

## **Campine Statement on Revised manual (draft) methodology to identify and assess substances for possible restriction under the RoHS Directive**

We, Campine, welcome the opportunity to comment on the revised manual (draft) methodology to identify and assess substances for possible restriction under the RoHS Directive. We share with you our considerations, with the aim to discuss and to improve the final methodology.

Our general comments

### **Coherence with other legislation**

We appreciate that the methodology seeks to ensure coherence with other chemicals legislation, in particular REACH. Coherence between legislation will help to evaluate substances based on in depth analysis as industry can focus the investigations. We would recommend to avoid to take conclusions before the REACH evaluation step is finished.

### **Precautionary principle and possible substitutes.**

We would recommend to evaluate possible substitutes only when they passed the REACH evaluation step.

Article 6.1 of the RoHS Directive requires that the Commission takes into account the Precautionary Principle. This is often interpreted too narrowly by ignoring the possibility of harm from substitutes. Before taking final conclusions preliminary assessments of the possible substitutes must take place in order to avoid new restrictions in the future. The recommendations and/or implementation of the RoHS regulations must create safer products/standardization in the right direction.

**We would like improvement of the draft methodology to provide more clarity on the definition of 'hazardous substance' in order to be relevant, reliable, repeatable and reproducible:**

1. The draft methodology starts from a list of all classified substances and an imprecise definition of what 'hazardous substance' means. This virtually means that all substances registered in ECHA's database (more than 20,000 substances), will need to be scrutinized for possible restriction under RoHS. Manually scrutinizing such a large list of substances without a proper definition for 'hazardous substance' is practically impossible. Only after 'hazardous substance' is precisely defined, a first list of substances can be extracted. Subsequently, this list of 'hazardous substances' can be refined based on their actual use/presence EEE, in order to be considered for further possible RoHS assessment.

We request that the next draft methodology provides a precise and workable definition of 'hazardous substance', on which to base all its subsequent steps.

2. Related to the above, the draft methodology makes in our opinion insufficient references to hazard, exposure/emissions and risk. Once 'hazardous substance' is defined more

precisely, and their actual use/presence in EEE confirmed, there is a need to understand the exposure likelihood for each substance. Hazard alone does not imply risk. There is no risk without exposure/emissions. Relevant wording can be found in the ECHA Guidance on information requirements and chemical safety assessment (PART A), for example.

We request that the next draft methodology correctly refers to the terms hazard, exposure/emissions, and risk which apply in any risk assessment, as explained in the ECHA. (see comments i2a)

3. 'Release into the environment from EEE during the use phase and recycling phase' requires good evaluation criteria. We would prefer clear evaluation criteria and a method to join effort to create availability of data, especially in the recycling phase. It is very difficult for the industry to have a clear view on the recycling trajects. E.g. common use of immission figures, recycling capabilities, would help to compare performance of substances and to improve in this performance by implementing new solutions.
4. In our opinion, the assessment can also lead to implementation of better products with the same substance/working methods during use and recycling instead of restriction of the substance.  
E.g. the use of powder in plastics: the producer could deliver the product embedded in a matrix of plastics or protected for any inhalation. It must be possible to restrict the use of the powder in applications without restricting the substance itself if all other emission/exposure can be avoided.

## Implementation of RoHs regulations

We regret the proposal does not take the implementation itself into account. For European industry it is very important that regulations are controlled in a good way: import must be treated in the same way as European production in order to avoid a shift of production to non-European areas. It is necessary as well for European production as for recycling industry to rely on a good implementation.

We trust that you find the above helpful. If you have any queries please do not hesitate to contact me.

Yours sincerely:  
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## About Campine

CAMPINE is producer of antimony trioxide and flame retardant master batches, as well halogenated as non-halogen. Campine aims to contribute to a zero waste by development of new recycling solutions.  
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