

Messagerie : Gordon.dawkins@ineos-nova.com

Ligne directe : +33.3.21.77.32.93

Télécopieur : +33.3.21.77.32.99

Nos Réf :

Date : 3 avril 2008

Vos Réf :

Objet : Rohs.exemptions@oeko.de

ÖKO Institute  
Postfach 50 02 40  
79028 Freiburg  
Germany.

Dear Sir, Dear Madam,

I am writing to you on behalf of INEOS NOVA in the context of the ongoing Öko Institute consultation regarding the revision of the exemptions to the EU RoHS directive.

As you know, the flame retardant Deca-bromo-diphenyl ether benefits, since 15 October 2005, from an exemption from the RoHS directive since 15 October 2005, and we would like to stress the importance of keeping that exemption in the frame of the ongoing revision of the RoHS directive.

This exemption has been awarded following the good conclusions of the finalized EU risk assessment conducted by the European Commission and the Competent Authorities of the Member States between 1995 and 2005. These conclusions have been reviewed during the last meeting of the Competent Authorities in December 2007, where no need for further risk reduction measures has been identified.

We strongly believe that this recent update, confirming the quality of the scientific data available and the absence of risk related to the use of DecaBDE in polymeric applications, should justify the conservation of the existing exemption for DecaBDE.

In this view, we would like to raise the following points :

**Deca-BDE's EU risk assessment recent review was concluded with no need for any restrictions for Deca-BDE's use**

- Meeting in Lisbon on 11 December 2007, the Competent Authorities responsible for the EU's existing chemicals policy confirmed the updated Risk Assessment Report



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conclusions of no significant risk and no need for restrictions, agreed that the Commission should proceed to formal publication of the Risk Assessment Report by June 2008.

**Deca-BDE has a positive impact on consumer safety as it enables a wide variety of materials to meet high fire safety standards**

- Deca-BDE makes a tremendous contribution to society in terms of fire safety. Using Deca-BDE in the manufacture of electronic equipment prevents deaths and injuries from fires by reducing the chances of materials igniting and lowering the rate of combustion. Flame retardants are not only important in the home, but also ensure the fire safety of many public places, automotive, aviation and others.

**Alternatives to Deca-BDE do not have the same level of scientific data regarding their health and environmental impact**

- Alternatives to commercial Deca-BDE exist. However none of the alternatives has gone through a risk assessment as extensive as that for Deca-BDE.
- To be considered suitable alternatives to Deca-BDE according to the criteria of Article 5.1.b, substitute chemicals should be subjected to the same or similar scientific review process and to be able to demonstrate that their impact on the environment and health is lower than Deca-BDE.
- Deca-BDE is a substance with no significant risk identified and is now far better controlled through the manufacturing supply chain than any alternatives owing to its monitoring and emission reduction programs.

Considering these elements, we hereby request the existing exemption from the RoHS directive requirements for the substance DecaBDE to be conserved in the future update of the RoHS directive and of its exemptions.

Yours Faithfully,



Gordon Dawkins  
Product Stewardship Manager  
INEOS NOVA  
Tel 33(0)321773293  
Fax 33(0)321773299  
Mobile 33(0)671603226  
Gordon.Dawkins@ineos-nova.com