



Department
for Business
Innovation & Skills

Oko-Institut e.V.
Yifaat Baron
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8 January 2016

Contribution to Stakeholder Consultation 2015-3 – Joint Revaluation of Two Requests for Exemption, First Reviewed in 2013-2014, Related to Cadmium Quantum Dot Applications

Dear Ms. Baron,

Given the mandate of the UK Government through the Department for Business, Innovation & Skills to promote innovation and protect consumers, we object to the applicants' requests to exempt the use of Cadmium in quantum dot technology (exemption 39).

The European Commission is already fully aware of the UK view expressed in Council last year. That was, we firmly believed that in the interest of providing industry with certainty, time should be allowed for cadmium containing quantum dots to be phased out but at the same time, innovation aimed at bringing in cadmium free QDs should be strongly encouraged.

We objected to exemption 39 being allowed as the effect of that measure meant that quantum dot technology containing cadmium and cadmium free (CFQDs) would be allowed on to the EU market until July 2018. Even at that time, cadmium free technology was being commercialised and was already available in certain markets since the start of February 2015. Although the UK and Sweden voted against the Delegated Act, we were out-voted in Council, but we were joined by other member States calling for the Commission to urgently review their data. In addition, and in an unprecedented move, the European Parliament also rejected the Delegated Act. Given this overwhelming pressure against extending the exemption to July 2018, we believe that the work currently being undertaken by the Öko Institute is welcome but the time taken to undertake the review of data is far too long and may well result in cadmium containing QDs remaining on the market longer than is warranted given the availability of CFQDs.

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In these circumstances, we would argue that the Delegated Act now being considered is based on material which is out of date. We would, therefore, urge the Commission to speed up the remainder of the exercise and if a Delegated Act emerges recommending that the exemption be terminated, that process should be taken forward as quickly as possible within the timescales outlined in Article 5 of the RoHS Directive.

Yours sincerely

Iain Nicol