

20 December 2018

To the attention of:  
Yifaat Baron  
Öko-Institut e.V.  
Merzhauser Strasse 173  
79100 Freiburg  
Germany

**Comments to the revised manual (draft) methodology to identify and assess substances for possible restriction under the RoHS Directive**

Introduction

Critical Raw Materials (CRMs) are economically and strategically important for the European economy, have a high-risk associated with their supply and lack of (viable) substitutes.

In order to guarantee reliable and unhindered access to these raw materials, the European Commission has created a list of CRMs for the EU<sup>1</sup>. This list includes antimony, beryllium, cobalt and indium – four of the seven substances identified for assessment under RoHS (beryllium and compounds, diantimony trioxide, indium phosphide, cobalt dichloride and cobalt sulphate).

The comments below reflect industry's concerns regarding the targeting of substances classified as CRMs under RoHS.

CRM-specific Comments

**1. CRMs must not be classified as high priority substances for restriction under RoHS**

Given their important applications, supply risk and difficulty if not impossibility of substitution, CRMs must not be considered high-priority substances for assessment of restriction under RoHS.

Indeed, the methodology must reserve special attention to CRMs and take into account the societal, economic and environmental impacts that will derive from their potential restriction under RoHS before considering prioritisation.

**2. Assessed and not restricted CRMs should not be reassessed under RoHS**

If a CRM is ultimately assessed and a restriction not adopted under RoHS, the substance should not be reassessed in the future in absence of compelling new evidence in order to avoid any disruption of the CRM supply chain and guarantee certainty to consumers, industry and the EU.

---

<sup>1</sup> [https://ec.europa.eu/commission/publications/report-critical-raw-materials-and-circular-economy\\_en](https://ec.europa.eu/commission/publications/report-critical-raw-materials-and-circular-economy_en);

JRC Science-for-Policy Report (JRC108710): Critical Raw Materials and the Circular Economy. Background report. JRC Science-for-Policy Report. December 2017, EUR 28832 EN, <http://dx.doi.org/10.2760/378123>.

# BeST

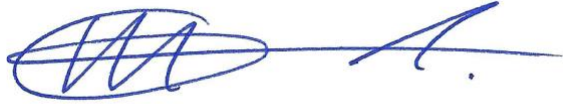
Beryllium Science & Technology Association

 International  
Antimony Association



**mmta**   
minor Metals trade Association

We remain at your disposal to discuss the above-points and for any further assistance.



On behalf of all co-signatories

Maurits Bruggink - Director EU Affairs Beryllium Science & Technology Association

Caroline Braibant - Secretary-General - International Antimony Association

Birgit Müller – IMAT - [Birgit.Mueller@fcm-germany.com](mailto:Birgit.Mueller@fcm-germany.com)

Maria Cox – General Manager – Minor Metals Trade Association (MMTA)

**BeST** – The Beryllium Science and Technology Association – represents the suppliers of beryllium metal, beryllium-containing alloys and beryllium oxide ceramics in the EU market and has the objective of promoting sound policies, regulations, science and actions related to the use of beryllium as well as promoting good practices in the workplace, in order to protect workers handling beryllium-containing materials.

For further information: e-mail: [info@beryllium.eu](mailto:info@beryllium.eu) • [www.beryllium.eu](http://www.beryllium.eu) • [www.berylliumsafety.eu](http://www.berylliumsafety.eu)

## **i2a**

The mission of the International Antimony Association is to inspire product stewardship along the antimony value chain. This mission is accomplished by generating and sharing information concerning the environmental and health safety and societal benefits of antimony and antimony compounds. Through a common evidence base, i2a promotes a harmonized risk management and continued safe use of antimony and antimony substances across the value chain and geographical borders.

For further information: [www.antimony.com](http://www.antimony.com).

## **MMTA**

The Minor Metals Trade Association (MMTA) is a not-for-profit organisation, which serves to benefit and promote the interests of its international Membership, comprising companies actively involved in all aspects of the international minor metals sector. The MMTA is the world's largest association focused exclusively on minor metals, and is comprised of 150 companies from across the globe, engaged in all aspects of minor metals activity. The association works together with and on behalf of its members, to promote the importance of minor metals and inform on the issues affecting their trade, availability and use. Over 60% of MMTA members are European based companies. The MMTA has members in over 20 countries.

## **IMAT**

IMAT – The working group “Innovative Materials for Sustainable High-Tech Electronics, Photonics and Related Industries“ is targeting to be a platform along the vertical supply chain for companies and research institutes working in the semiconductor industry and their application. Its products and R&D activities have a high socio-economic importance for Key Enabling Technologies. Since this sector is acting on a global scale IMAT is focusing to strengthen the competitiveness of European members by contributing in European regulation of chemicals and by communication and cooperation through the entire value chain. This covers occupational health and safety aspects at workplaces as well as environmental issues. Information and data were generated to continue safe use and handling of semiconductor material and process chemicals.