

31<sup>st</sup> January 2013

**ELC's Submission  
to the public consultation on  
RoHS exemption request no 15. Regarding Hand Crafted Luminous  
Discharge Lamps (HLDT)**

**ELC members do not manufacture hand crafted luminous discharge tubes, thus cannot judge the level of proposed mercury limits. Still, ELC would like to share its concerns with regard to the proposed wording of the exemption no. 15 for HLDT lamps, and suggests amendments below. The sole intention of the below comments is to avoid confusion in the interpretation of RoHS directive, and close possible loopholes.**

**Exemption wording of request no. 15**

The exemption request no. 15 is the extension of the very similar exemption request 9. The exemption request no. 9. sounded as follows: "*Mercury in cold cathode fluorescent lamps for luminous sign for advertising or decorative purposes*". It was submitted by 'ANIE Federazione with one of its federated associations – Associazione Nazionale Produttori Illuminazione.'

The scope of the request no 9. was changed:

- from „cold cathode fluorescent lamps” to „*hand crafted luminous discharge tubes*”, and
- from „luminous sign for advertising or decorative purposes” to cover also lamps for „*general lighting purposes*”.

The applicant of request no. 15 suggests the following wording for the future exemption for HLDT lamps in the document "Further information from the applicant"<sup>1</sup>.

Mercury in hand crafted luminous discharge tubes (HLDT) used for signs, decorative or general lighting and light-artwork:	Where <i>EP</i> represents electrode pairs and <i>L</i> is tube length in cm the mercury content shall be limited as follows:
For outdoor applications and indoor applications exposed to temperatures below 20°C	=20 mg/ <i>EP</i> +15mg* <i>L</i> /50 ≤ 80 mg
For Indoor applications exposed to temperatures above 20°C	=15 mg/ <i>EP</i> +12mg* <i>L</i> /50 ≤ 80 mg

<sup>1</sup> File name: 20121107\_RoHS\_Ex\_Req\_No\_15\_1st\_Clarification\_Questions\_ESF\_reply, Web link: <http://rohs.exemptions.oeko.info/index.php?id=158>

## Concerns of ELC

### Scope of the exemption

The suggested formulation of the applicant embraces all kind of discharge lamps from CFLs to high intensity discharge lamps. This would allow producers to put on market any kind of discharge lamp containing up to 80 mg mercury instead of e.g. max 2.5mg in CFLs. ELC cannot agree with such formulation.

ELC suggests defining better the scope of the exemption. We propose to use the cold cathode reference as in the original exemption no. 9.

ELC proposes the following scope definition:

*Mercury in hand crafted, cold cathode fluorescent lamps used for signs, decorative or architectural lighting and light-artwork*

### General lighting

ELC is concerned that the applicant uses the term general lighting. Using this term in this exemption would create a loophole, a wide highway for hand-made cold cathode fluorescent lamps with **extremely high mercury content in general lighting applications**. The requested mercury levels are well above of those that mass produced CFLs and LFLs may contain in the EU and in many other countries and regions.

In the view of ELC, the described lamp applications do not fall in the general lighting category. Therefore, we request to delete this expression from the text of the exemption.

In the view of ELC, the listed lamps are for special applications, therefore we suggest to add the wording "architectural lighting" to the exemption.

### Indoor - outdoor

ELC believes that the term outdoor and indoor is not necessary, and just creates legal confusion, when it comes to market surveillance. The necessary mercury content depends on the temperature of the operational environment, and not on the physical location. Just to highlight it with an example, these lamps might be used from Sweden to Cyprus, where inside and outside temperature means something else.

Therefore ELC requests Ökoinstitut and decision makers to delete the wording "indoor" and "outdoor" from the exemption. ELC also suggests that the borderline between the two mercury contents will be solely the temperature of the intended operational environment.

### Temperature range above and below +20 °C

According to the experience of ELC members, it is not very practical to use +20 °C, because even in summer in air-conditioned offices temperature can be lower than that.

In our experience, an ambient temperature of +20 °C is normal temperature, while critical temperature is the cold temperature 0 °C or below for mercury consumption.

ELC also suggests that lamps, which are expressly designated as a cold temperature lamp, shall have markings on the lamp and in marketing materials, including but not limited to catalogues, sales literature, and promotional material.

### **Proposal and request of ELC**

- 1) delete the word "general lighting" from the exemption scope
- 2) add "architectural lighting" to the exemption scope
- 3) delete the word "indoor" and "outdoor" from the exemption scope
- 4) add a marking requirement for lamps, which are expressly designated as a cold temperature hand crafted, cold cathode fluorescent lamp. Marking should be placed on the lamp and in marketing materials, including but not limited to catalogues, sales literature, and promotional material
- 5) Use the scope definition: *Mercury in hand crafted, cold cathode fluorescent lamps used for signs, decorative or architectural lighting and light-artwork*

### **About the European Lamp Companies Federation (ELC)**

*For over 20 years the European Lamp Companies Federation (ELC), has represented the leading European lamp manufacturers. The ELC is dedicated to promoting efficient lighting practice for the benefit of the global environment, human comfort and the health and safety of consumers. More information about the ELC can be found at [www.elcfed.org](http://www.elcfed.org).*