Information Booklet for Seller under the Producer Responsibility Scheme on Waste Electrical & Electronic Equipment



Environmental Protection Department

July 2024

Preface

This information booklet serves to introduce the relevant statutory requirements of the Producer Responsibility Scheme on the Waste Electrical and Electronic Equipment ("WPRS") to a seller who carries on a business of distributing regulated electrical equipment to consumers, so that the trade can better understand and fulfil their statutory responsibilities. This booklet should be read in conjunction with the following legislations:

- Product Eco-responsibility Ordinance, Cap. 603 ("PERO")
- Product Eco-responsibility (Regulated Electrical Equipment) Regulation, Cap. 603B ("REE Regulation")

Documents are available from the website "Hong Kong e-Legislation" of the Department of Justice at https://www.elegislation.gov.hk/.

For other enquiries about the WPRS, please approach the Environmental Protection Department through the following channels:

Address:

Waste Management and Strategy Group Environmental Protection Department 21/F, High Block, Queensway Government Offices, No. 66 Queensway, Hong Kong

Telephone : 2838 3111

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A. Producer Responsibility Scheme on the Waste Electrical and Electronic Equipment

A1. Introduction

To promote the recycling and proper disposal of locally generated waste electrical and electronic equipment, the WPRS has been fully implemented in 2018. A seller of regulated electrical equipment ("REE") must now obtain an endorsed removal service plan ("RSP") from the Environmental Protection Department ("EPD"), and fulfil the respective statutory obligations.

The Legislative Council passed the Product Eco-responsibility (Amendment) Bill 2023 in October 2023 for enhancing the WPRS. The enhanced WPRS expanded the scope of REE and removed the requirement of recycling label, both of which have been in effect since 1 July 2024.

A2. Legislative and regulatory framework

- The Product Eco-responsibility Ordinance, Cap. 603 ("PERO"); and
- Product Eco-responsibility (Regulated Electrical Equipment) Regulation, Cap. 603B ("REE Regulation")

A2.1 The major contents of the WPRS include the following:

- (a) 10 classes of electrical equipment are covered under the WPRS, namely air-conditioners, refrigerators, washing machines, dehumidifiers, tumble dryers, television, computers, printers, scanners and monitors (collectively referred to as REE);
- (b) manufacturers and importers of REE will be required to register as registered suppliers and pay a recycling levy for REE that is distributed in Hong Kong;
- (c) a seller of REE must have a removal service plan endorsed by the EPD for selling REE;
- (d) after distribution of REE and upon request, a seller must arrange free removal service for consumers such that the unwanted equipment of the same class can be delivered to a licensed recycler

who has a Waste Disposal Licence under the Waste Disposal Ordinance, Cap 354 (see 2.4 (c) ii.);

- (e) any person who is engaged in the storage, treatment, reprocessing and recycling of e-waste must obtain a waste disposal licence (see 2.4 (c) ii.);
- (f) a permit will be required for the import and export of abandoned ewaste; and
- (g) abandoned e-waste will no longer be accepted for disposal at landfills and other designated waste disposal facilities.

A2.2 Scope of the REE

As mentioned in paragraph A2.1(a) above, there are 10 classes of REE. The definitions of various classes of REE are set out in Schedule 6¹ to the PERO. The EPD will provide advisory service for addressing enquiries from sellers and other persons.

A2.3 Definition of "Seller"

(a) the PERO defines that a seller means a person who carries on a business of distributing REE to consumers, but does not include a person who only provides service for transporting the equipment that does not belong to the person for another person;

• Air conditioners: including single package type and split type air conditioners, air cooled or air heated (or both), with a rated cooling capacity not exceeding 7.5 kilowatts (3HP).

• Refrigerators: with a total storage volume not exceeding 900 liters.

¹ Generally speaking, REE includes:

[•] Washing machines: with a rated washing capacity not exceeding 15 kg.

[•] Dehumidifiers: operating by using the vapour compression cycle with a rated dehumidifying capacity not exceeding 35 litres per day, but not including those operate by using desiccant materials.

[•] Tumble dryers: dry textiles by tumbling in a rotating drum, use mains electricity as the only power source for heating and with a rated drying capacity not exceeding 15 kg.

[•] Televisions: the size of its display screen does not exceed 100 inches (measured diagonally)

[•] Computers: including personal computer, desktop computer, tablet computer, laptop computer and notebook computer.

