

## Consultation Questionnaire Annex III Ex. No. 41 (renewal request)

***for “Lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems, which for technical reasons must be mounted directly on or in the crankcase or cylinder of hand-held combustion engines (classes SH:1, SH:2, SH:3 of Directive 97/68/EC of the European Parliament and of the Council“, requested for 5 years***

### Abbreviations and Definitions

Pb	lead
Stihl	Andreas Stihl AG & Co KG

### Background

The Oeko-Institut and Fraunhofer IZM have been appointed by the European Commission, within a framework contract<sup>1</sup>, for the evaluation of applications for exemption from Directive 2011/65/EU (RoHS 2), to be listed in Annexes III and IV of the Directive.

Stihl has submitted a request for the above mentioned exemption, which has been subject to a first completeness and plausibility check. The applicant has been requested to answer additional questions and to provide additional information, available on the request webpage of the stakeholder consultation (<http://rohs.exemptions.oeko.info/index.php?id=280>).

Stihl requested the exemption in 2012, and the Commission granted it until 31 December 2018. Stihl now asks for the renewal of this exemption for another five years until 31. December 2023. Stihl found lead-free alternatives which showed sufficient reliability and durability in tests, and will be able to replace the substance in production until mid 2019, but requests the extra time to complete the changeover and to test a relevant number of lead-free modules in the field, thus ensuring the long-time reliability. Stihl also argues that ignition modules have to be sealed with epoxy resin and therefore cannot be recycled. The renewal would allow for the sell-off of units that have already been produced. Stihl does not expect that another extension of this exemption will be needed beyond December 2023.

For details, please check the applicant's exemption request at:  
<http://rohs.exemptions.oeko.info/index.php?id=280>

The objective of this consultation and the review process is to collect and to evaluate information and evidence according to the criteria listed in Art. 5 (1) (a) of Directive 2011/65/EU (RoHS II), which can be found under:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0065:EN:NOT>

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<sup>1</sup> The contract is implemented through Framework Contract No. FWC ENV.A.2/FRA/2015/0008 of 27/03/2015, led by Oeko-Institut e.V.

If you would like to contribute to the stakeholder consultation, please answer the following questions:

## Questions

1. The applicant has requested the renewal of exemption 41 in RoHS Annex III until 31 December 2023 with the current wording:  
*“Lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems, which for technical reasons must be mounted directly on or in the crankcase or cylinder of hand-held combustion engines (classes SH:1, SH:2, SH:3 of Directive 97/68/EC of the European Parliament and of the Council”*
  - a. Do you agree with the scope of the exemption as proposed by the applicant?
  - b. Please suggest an alternative wording and explain your proposal, if you do not agree with the proposed exemption wording.
  - c. Please explain why you either support the applicant’s request or object to it. To support your views, please provide detailed technical argumentation / evidence in line with the criteria in Art. 5(1)(a) to support your statement.
2. Please provide information concerning possible substitutes or developments that may enable reduction, substitution or elimination, at present or in the future, of exemption 41;
  - a. In this regard, please provide information as to alternatives that may cover part or all of the applicability range of exemption 41;
  - b. Please provide quantitative data as to application specifications to support your view.
3. Please provide information as to research initiatives which are currently looking into the development of possible alternatives for some or all of the application range of exemption 41.
  - a. Please explain what part of the application range is of relevance for such initiatives (in what applications may substitution be possible in the future).
  - b. Please provide a roadmap of such on-going research (phases that are to be carried out), detailing the current status as well as the estimated time needed for further stages.
4. Stihl states that the change-over to lead-free solder in production can be done until mid-2019. After that, Stihl claims to need time to confirm the reliability in the field with a sufficiently high number of products. Stihl’s arguments suggest that after the changeover in production in mid-2019, another 4.5 years will be required for field testing of the lead-free products.
  - a. Is this procedure a common quality assurance procedure in this branch and is the time line realistic?
5. Stihl is only one manufacturer of appliances in the scope of exemption 41.

- a. Which other manufacturers produce equipment that benefits from Annex III exemption 41? Please provide company names and, if available, contact data.
  - b. Which of the manufacturers detailed in the answer to Q.5.a are expected to achieve RoHS compliance prior to December 2023?
6. As part of the evaluation, socio-economic impacts shall also be compiled and evaluated. For this purpose, please provide details in respect of the following:
- a. What are the volumes of EEE in the scope of exemption 41 which are placed on the market per year?
  - b. What are the volumes of additional waste to be generated should exemption 41 not be renewed or be renewed for less than 5 years?
  - c. What are estimated impacts on employment in total, in the EU and outside the EU, should the exemption not be renewed or be renewed for less than 5 years? Please detail the main sectors in which possible impacts are expected – manufacturers of equipment in the scope of the exemption, e.g. producers of chain saws, manufacturers in the supply chain, retail, etc.
  - d. Please estimate additional costs associated with a forced substitution should the exemption 41 not be renewed, and how this is divided between various sectors (e.g. private, public, industry: manufacturers, suppliers, retailers).

**In case parts of your contribution are confidential, please provide your contribution in two versions (public /confidential). Please also note, however, that requested exemptions cannot be granted based on confidential information!**

**Finally, please do not forget to provide your contact details (Name, Organisation, e-mail and phone number) so that Oeko-Institut/Fraunhofer IZM can contact you in case there are questions concerning your contribution.**