania, Latvia, Greece, and Cyprus. The other non-EU countries located wholly or partially within the 1,500 km radius are: Albania, Andorra, Bosnia and Herzegovina, Liechtenstein, Monaco, Montenegro, Norway, the United Kingdom, Saint Martin, Serbia, Switzerland, Vatican City, Algeria, Morocco, and Tunisia.

The proximity criterion is shown in the associated map below:

Figure 2. 1,500 km radius around the center of France for reference

For operations carried out in a country that is only partially included within this perimeter, or in a third country, the producer is responsible for providing evidence that all relevant operations were duly carried out within the 1,500-kilometer limit and in a country meeting the applicable regulatory requirements.

The producer must ensure compliance with these criteria by providing the Producer Responsibility Organization with:

- The LNE IMPR Part 3 certification, or the Recyclass certificates: Recycling Process (regenerator) and Recyclass: Recycled Content Traceability (injector), to obtain the premium.
- The regenerator must provide a certificate indicating the source of the recycled material (the type of waste: WEEE / other sectors). Without this information, the open-loop premium applies. Self-declarations are not accepted; all declarations must be validated by a third party.
- For information on the treatment of accessories, recycling disruptors, and chemical recycling, please refer to the OCAD3E FAQ (Ecologic link and ecosystem link).

It is the producer's responsibility to verify that all required criteria can be verified using the certification documents at their disposal.

Other equivalent certifications may be proposed by the producer if they meet all the requirements set forth in the decree of September 5th, 2025, establishing the adjustments applicable to financial contributions paid by producers when they incorporate recycled plastic , and they must be subject to prior validation in consultation with the Producer Responsibility Organizations Ecologic and ecosystem.

The amount of the premium is calculated, by reference, based on:

- Establishing the origin of the RMP(s) incorporated into the product in question *(e.g., "RMP derived from post-consumer WEEE")*
- Determining the quantity of (each) recycled plastic material incorporated into the relevant product *(e.g., "1.2 kg of recycled plastic material from post-consumer WEEE incorporated into product XYZ")*
- Multiplying this quantity by the number of units of this product placed on the market in France during the period covered by the declaration *(e.g., "10,000 units of product XYZ placed on the market in France during the period [dd/mm/yyyy – dd/mm/yyyy]")*
- Multiply the result obtained above *(e.g., 1.2 kg × 10,000 units = 12 tons)* by the applicable premium amount provided in the table above *(e.g., "12 t × €540 = €6,480").*

When the established quantity is likely to vary from one production batch to another, for example due to differences in RP content between batches of materials used in production, or due to sourcing parts from different factories incorporating different RP contents in their production, it is recommended to calculate and apply the minimum RMP content that can be guaranteed on average across all units declared as placed on the market for this product.

Only the premium for incorporating recycled plastic material may be combined with penalties.

For details on the procedures for calculating the proximity criterion or the recycled material content, please refer to the dedicated FAQ.

For details on the procedures for calculating the proximity criterion or the recycled material rate, please refer to the dedicated FAQ (Ecologic link and ecosystem link) and the FAQ of the French Ministry of the Environment.

1.4. Absence of brominated flame retardants

To be eligible for the premium, products must meet the following 3 conditions:

1) Plastic content exceeding 20% of the equipment's total mass
2) Presence of plastic parts > 25 g requiring the use of flame retardants
3) Absence of all **brominated** flame retardants (detection limit to be set to 200ppm) in plastic parts weighing more than 25 g, except for cables and electronic circuit boards

The following supporting documents must be provided:

Proof of obtaining a recognized label specifying the absence of brominated flame retardants in its specifications (e.g., Blue Angel, EPEAT, TCO) or a manufacturer's certification.

In the event of in-depth verification: a product test report issued by a laboratory accredited in accordance with EN ISO/IEC 17025, or a Material Safety Data Sheet (MSDS), or certificates from

suppliers of the materials used stating the absence of the specified substances, accompanied by a bill of materials detailing the list of materials used in the product.

A RoHS compliance report, if it proves the absence of all brominated flame retardants (and not just those regulated), may constitute valid proof.

1.5. Separability of the battery or accumulator

In accordance with the definitions set forth in Article 11 of Regulation (EU) 2023/1542, **a product is not subject to this penalty if** the battery or accumulator can be easily removed by the end user, that is, when it can be removed from the product using commercially available tools, without requiring the use of specialized tools—unless such tools are provided free of charge with the product—or proprietary tools, thermal energy, or solvents to disassemble the product.

