



Contact persons:

Pia Sørensen, pia.sorensen@miljodir.no

Ann Kristin Larsen, ann.kristin.larsen@miljodir.no

To

rohs.exemptions@oeko.de

Oslo, 03/03/2021

Norwegian comments on exemption requests from the substance restrictions in electrical and electronic equipment (RoHS Directive) (Pack 22)

General comments on the exemption requests 6(a), 6(a)-I, 6(b), 6(b)-I, 6(b)-II, 6(c), 7(a)

According to Recital (19) in 2011/65/EU *Exemptions from the restriction for certain specific materials or components should be limited in their scope and duration, in order to achieve a gradual phase-out of hazardous substances in EEE, given that the use of those substances in such applications should become avoidable.* Article 5.1 (a) in the RoHS directive (2011/65/EC) stipulates that exemptions can be included in Annexes III and IV for materials and components of EEE for specific applications. Our interpretation is that both the material or component and the specific applications need to be defined in the description of an exemption.

A general comment to all exemptions mentioned above, is that the exemptions need to be narrowed down to a scope that can be evaluated according to at least one of the three criteria in RoHS article 5(1) a. This is not the case in these applications. With the current wording of exemption 7(a) *Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more lead)* it is almost impossible to perform enforcement activities, since it is unclear when it is justified to take advantage of this exemption.

Postal address: PO Box 5672 Torgarden, N-7485 Trondheim | Tel: +47 73 58 05 00 | Fax: +47 73 58 05 01 E-mail: post@miljodir.no |

Internet: www.environmentagency.no | VAT.No.: 999 601 391 Visiting address Oslo: Grensesvingen 7, N-0661 Oslo |

Visiting address Trondheim: Brattørkaia 15, N-7010 Trondheim, Norway