[•] Printers: not exceeding 30 kg in weight; one that can also be used as a photocopier, facsimile transmitter or scanner is nevertheless regarded as a printer.

[•] Scanners: not exceeding 30 kg in weight.

[•] Monitors: not having the function of storing electronic data or computing, the size of the display screen is not smaller than 5.5 inches (measured diagonally) but not exceeding 100 inches (measured diagonally).

(b) the sellers referred to under the PERO include general authorised dealers and parallel importers but exclude individuals, persons who are only engaged in re-export business or logistics service.

A2.4 A seller must have an endorsed RSP

- (a) A seller must not distribute REE to a consumer in the absence of a RSP that has been endorsed by the Director of the Environmental Protection ("the Director"). A person who commits an offence is liable on conviction to a fine at level 6².
- (b) "Distribute", in relation to any REE, means the following acts in Hong Kong:
 - (i) supply the equipment by way of sale, hire or hire-purchase;
 - (ii) exchange or dispose of the equipment for consideration; or
 - (iii) transmit or deliver the equipment for any of the following activities
 - supplying by way of sale, hire or hire-purchase;
 - an exchange or disposal for consideration,

but does not include any such act done with a view that the equipment is to be exported in the course of business.

- (c) A seller must apply to the EPD for endorsement of his/her RSP using a specified form REE-5 (see Part C1). The requirements for endorsement of a RSP are:
 - (i) qualified collector/s undertake/s to the seller in writing to provide a removal service for distributing REE by the seller to a consumer. Under the requirement, the collector must hold a business certificate issued under Section 6 of the Business Registration Ordinance, Cap. 310. The collector must provide a written undertaking using a specified form REE-5a (see Part C2). It is also required that:
 - there should be a collector specified as "default collector" whose collection service should cover the whole territory and all types of REE distributed by the seller;

² According to the Criminal Procedure Ordinance, Cap. 221, level 6 refers to a fine of \$100,000.

- not more than 4 collectors may be specified as "non-default collectors". These collectors may provide collection service when the "default collector" is incapable of providing service; and
- the seller may choose to provide removal service in case none of the collectors specified in the RSP is able and willing to provide the service.
- (ii) qualified recycler/s undertake/s to the seller in writing using a specified form REE-5b (see Part C3) to provide a treatment, reprocessing or recycling service for the old equipment removed by the collector specified in the seller's RSP. Under the requirement, the recycler must hold a waste disposal licence within the meaning of the Waste Disposal Ordinance, Cap. 354, that authorises the person to treat, reprocess or recycle all types of abandoned e-waste that are applicable.
- (d) Having regard to the actual situation, the Director may refuse to endorse a RSP if the Director considers it impracticable. If an endorsement application is refused, the Director will notify the applicant in writing of the decision and state in the notice the reasons for the decision.
- (e) A seller may also appoint any qualified collector(s) and recycler(s) in the market. Nevertheless, ALBA Integrated Waste Solutions (Hong Kong) Limited ("ALBA"), the contractor of the Government on WEEE treatment and recycling facilities, the WEEE•PARK, can provide the necessary written undertaking for an individual seller as his/her recycler. If a seller would like to have ALBA as his/her collector, it should be stated clearly in the RSP that ALBA shall be the "default collector" in addition to being the recycler under the RSP.
- (f) If a seller would like to change an endorsed RSP (e.g. change of collector or recycler), he/she must submit an application for the change to the EPD using a specified form REE-6 (see Part C4) at least 30 days before the day on which the change is anticipated to take effect.
- A2.5 Seller must arrange removal service according to the endorsed RSP

- (a) If a seller distributes an REE item to a consumer, the consumer has the right to request and receive a free removal service from the seller according to his/her RSP, and such request shall be made -
 - (i) in a manner specified by the seller, i.e. the removal terms (see para. A2.6(a));
 - (ii) within 3 days after the consumer enters into a distribution transaction with the seller; and
 - (iii) only when the old equipment that the customer requests to be removed is of the same class of the REE distributed by the seller to the consumer.
- (b) A seller who has not arranged removal service commits an offence, and is liable to a fine at level 6 on the first conviction, and to a fine of HK\$200,000 on a subsequent conviction.
- (c) It should be noted that the consumer may not need to use the free statutory removal service arranged by the seller. Contrarily, the consumer can choose to retain the old equipment for his/her own use, donate it to charity, or make other arrangements on his/her own. Under such circumstances, if the consumer has confirmed that no statutory removal service from the seller is required, the seller will be deemed to have fulfilled the responsibility on removal service. Apart from the statutory removal service, the EPD has provided other channels³ to facilitate proper recovery of old equipment by the public.