Notwithstanding the above requirement for separation by the end user, certain products incorporating portable batteries may be designed such that the battery can be removed or replaced only by independent professionals:

a) devices specifically designed to operate primarily in an environment regularly exposed to splashing water, flowing water, or immersion in water, and which are intended to be washable or rinsible (applies only where this derogation is necessary to ensure the safety of the user and the device);
b) professional medical imaging and radiotherapy devices, as defined in Article 2(1) of Regulation (EU) 2017/745, and in vitro diagnostic medical devices, as defined in Article 2(2) of Regulation (EU) 2017/746.

Any exemption from this penalty must be subject to prior validation between the relevant professional associations and the Producer Responsibility Organizations, in accordance with the following principle established by Regulation (EU) 2023/154, Article 11, paragraph 3: "*the requirements [regarding battery removability] do not apply where a continuous power supply and a permanent connection between the product and its respective portable battery are necessary to ensure the safety of the user and the device or, in the case of products whose primary function is to collect and provide data, for reasons of data integrity*."

Button cells soldered onto electronic circuit boards are exempt and are not considered in the application of this criterion.

The following supporting documents must be provided:
The producer must declare (and be able to provide evidence in the event of an inspection) whether the declared product references contain a battery or an accumulator. If so, the producer must be able to provide a document describing the steps necessary to safely remove the battery or accumulator using tools commonly available on the market, where applicable.

In anticipation of European Battery Regulation 2023/1542 which will apply as of February 18, 2027, this criterion is expected to be amended for application as of January 1st, 2027.

2. Control Process

2.1. General Process

The use of the modulated scale occurs at the time of POM declaration. It assumes that the declarant is familiar with the modulation criteria and their eligibility conditions and can justify them if they wish to benefit from them. The declarant then uses the eco-modulated code by checking the box specifying the criterion met.

When submitting their declaration, the producer commits, via the Producer Responsibility Organization's declaration tool, to provide catalog references that meet the modulation criteria, by category as defined in Annex 1 of the Directive 2012/19/EC () and by type of product concerned as specified in this technical note.

At the request of the Producer Responsibility Organization, for products subject to the modulation criteria, the producer must provide, at their own expense, proof of the product's classification according to the eco-modulation criteria.

This evidence may be subject to a preliminary review conducted by the producer's Producer Responsibility Organization as part of a pre-declaration process. The purpose of this process is to authorize the Producer to request payment of the premium during the declaration phase.

In addition to this process, a request for supporting documentation may be made at any time either by the Producer Responsibility Organization or by a third party appointed by the Producer Responsibility Organization as part of control audits.

To this end, the producer **must keep the documents** justifying the use of this adjusted rate **available to the Producer Responsibility Organization at all times**.

If the supporting evidence cannot be provided, the declaration must be redrafted and corrected based on the non-modulated scale, tracing back to the source of the erroneous declarations and within a two-year limit.

Once the declarations have been validated by the member, no retroactive adjustments may be applied to premium claims.

2.2. Possible penalties

In the event that ineligible equipment is reported, a detailed report will be provided to the declarant to identify the errors made or the failure to submit valid supporting documentation. The declarant will be asked to provide proof of the missing information within two months of receiving notification. If this is not done, the declarant must correct the invalidated declaration and pay the resulting contributions at the full rate.

In the event of clear evidence of bad faith or intent to violate regulations, or in the event of a repeat offense, the Producer Responsibility Organization reserves the right to report the producer in question to the DGPR and ADEME for a request to suspend the French Unique Identifier (IDU).

2.3. Purpose of the Control Audit

Conducted by a COFRAC-accredited third-party audit firm, it takes place at the request of the Producer Responsibility Organization as part **of a general audit** covering all declarations from the previous two years. It covers both the verification of the reported quantities and the methodology used by the declarant, as well as the verification of the existence of a written reporting procedure that establishes reporting rules and, where applicable, allows for the transfer of reporting duties to another declarant in the event that the primary declarant is unable to perform their duties. General audits are overseen by the Producer Responsibility Organizations' CDC and must cover a selection of members representing at least 20% of the quantities placed on the market by the Producer Responsibility Organization.

To demonstrate compliance with the modulation criteria, supporting documents must consist of original documents in French or English, or certified true copies.

The audit may also focus on a **specific control** point defined by the Producer Responsibility Organization, such as the application of the modulation criteria. As part of the review of the modulation criteria, Producer Responsibility Organizations are proposing an expansion of this type of audit.

Focusing on declarations that have applied modulated contributions, it will aim to ensure:

- the existence of evidence justifying eligibility for the modulated rate or exemption from penalties,
- that the documents are compliant and authentic,
- that they are fully consistent with the eligibility criteria used,
- that they are fully current with the criteria used at the time of the audit and compliant with the declaration date.

Auditees will be selected either randomly and objectively or selectively by the auditor and validated by the Producer Responsibility Organization.