Guidelines for submitting stakeholder comments

The purpose of this online stakeholder consultation is to collect comments on the scope of the current adaptation of Directive 2002/95/EC's Annex to scientific and technical progress.

In the framework of the online stakeholder consultation run under http://rohs.exemptions.oeko.info/index.php?id=68 the following general guidelines should be taken into account when submitting comments:

- Refer to request 5 only
- Clearly state whether the request is supported or whether no justification is seen in accordance with Article 5 (1) (b). To support your comment, it is useful to provide relevant technical and scientific evidence as well as an assessment of your evidence by an independent expert. Explain the reasons why potential alternative materials, designs or processes are unsuitable with quantitative data wherever possible. Although not decisive, any relevant economic data regarding those alternative materials are also welcome. If possible, provide photographs or diagrams to illustrate claims. Sources of information should be referenced where possible.
- Take the general questionnaire (http://rohs.exemptions.oeko.info/fileadmin/user_upload/Consultation_3/General_questionnaire_Consult-3_RoHS-exemptions.pdf) as well as the specific questions (http://rohs.exemptions.oeko.info/fileadmin/user_upload/Consultation_3/Specific_questions_request_5.pdf) into account. However, the information requested through the questionnaire should be considered as a minimum requirement.
- Exemptions to the RoHS Directive can not be justified on the basis of confidential information. Should you wish such information to be used as a justification for an exemption, you need to give explicit agreement to the Commission and the project team to disclose the relevant information on their website.
- Comments shall be clearly marked “NOT FOR PUBLICATION” if they are not be posted as comments on the consultation website.
- Please refrain from submitting several identical comments in order to support a position /comment. It is more useful and efficient to include a cover letter stating that a submission is supported by several parties.
- Submit compact and comprehensive information instead of very large and extensive documentation. It will facilitate formulating the need for further information.
- If an exemption is the result of or has been reviewed during a recent evaluation, stakeholders do not have to re-submit all information but should mention which information has already been made available. They should also rather send additional information or statements on changes that have occurred in the meantime.
- **Do not submit new exemption requests.** New exemption requests have to be addressed to the European Commission directly. Furthermore, comments should not

relate to former evaluations. Any questions or remarks concerning results of former evaluations should be addressed to the European Commission directly too.

- Please be aware that it might be necessary to give a negative recommendation if important information is missing.
- When putting information together with a view to submit a comment, please also take the guidance on the RoHS Directive into account. A selection is available on the project website under http://rohs.exemptions.oeko.info/index.php?id=13.
- Always include your contact details (or of the person responsible for further contact). The evaluation procedure will normally lead to further questions that we need to address to you directly.

Please note that The Technical Adaptation Committee (TAC) cannot consider exemption requests for any other reason than specified in Article 5 (1) (b) of Directive 2002/95/EC (for example a justification based on increased costs).

However, as the review process of the RoHS Directive itself runs in parallel**,** any information on economic and social considerations regarding the new request No. 5 can be very useful for the Commission. The project team will therefore appreciate to receive any relevant data which can support the impact assessment to be carried out in the context of the review of the RoHS Directive. For information on the RoHS review process see http://ec.europa.eu/environment/waste/weee/events_en.htm.

Furthermore, technical and socio-economic information on the extent to which the existing exemptions / requests are relevant also for medical devices and control and monitoring equipment (categories which currently fall outside the scope of the RoHS Directive, but which may be included in the future) would also be of interest for the Commission.