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The purpose of this document is to provide some clarity on the position of RAIN RFID tags in relation to the [EU WEEE Directive](#).

A RFID tag, standing alone, falls within scope of the EU’s WEEE Directive (FAQ located at: <https://ec.europa.eu/environment/pdf/waste/weee/faq.pdf>) as an item which is dependent on electric currents or electromagnetic fields in order to work properly.

However, if an item that would otherwise be subject to the Directive (*e.g.*, a RAIN RFID tag) is installed into another product which is itself not subject to, or is otherwise exempt from, the Directive, then the RAIN RFID tag is excluded from the scope of the Directive.

While each situation will need to be examined on its own merit, we provide some examples of how to apply this in general practice here.

In each example, when we use the term “attached permanently” we mean not attached in a manner intended to be easily removed, such as an in-store price/inventory tag attached by means of a simple plastic loop and generally intended to be removed by the consumer after the purchase of the item.

1. RAIN RFID tag attached permanently to an item which IS NOT in scope of the WEEE Directive, such as an item of everyday clothing which is not dependent on electric currents or electromagnetic fields to fulfill its basic function.
  - The installation of a RFID tag into such an item does not by itself transform that item into an electrical device subject to the WEEE Directive.
2. RAIN RFID tag attached permanently to an item which IS in scope of the WEEE Directive, such as a TV or other electronic device which is dependent on electric currents or electromagnetic fields to fulfill its basic function.
  - In this case, the product is inherently an electronic device, and the application of the WEEE Directive arises from that inherent nature of the device, not the addition of a RAIN RFID tag.

Notes:

1. Any particular jurisdiction may implement its own alternative or additional applicable e-waste requirements which are not necessarily consistent with this interpretation of the WEEE Directive. Implementers should be aware of any other applicable e-waste regulatory schemes operative in the markets in which they conduct business.
2. There are some examples which may not be as clear-cut as the examples given above. For example, a RAIN RFID tag attached to a racing vest in order to track the position of the wearer. In this case, the RAIN RFID tag is arguably required to fulfill the basic function of the tracking vest, and it is likely that the item will be regarded as an electrical device subject to the WEEE Directive.