Contribution submitted by email by GAMBICA on 06.0302014:

Study concerning Review of Scope of Directive 2011/65/EU

GAMBICA *is the UK Association for Instrumentation, Control, Automation and Laboratory Technology. It has a membership of over 200 companies including the major multinationals in the sector and a significant number of smaller and medium sized companies.*

The Association is therefore particularly concerned with industrial products/equipment in Category 9.

GAMBICA *welcomes the opportunity to respond to the "Questionnaire for 2nd area of review: EEE newly in scope".*

We support the general principles set out in the response submitted by ***ORGALIME*** *and also offer the following additional comments concerning the options set out in* ***section 6 "Impacts of compliance" of the Questionnaire****: [see below]*

Questionnaire for 2nd area of review: EEE newly in scope

Technical and socio-economic considerations relevant for assessing the impacts of various possible amendments to Articles 2(2), 4(3) and 4(4).

Questions

1. Contact Information

□ **Name:** _____*Peter Lawson*_____

□ **Organization:** __*GAMBICA Trade Association*_____

□ **Email:** __*pjlawson@gambica.org.uk*_____

□ **Telephone:** __*+44(0)20 7642 8082*_____

2. Area of activity (more than one is possible):

□ **Industry***;* *Yes*

□ **Rent/repair business;** *Yes*

□ **Industry/business association;** *Yes* **-** *UK Engineering Trade Association www.gambica.org.uk*

6. Impacts of compliance

- **RoHS 2 legal text to remain unchanged**
  The BIO IS report of July 2012 "Measures to be implemented and additional impact assessment with regard to scope changes, pursuant to the new RoHS Directive" clearly sets out the negative consequences that result from the current wording of Article 2(2).
  We do ***not support*** *this option as it penalises both manufacturers and users without bringing any environmental benefit.*

- **Amendment of Article 2(2) to exclude Category 8 and 9**
  We support *this option (as set out in Option #2 in the BIO IS report) but would ideally prefer a solution that addresses all affected EEE (as set out in Option #1 in the BIO IS report).*

- **Incorporation of Article 2(2) into Article 4(3) with the 22.7.2019 as compliance date, thus allowing secondary market operations for non-conform products newly placed on the market before July 2019**
  We support *this option (as set out in Option #1 in the BIO IS report).*

- **Incorporation of Article 2(2) into Article 4(3) with an earlier compliance date (to be agreed upon with the EU COM), thus allowing secondary market operations for non-conform products newly placed on the market before the respective date**
  We do not believe this option is practical *- our sector has very long development and lead times and will therefore not have sufficient time to adapt to any changes.*

- **The addition of a spare part provision for non-conform products newly coming into scope and placed on the market before 2019**
  We support this option *(as recommended by the BIO IS report) as a necessary provision in order to be able to support the repair of these products in the field.*

We also urge the Commission to act quickly in order to remedy the unintentional consequences of Article 2(2) - it is important that this issue is resolved in order to remove the uncertainty that is currently affecting our members and also their customers.

Peter Lawson | Deputy Director | **GAMBICA**, The Association for Instrumentation, Control, Automation & Laboratory Technology

Tel: +44 (0)20 7642 8080 | **Direct Tel:** : +44 (0)20 7642 8082 | **Email:** pjlawson@gambica.org.uk

Web: www.gambica.org.uk | **Address:** Broadwall House, 21 Broadwall, London, SE1 9PL