



7 November 2019

DIGITALEUROPE response on Pack 15 consultation: Substance Review and Substance Inventory

DIGITALEUROPE, the association representing the digital technology industry in Europe, welcomes the opportunity to contribute to the stakeholder consultation held as part of the study to support the review of the list of restricted substances and to assess a new exemption request under RoHS 2 (Pack 15). Given the short 6-week consultation period, we have focused on some general comments in our response, mostly relating to the application of the final version of the methodology to the Substance Review and Substance Inventory.

In December 2018, DIGITALEUROPE contributed to the consultation on the revised manual (draft) methodology to identify and assess substances for possible restriction under the RoHS Directive and the substance inventory. Various of the concerns we raised at that time, and reiterated in May 2019, remain and we have an overarching concern that an incomplete methodology is being applied to the substances and inventory.

Substance Review

We notice that the final version of the RoHS substance methodology is almost identical to the second draft released in April 2019. The concerns we raised in the last DIGITALEUROPE position paper, regarding Article 6(1) interpretation, nanomaterials, substance grouping, manufacturing chemicals, still remain.

However, for the application of the methodology to the review of the four substances¹, we welcome that the Öko Institute has taken into account the 4 criteria in Article 6(1), as opposed to the statement included in the methodology that: “It is thus interpreted that a stricter approach can be taken by RoHS, provided that scientific and technical information show that there is a probability that at least one of the Article 6(1) criteria is fulfilled” (page 18).

¹ Cobalt dichloride and Cobalt sulphate; Nickel sulphate and Nickel sulfamat; Beryllium and its compounds; Indium phosphide

It also concluded in one of the dossiers that “It is therefore expected that a restriction of these compounds in EEE would not necessarily be effective in preventing their use in the processes. It is therefore not recommended to restrict the two substances, as benefits on health and environment would not be expected to incur as a result of such a restriction.”² This seems to indicate a certain amount of flexibility of interpretation when implementing the methodology.

Overall, we support the proposed conclusions of the dossiers for the four groups of substances not to include the substances into RoHS Annex II.

Substance Inventory

While we welcome certain interpretations of parts of the methodology in the review of the four substances, we remain concerned that our previous input has not been taken fully into account. An observation on the draft Inventory is that only a couple of substances listed as restricted in Column H have been restricted, the majority haven’t been. It is therefore not clear what the justification for these restriction references is.

DIGITALEUROPE remains committed to engage further in the upcoming discussions and are at the disposal of the Öko Institute, European Commission and Member States for any further contributions.

FOR MORE INFORMATION, PLEASE CONTACT:



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² ROHS Annex II Dossier for Nickel sulphate and Nickel sulfamate. Restriction proposal for substances in electrical and electronic equipment under RoHS

About DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies.

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