

**Empty toner and inkjet cartridges:
Waste or product?**

Lecture

on the
ISD INTERSEROH Dienstleistungs GmbH
meeting

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of
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A. The Green Environmental Box (GUB) – Facts

- **Return system** for “empty” toner cartridges from printers, copiers, fax machines together with inkjet cartridges from PC printers.
- **Collection boxes** at customer’s premises (e.g. schools/businesses)
- Upon notification by the customer: Box is collected by **courier**
- **Transport** to ISD/GUB
- **Sorting** by manufacturer, detection and separation of foreign objects
- Delivery to customers for **refilling** and, if required, **cleaning**

B. Product/waste classification

I. General

1. Basis: European legal guidelines (partic. [Waste framework directive](#)) and approved by the European Court of Justice ([ECJ](#))
2. Classification carried out on an [individual case](#) basis according to [defined criteria](#)
3. Criteria have only [evidential](#) character
4. Criteria are not [conclusive](#)
5. All aspects of a [particular case](#) must be taken into consideration

B. Product/waste classification

II. Classification criteria

1. Positive or negative **market value**
2. Production on **demand** or simply from **residual** production
3. Maintenance of **production standards**
4. AVV (**Waste list directive**) or **European Waste List**
5. Level of **probability of re-use** without prior processing
→ High probability is assumed if re-use is commercially beneficial to the owner
6. **Composition** of the material

B. Product/waste classification

III. Current decisions of the ECJ

- Rs. C-9/00, 18.04.2002, [Palin Cranit](#)
- Rs. C-444/00, 19.06.2003, [Mayer Parry](#)
- Rs. C-114/01, 11.09.2003, [Avesta Polarit](#)
- Rs. C-235/02, 15.01.2004, [Saetti and Frediani](#)

C. Results

- There are **compelling reasons** to consider spent toner and inkjet cartridges as **products**.

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