



Danish Ministry
of the Environment
Environmental
Protection Agency

Kemikalier

J.nr. MST-652-00044

Ref. doble

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Introduction

We would like to encourage that applications, assessments, decisions and other relevant material on permanent basis or at least until an exemption expires are stored and displayed systematically on or are traceable via the Commission's website.

Comments on the stakeholder consultation by the commission running from 26 June 2012 until 4 September 2012 on 11 new exemptions.

Hereby we would like to submit comment from the Danish EPA:

No. 5: We can **not** support this request

First of all the application is not substantiated by any scientific or technical evidence and there are no replies to many of the specific questions from the Öko-Institut/Fraunhofer IZM.

Legally seen, Article 5(1)(b) allows the exemption of materials .. of electrical .. equipment from Article 4(1) if their elimination or substitution via **design changes** or **material changes** ... is technically or scientifically impracticable. In our perception it is not impracticable to change the lamp bases into other materials.

These two first arguments should be sufficient. However, it is also not technically or scientifically impractical to change into other types of ceramics. In Denmark ceramic containing more than 100 ppm lead has been forbidden since 2007 and several both large and small enterprises has substituted the lead in their ceramics.

Contact for example:

<http://www.georgjensen.com/dk/?gclid=CNqYm6iBj7ICFekvmAodsRQAEQ> or <http://www.louisebirn.dk/cms/Sitemap.aspx>

Trained expert may see the difference between ceramic with and without lead, but normally the consumer can not, thus it is our perception that the small change in the ceramics, is of much smaller importance for the beauty or aesthetics than the general design of the lamp.

Concerning the Socio-economic factors it is our impression that the impact is highly overestimated. First, of all it is stated to be a very small market where ceramic vases are converted into lamps. Since the ceramic production includes many objects it is highly unlikely that the loss of one type of object would lead businesses to close down. Further, we do not agree in the perception that a consumer will not purchase vases and tableware if they can not also buy a lamp base that matches. Thus the estimated impact 30 million Euro is in our perspective speculative and highly overestimated.

We note that the environmental impact of 5.000 tons of lead a year and 25 tons cadmium a year may have a significant impact on the waste stream, the environment and may prevent the reuse of the ceramic.

No. 6: We can **not** support this request

The applicant states that “The use of lead-free solders is **not technically impossible**”. Thus as Article 5(1)(b) only allows the exemption of materials .. of electrical .. equipment from Article 4(1) if their elimination or substitution via design changes or material changes ... is **technically or scientifically impracticable**, there is no basis for granting an exemption.

Further, lamp shells can easily be produced without lead. Thus it is also possible to substitute via design and material change.

No. 7:

We agree with the applicant that it is reasonable to have differentiated maximum mercury content levels related to the lifetime of the lamp. However, as there are **no technical standards on how to measure the life time of lamps** and since the lifetime tests apparently is part of confidential internal company knowledge; there are no means to provide such an exemption.

We would like to suggest that the Commission asks CENELEC to develop such a standard.

Further, it does not seem environmentally attractive to agree to 40 % more mercury, while only gaining 5.000 hours (from 15.000 hours (the level of 2,5 mg Hg) to 20.000 hours (the level of 3,5 mg Hg)) - corresponding to only 33%. If a technical standard could be established the long life limit should be **at least 30.000 hours** in order to justify the increased amount of mercury.

No. 8

In general we support the application and the numbers proposed.

No. 9

It is not clear why the same limits as proposed in Nr. 8 cannot be applied.

Yours sincerely

Dorte Lerche