GREENPEACE

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By e-mail

To : Öko-Institut e.V.
rohs.exemptions@oeko.de

Re: Greenpeace response to "Stakeholder consultation on Adaptation to scientific and technical progress under Directive 2002/95/EC of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment for the purpose of a possible amendment of the Annex"

I. Comment on Current exemptions

EXEMPTION 25. Lead oxide in plasma display panels (PDP) and surface conduction electron emitter displays (SED) used in structural elements; notably in the front and rear glass dielectric layer, the bus electrode, the black stripe, the address electrode, the barrier ribs, the seal frit and frit ring as well as in print pastes.

REMOVE EXEMPTION 25
At the very least, to allow other manufacturers to impliment the developments that avoids the need for this exemption, retain exemption but include a challenging time after which the exemption will be removed (6 months).

The need for this exemption no longer exists, as a lead free alternative is available and is already in use.

"Panasonic has achieve the elimination of lead (Pb) in Plasma Display Panels (PDPs) used as the central picture component in its Plasma TVs and Plasma Modules"
For more information:
http://panasonic.co.jp/corp/news/official.data/data.dir/en061102-1/en061102-1.html
http://www.panasonic.net/eco/gp/chemical.html

II. Comments on the new exemption requests

REQUEST 1 (Siemens). Lead in solders for the connection of very thin enamelled wires with a terminal.

Siemens claims that *"a design change to another technology is in progress…will take about 3-4 years before it can be applied in total in the production".*

Comments to the Document: "Specific questions Request 1":

The RoHS Directive has been enacted in 2003, and the ban of lead is valid since July 2006. Please explain why manufacturers are not ready with the RoHS compliant products and which efforts they undertook at which time in order to achieve RoHS compliance on time.

Unless Siemens can supply evidence that the development to another technology has been in progress since 2003 and will still take another 3-4 years from now, or that development to another technology was not possible at an earlier stage, then there is not a justification for this exemption. Delaying the starting of development into a RoHS compliant alternative should not be allowed to be a valid justification for the granting of an exemption.

Should Siemens be able to supply the necessary evidence that development into an alternative was started at an appropriate time (including a substitution plan with timeline when the alternative will be in place), any granted exemption must include a time limit of 4 years maximum, but only provided that Siemens can give evidence to demonstrate that necessary testing & production redesign does require this length of time.

REJECT REQUEST 1, unless the above evidence can be fully provided, and then only allow exemption for the demonstrated necessary time period.

REQUEST 2 (Cérame-Unie). Lead and Cadmium as components of the glazes and colour used to glaze or decorate lamp bases, lamp carriers or clocks

In addition to the points raised in the document "Specific questions request 2", there appears to be no justification for the inclusion of cadmium within the glaze. As for the substantial use of lead (*"probably less than 5000 tonnes per for the whole of Europe"*) there is too little detail to assess whether use of alternative that do not contain lead result in unacceptable loss of performance.

The applicant claims that *"Unleaded systems often result in less durability, potentially higher releases or exposures and if anything, higher risk."* However, there is no evidence to justify its statements. For instance:

- To what extent the systems are less durable (with evidence)?
- To what extent there are potentially higher releases and releases of what (with evidence)?
- To what extent there is high risk of exposures and to what (with evidence)?
- What kind of higher risk is being mentioned (with evidence)?

REJECT REQUEST 2 for cadmium.
REJECT REQUEST 2 for lead; unless far greater clarification and applicable justification can be provided.

REQUEST 3 (In-Snec). Lead in solders in a third party component of Cortex family equipment

Nothing to add to the points raised in the document 'Specific questions request 3'.

In addition to the above for the specific exemptions, there is a need for the inclusion of challenging time limits on all other current and future exemptions to promote innovation towards overcoming the need for their inclusion within the Directive. For more information on the NGOs' position on how to strengthen the current exemptions mechanisms, please check the NGOs submissions to the Commission's stakeholder consultations on RoHS from 22 May 2007 (http://www.greenpeace.org/eu-unit/press-centre/policy-papers-briefings/NGO-comments-on-RoHS-Dir) and 13 February 2008 (http://www.greenpeace.org/eu-unit/press-centre/policy-papers-briefings/NGO-comments-on-RoHS-Dir/NGO-response-to-review-of-RoHS-Dir).

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