A2.6 Seller must provide written information to consumer

(a) A seller may set certain removal terms in the contract of distribution with a consumer for the seller's arrangement for the removal service of the old equipment for the consumer. In this regard, the seller must notify the consumer in writing of such terms⁴ before entering into the contract. A seller who contravenes this requirement is liable to a

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³ Including

[•] Recycling hotline (2676 8888) or WhatsApp (6081 5096) – for the public to enquire about waste REE recycling and make appointments for collection.

[•] GREEN@COMMUNITY – all GREEN@COMMUNITY accept waste REE disposal for onward transfer to suitable recyclers for treatment.

⁴ For example, posting of a notice in a conspicuous position of the shop or giving a leaflet containing the removal terms to a consumer can be regarded as "the seller's obligation to notify the consumer in writing of the terms".

fine at level 2 on the first conviction, and to a fine at level 3⁵ on a subsequent conviction.

- (b) On the other hand, a seller, to facilitate the consumer to know his/her right, must notify the consumer in writing of his/her obligation to arrange removal service under the RSP before entering into the contract of distribution. A seller who contravenes this requirement is liable to a fine at level 2 on the first conviction, and to a fine at level 3 on a subsequent conviction.
- (c) This information booklet provides a template of the generic removal terms (TREE-9) in Part D1 as a reference for the seller to draw up the removal terms. A seller should devise suitable removal terms for his/her own use based on his/her operational arrangement and service level and those of his/her partnering collector(s). However, there must not be inconsistency between all these terms and the provisions of the PERO.

A2.7 Other responsibilities of a seller

(a) A seller must provide to consumers a receipt with the wording prescribed by the REE Regulation, in both the English and the Chinese languages, during distribution of REE. A seller who contravenes this requirement is liable to a fine at level 5. Taking the example of a hypothetical distribution transaction of an air conditioner, a washing machine and a television, the following wording should appear on the receipt issued to consumers:

A product set out in this receipt is regulated electrical equipment under the Product Ecoresponsibility Ordinance (Cap. 603). The Ordinance imposes a recycling levy on an item of regulated electrical equipment for the class of such equipment to which the product belongs as follows:

Air conditioner: \$125 per item Washing machine: \$125 per item Television: \$165 per item 本收據所列的產品,是《產品環保責任條例》(第603章)所指的受管制電器。該條例就該產品所屬的受管制電器類別下的每件受管制電器,徵收下列循環再造徵費:

空調機: 每部\$125 洗衣機: 每部\$125 電視機: 每部\$165

If a stamp is used for this purpose, the wording for the above

According to the Criminal Procedure Ordinance, Cap. 221, levels 2 and 3 refer to the fine of \$5,000 and \$10,000 respectively.

distribution transaction can be expressed as follows:

A product set out in this receipt is regulated	本收據所列的產品,是《產品環保
electrical equipment under the Product Eco-	責任條例》(第603章)所指的受管
responsibility Ordinance (Cap. 603). The	制電器。該條例就該產品所屬的受
Ordinance imposes a recycling levy on an	管制電器類別下的每件受管制電
item of regulated electrical equipment for the	器,徵收下列循環再造徵費:
class of such equipment to which the product	
belongs as follows:	☑ 空調機:每部\$125
[7] Ain and idinam \$125 man idam	□ 電冰箱:每部\$165
Air conditioner: \$125 per item	☑ 洗衣機:每部\$125
Refrigerator: \$165 per item	□ 抽濕機:每部\$125
✓ Washing machine: \$125 per item	□ 乾衣機:每部\$125
Dehumidifier: \$125 per item	☑ 電視機: 每部\$165
☐ Tumble dryer: \$125 per item	_ , _ , _ , _ , _ , _ , _ , _ , _ , _ ,
☑ Television: \$165 per item	□ 電 腦:每部\$15
☐ Computer: \$15 per item	□ 列印機:每部\$15
☐ Printer: \$15 per item	□ 掃描器:每部\$15
☐ Scanner: \$15 per item	□ 顯示器:每部\$45
☐ Monitor: \$45 per item	

