



**Jackie PIERRE**  
Sénateur des Vosges

Paris, October 5 th , 2015

**« Exemption Request For Exemption no. 29 (renewal request)**

Dear Sir, Dear Madam,

The crystal industries could be severely damaged and some of them may even disappear if the European Union does not grant a derogation to the use of lead bound in crystal production for luminaires and other electric applications containing crystal (lamps, electrified mirrors, horology, display cases, digital photo frames, docking stations, furniture/home decors, illuminated bricks and other building materials).

The exemption relates to Directive on restrictions of hazardous substances and aims at limiting the damage to environment via the discard of electric items made with some substances, including lead.

The current exemption runs until July 2016.

A renewal request was lodged in January 2015 by the European Domestic Glass Committee, and the European Commission has now opened a public consultation, requesting to stakeholders whether and why they support or object to the exemption renewal request.

As a French Senator of the main region concerned, Lorraine, I would therefore like to draw your attention to the following points :

- **Should the renewal not be granted, the existence of crystal manufacturers would be endangered ;**
- **The region of Lorraine would be affected at its very heart :**
  - Around 1,600 direct jobs in France, 6,000 in Europe would be threatened ;
  - Branding and identity of a Region already deeply affected by a long term crisis would be at risk ;
  - Crystal manufacturers are located outside the major employment sites ; they really are the unique economic lungs of their economic activity zones.
  - Crystal manufacturers have become a tourist attraction for Lorraine (ex. : 20,000 visitors for Le Musée La Grande Place in Saint-Louis).
- **Banning the use of lead would have no environmental impact in this case :**
  - Instead, it would jeopardize a whole sector for a limited risk. Most of the **items manufactured in our factories and workshops are unique**. Each of them is a creation or issued in a limited edition. There is **no mass production**:
    - for horology, production is about hundreds per year per producer,
    - for electric chandeliers, total production volume is a little more than a thousand per year in Europe.

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*Permanence parlementaire : 18 rue François de Neufchâteau – B.P. 70237 – 88000 EPINAL  
Tél. : 03.29.35.16.19 Fax. : 03.29.35.28.63 Email. : [senateur.jackie.pierre@wanadoo.fr](mailto:senateur.jackie.pierre@wanadoo.fr)*

*Palais du Luxembourg – 15 rue de Vaugirard – 75006 PARIS – Tél. : 01.42.34.28.63 Fax. : 01.42.34.42.12 Email. : [j.pierre@senat.fr](mailto:j.pierre@senat.fr)*

- Landfilling of these prestigious items is highly unlikely : they are **kept, transferred, inherited or resold**. Crystal manufacturers provide inherent assistance via an after-sales service by which they collect and replace the broken parts of crystal parts of electric luminaires. In addition, there are second-hand shops and specialized repair workshops, privately collecting, repairing and replacing spare parts of crystal glass electric applications.
  - A comparison needs to be made between the few thousands of crystal items and for instance the 5.8 millions of TV screens produced in 2014 in Europe, also produced with Lead.
  - The applicants have produced the results of leaching tests (Test reports performed by the SSV n° 126917 and 126760, April 2015). These tests demonstrate that crystal is classified as non-hazardous waste according to criteria from Council Decision 2003/33/EC, in relation to Pb leaching.
  - Should the renewal not be granted, there would be no positive effect on the consumer (who is not exposed) or the environment (compliance with non-hazardous waste criteria).
- **No substitution scientifically nor technically practicable**
- Thorough and documented research over two decades **have not led yet to a substitute for Pb oxide** which remains an essential constituent of crystal, as recognized by Directive 69/493/EEC. Moreover, the industrial use of Pb oxide **is heavily regulated at EU level** with regard to environment and human health.

Our Exemption Request For Exemption 29 (Lead bound in crystal glass) is based on the following arguments :

- ⇒ No acceptable substitute that would give the items the same optical properties, aesthetic qualities and allow energy savings
- ⇒ Lead oxide is synthesized into the substance crystal
- ⇒ Crystal brings the capacity to create items otherwise impossible to produce
- ⇒ Crystal elements of electric equipment are precious, preserved, and restored, not discarded
- ⇒ No danger to the environment : compliance with non-hazardous waste criteria for the environment
- ⇒ Crystal is exempted from REACH restrictions on Pb containing articles
- ⇒ No substitution scientifically nor technically practicable (cf. over 20 years of research so far)
- ⇒ Strictly controlled manufacturing conditions,
- ⇒ No danger to the consumer,
- ⇒ Crystal manufacturers already under economic stress, sometimes with a negative growth for several years, and a ban on articles representing 20% to 40% of the turnover could be fatal
- ⇒ Constellation of mainly SMEs assembling and supplying crystal items
- ⇒ Preservation of economic and cultural heritage

**Oeko – Institut e.V**  
Postfach 17 71  
79017 Freiburg

E-mailed : [rohs.exemptions\(at\)oeko.de](mailto:rohs.exemptions(at)oeko.de)

Yours faithfully,  
**Jackie PIERRE**

