Stakeholder consultation held in the course of "Study to support the review of the list of restricted substances and to assess a new exemption request under RoHS 2 (Pack 15)"

1. Introduction

The RoHS Directive (2002/95/EC) (RoHS 1) has been recasted and has now become Directive 2011/65/EU that entered into force on 21 July 2011, repealing Directive 2002/95/EC on 3 January 2013. Directive 2011/65/EU is available here: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0065:EN:NOT.

The European Commission has appointed the Oeko-Institut and Fraunhofer IZM[1] to technically assist in a "Study to support the review of the list of restricted substances and to assess a new exemption request under RoHS 2 (Pack 15)".

In the course of this project, this fifth stakeholder consultation aims at consulting on the assessment of three of the seven substances that have been evaluated and on collecting information for the final substance prioritisation.

The consultation is run by Oeko-Institut together with Fraunhofer IZM on behalf of the European Commission, with the purpose to collect stakeholder contributions, under http://rohs.exemptions.oeko.info/index.php?id=345. Please note that the role of Oeko-Institut and Fraunhofer IZM is only to collect and evaluate the information provided by stakeholders with a goal to provide the Commission with a recommendation on the possible restriction of substances and as to the substances to be subjected to a prioritization review. Any decision making, however, is the sole responsibility of EU institutions.

Neither the fact that a stakeholder consultation is being launched, nor the results of this stakeholder consultation should be interpreted as a political or legal signal that the Commission intends to take a given action.

2. Consultation scope

The scope of the current consultation concerns the collection of comments on the dossiers of three of the seven substances under assessment specified in the table below. The scope also includes collection of information for the substances falling under the highest priority category of the revised RoHS Substance Inventory. This is to allow a quantification of the usage of these substances in EEE, or where this is not possible, to produce a magnitude ranking of the substances in this category with a view to a refined prioritisation for future review cycles. Guidance for the consultation on the three substance assessments follows. Guidance for the substance inventory consultation has been prepared separately and can be found on the substance prioritisation page.

The substances are addressed below as worded by the European Commission in the technical specifications of the study.

[1] Contract is implemented through Framework Contract No. ENV.A.2/FRA/2015/0008 led by Oeko-Institut

Table 2-1: List of substances under assessment, covered by this stakeholder consultation

No.	Substance name
1	Medium Chain Chlorinated paraffins (MCCPs)
2	Tetrabromobisphenol A (TBBP-A)
3	Diantimony trioxide

3. How to submit a stakeholder contribution

The following general guidelines should be taken into account:

- Refer to the substance or substances listed to which your contribution refers.
- To support your contribution, it is required to **provide relevant technical and scientific evidence** supporting your views. When providing quantitative data for a specific substance, please clearly specify what users (EU market, specific sector, specific manufacturers, etc.) or flows (import, manufacture) the data refers to. Please explain the reasons why potential alternative materials, designs or processes are unsuitable with quantitative data wherever possible. If possible, **provide diagrams** to illustrate claims related to trends of use or calculations related to possible impacts of a restriction scenario. Provision of third party data and information may be beneficial to further support your view. **Sources of information** should be referenced where possible.
- Provide your input to the consultation as early as possible in order to allow other stakeholders to comment.
- The assessment of substances aims to be transparent. In this sense, where possible, please provide information that can be made public. Provision of information not marked as confidential shall be assumed as explicit agreement of the submitting stakeholder to the Commission and the project team to disclose the relevant information on their website.
- Should you submit confidential information please clearly mark it as **"NOT FOR PUBLICATION"** if it is not to be posted on the consultation website or cited from in reporting. Please refrain from submitting confidential and non-confidential information mixed in one document. Should this nonetheless be necessary, please provide such documents in a confidential and a non-confidential version!
- 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.
- It shall be noted that generic comments, statements, position papers will not be taken into account.
- Always include **your contact details** (or of the person responsible for further contact with name, organisation, email and phone number). The evaluation procedure may lead to further questions which we need to address to you directly.

- If you submit documents in **PDF-formats**, please make sure that text can be marked and copied selectively from these documents in order to avoid retyping (which is a possible source of mistakes) when summarising your arguments for the review report.

Interested parties are invited to send their comments by e-mail, at the latest on **30 January 2020**, to rohs.exemptions@oeko.de or by post to:

Oeko-Institut e.V.

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