- (b) Sellers must keep records for all the requests for removal service for a period of not less than one year, in order to facilitate inspection and serve as a proof of the consumer's choice of removal service in case of dispute. A person who contravenes this requirement is liable to a fine at level 2.
- (c) According to the REE Regulation, the seller's record of requests for removal service must contain the following information:
 - (i) information that enables the identification of the distribution transaction (for example, a transaction number);
 - (ii) the time at which the request was made and received;
 - (iii) the manners in which the request was made and received;
 - (iv) proof that the actual remover had been informed of the address of the premises from which the old equipment was to be removed;
 - (v) the date of collection of the old equipment as agreed by the actual remover;
 - (vi) if the actual remover was a collector other than the default collector the default collector's written confirmation that the default collector was unable or unwilling to provide the

requested service, and the reasons;

- (vii) if the actual remover was the seller a written confirmation by each collector specified in the RSP that the collector was unable or unwilling to provide the requested service, and the reasons.
- (d) If any of the aforementioned information is unavailable, that section is taken to be complied with if the record contains an indication of that fact.
- (e) A person who without reasonable excuse contravenes the recordkeeping requirement for removal service commits an offence and is liable on conviction to a fine at level 2.
- (f) This booklet provides a template "TREE-4" (see part D2) as a reference for the seller to keep all the necessary records. Individual sellers may devise other suitable methods of record keeping according to their operational needs.

B. Responsibilities to be fulfilled by sellers when distributing regulated electrical equipment

In summary, to distribute REE, a seller must:

- 1. apply for and obtain endorsement of RSP (see part C1 for the application form REE-5);
- 2. apply for change to the endorsed RSP as and when required (see part C4 for the application form "REE-6");
- 3. arrange removal service free of charge (see para. A2.5);
- 4. notify consumers in writing of the seller's statutory obligation to provide removal service, and the removal terms and any applicable requirements before entering into the sales contracts. (see para. A2.6); and
- 5. keep proper records of requests for removal service (see para. A2.7(b), (c), (d) and (f)).

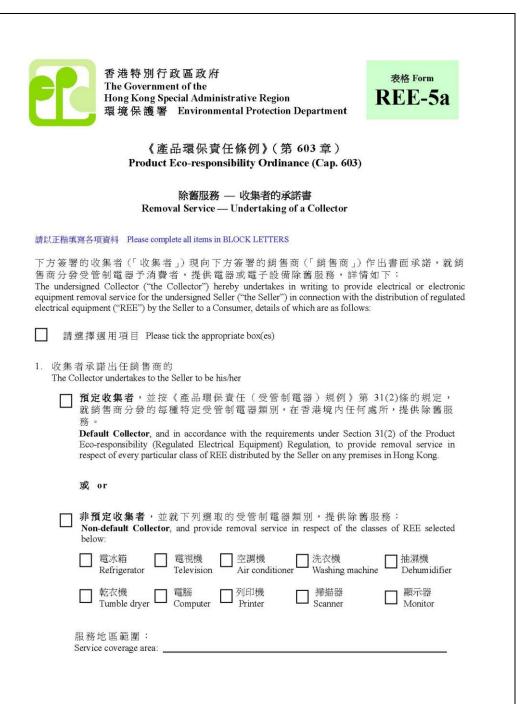
C. Specified Forms

C1. Specified Form REE-5 – Seller's Application for Endorsement of Removal Service Plan



C2. Specified Form REE-5a – Removal Service – Undertaking of a Collector

Each collector must fill in this form individually. The seller shall submit a completed form REE-5a together with specified form REE-5 or REE-6.



C3. Specified Form REE-5b – Removal Service Plan - Undertaking of a Recycler

Each recycler must fill in this form individually. The seller shall submit a completed form REE-5b together with specified form REE-5 or REE-6.



香港特別行政區政府 The Government of the Hong Kong Special Administrative Region 環境保護署 Environmental Protection Department 表格 Form REE-5b

《產品環保責任條例》(第 603 章) Product Eco-responsibility Ordinance (Cap. 603)

除舊服務 — 循環再造者的承諾書 Removal Service — Undertaking of a Recycler

下方簽署的循環再造者(「循環再造者」)現向下方簽署的銷售商(「銷售商」)作出書面承諾,就「銷售商」除舊服務方案下指明的收集者所送達的電器或電子設備(即《廢物處置條例》(第 354章)下定義的「電器廢物」)提供處理、再加工或循環再造服務,詳情如下:The undersigned Recycler ("the Recycler") hereby undertakes in writing to provide treatment, reprocessing or recycling service for electrical or electronic equipment (i.e. "e-waste" as defined under the Waste Disposal Ordinance, Cap. 354) delivered by a Collector specified under the Removal Service Plan of the undersigned Seller ("the Seller"), details of which are as follows:

1. 循環再造者承諾接收在銷售商除舊服務方案內指明由收集者或根據該方案由銷售商 送達的電器或電子設備,並提供處理、再加工或循環再造服務。 The Recycler undertakes to accept the electrical or electronic equipment delivered by a Collector specified in the Seller's Removal Service Plan or the Seller under the plan, and to provide treatment, reprocessing or

2. 該送達的電器或電子設備包括是以下已選取的類別(※ 請選擇所有適用者): The delivered electrical or electronic equipment falls within the selected class(es) below (※ please select

hat apply):	 or electronic	oquipii		are se	iocica ciass(cs) cci	0 ()	x preuse seree
電冰箱 Refrigerator	電視機 Television		空調機 Air conditioner		洗衣機 Washing machine		抽濕機 Dehumidifier
乾衣機 Tumble dryer	電腦 Computer		列印機 Printer		掃描器 Scanner		顯示器 Monitor

3. 以上所指的「銷售商」及「除舊服務方案」的涵義,與《產品環保責任條例》(第 603章)中就該條例所定的涵義相同。

"Seller" and "Removal Service Plan" mentioned above shall have the same meaning as defined in the Product Eco-responsibility Ordinance (Cap. 603) for the purposes of that Ordinance.

C4. Specified Form REE-6 – Seller's Application for Change to Endorsed Removal Service Plan



D. Templates

D1. Template TREE-9 – Sample of Removal Service Terms

	(銷售商)
	除舊服務條款
1.銷售商責任	凡顧客向本公司購買《產品環保責任條例》所指定的受管制電器,本公
	司須按消費者要求,並根據環保署批註的除舊方案,安排免費移走與所
	購買相同種類及數量的舊受管制電器。
2. 除舊地點	適用於全港任何處所。
3. 選取期限	(a) 顧客可於購貨時簽署「除舊服務選取紀錄」即可;或
	(b)於交易後3日內致電向本公司提出要求,逾期作放棄B
	舊服務處理。
4. 除舊服務時間	(a) 一般情況下,於訂立合約並收到顧客的要三個工作天後就能提供上P
	除舊服務。
	(b) 在顧客指定的日期,到顧客指定的地點移走舊件。
	(c) 星期日及公眾假期休息。
5. 注意事項	(a)除舊服務與送貨及安裝服務分開處理,等待移除的舊件可按需要較另
	移走,或短暫存放於移除地點,稍後才移走,顧客可與職員安排。
	(6) 舊件一經收取,恕不退回。
	(c) 舊件必須獨立放置,脫離任何裝置、連接系統、或有障礙的存放位置 (d) 若舊件有嚴重的衞生問題(例如:有餿汁殘渣、蟑螂、螞蟻),工作/
	員有權拒絕移走該舊件,消費者亦不會再享有免費的除舊服務。
	(e)顧客如需更改已約定的除舊服務地點或時間,請於至少2個工作天戶
	致電通知本公司。
	(f) 如遇上黑色暴雨警告 /八號或以上熱帶氣旋警告信號,除舊服務將負
	暫停,並另作安排。
	(g)於約定的除舊時間,因交通或天氣情況,或其他因素影響有所延誤
	暫停或改期,本公司恕不負任何責任。
	(h)顧客、聯絡人的個人資料只作除舊服務用途,本公司將會遵守《個/ 資料(私隱)條例》(香港法例第486章)處理
	(i) 如有任何爭議,本公司保留最終的決定權。
	(/ - / - / - / - / - / - / - / - / - / -

D2. Template TREE-4 – Seller's Removal Service Arrangement Record

This template is provided as a reference for Seller to keep a record of each request for arranging a removal service.

(a) Detailed version

【稿本 TREE-4】 Page No.: (20)	(h) Remarks (Nore 2)	Common scenarios A - consumer changed his/her decision and informed us on (date) and collector was subsequently motified an idea.	B - written refusal by default collector received on (date) (reason) and	subsequently arranged (collector) C-recycler received on (date)	Others.			Common scenarios A -consumer changed his/her decision and informed us on (date) (date) and collector was subsequently notified on (date)	B - written refusal by default collector on (date) (reason	subsequently arranged (collector) C-recycler received on (date)	Others.		Note 2. A -consumer changed his her decision and informed us on	(date) B - written refusal by default collector received on (date)with	reason.
Addutts, TVV	(g) No. of Week* Proposed Collected	TV Wash Fridge	AC Deh.	Dryer	P.C. Print	Scan		TV Wash Fridge	AC Deh.	Dryer	P.C. Print	Scan		ent;	
- RS* Arrangement Record	(f) Information													RO – Removat service; REE – Regulated Electrical Equipment;	WFEF W. 4- F1-4-1 0 F1-4-1
rrangemen	(e) Collection	Informed default collector on	Channel (Note 1)	Appointed collection on (date)	Collected on (date)	Name of collector		Informed default collector on (date)	Channel (Note 1)	Appointed collection on (date)	Collected on (date)	Name of collector	#Number	REE – Regulated Electri	THE COLUMN
S S S	(d) No. of REE* bought	TV Wash Fridge	AC Deh.	Dryer Mon	P.C. Print	Scan		TV Wash Fridge	AC Deh.	Dryer	P.C. Print	Scan	T T		
际置服物女排汽额總衣/Stecord》	(c) Address (for removal)													MS/WeChat/Fax, etc.)	
lecord »	(b) Information												or in person;	Net — by internet; & W — by other written means (Whatsapp/SMS/WeChat/Fax, etc.)	
《Full Record》	(a) Consumer	Request (Date)	Channel (Note 1)	Invoice No.	Name (Mr:/Ms)	Telephone No.		Request (Date)	Channel (Note 1)	Invoice No.	Name (Mr. / Ms)	Telephone No.	Note 1 V – by telephone or in person;	Net – by internet; & W – by other written	

(b) Simplified version

D3. Template TREE-3 – Supplementary Sheet for Seller's Distribution Avenues

This template is for seller to provide or change supplementary information on the distribution avenues and must be submitted in conjunction with form REE-5 or REE-6 upon completion.

		PRODUCT ECO-RESPONSIBILITY (REGULATED ELECTRICAL EQUIPMENT) REGULATION Supplementary Sheet for Seller's Distribution Avenues	ECTRICAL EQUIPMENT) REGULATION stribution Avenues	TREE-3
	Firs		Change of information (Fill in the changed information as appropriate)	
	Name of C Removal Se	Name of Corporation/Company: Removal Service Plan Reference No. (if any):	Sheet	Jo
Various typ	Various types of distribution avenues:			
1. Online		URL and Site Name:		
2. Mobile Apps	Apps	Title:		
3. Telepho	Telephone Sales	Telephone No.:	Registered Address:	
4. Interna	Internal Staff Sales	Section belonged to:	Relevant Business Registration No.:	
5. Other (Other (Please specify)			
Physical Store(s)	ore(s)			
Shop no. / Random no.	To add (<) / To delete (X) Effective on: (DD/MM/YY)	Name of Business	Business Registration No.	Address
	Effective on:			
Note: This form is t TREE-3 (5/2018)	Note: This form is to be used with Form REE-5 or REE-6. TREE-3 (5/2018)	S or REE-6.		

E. Enquiries and Application Submission

For enquiries, please contact the EPD office by post to 21/F, High Block, Queensway Government Offices, No.66 Queensway, Hong Kong (please specify on the envelope "PRS on WEEE"), by fax at 2318 1877 or by phone at 2838 3111.

Application Submission

By Post: The completed application form together with copies of relevant documents can be sent by post to:

Address: Environmental Protection Department,

21/F, High Block, Queensway Government Offices

No.66 Queensway, Hong Kong

"PRS on WEEE"

In Person: The completed application form together with copies of relevant documents can be submitted in person during office hours (Monday to Friday, 9:00am to 5:00pm) to the following EPD offices:

Office	Address	Telephone
Revenue Tower Office	33/F., Revenue Tower,5 Gloucester Road, Wanchai, Hong Kong.	2824 3773
Cheung Sha Wan Government Offices	8/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon.	2402 5200
Regional Office (East)	5/F., Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon.	2755 5518
Regional Office (South)	2/F., Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong.	2516 1718
Regional Office (West)	8/F., Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, NT.	2417 6116
Regional Office (North)	10/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, NT.	2158 5757

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