

March 2008

Review of RoHS Exemptions: Cérame-Unie contribution to support request 2

“Lead and Cadmium as components of the glazes and colour used to glaze or decorate lamp bases, lamp carriers or clocks”

Please find below the answers to the specific questions to support request 2 to be granted:

1. *Is this exemption request intended to clarify whether **exemption 7(c)** (lead in electronic ceramic parts) covers this use of lead in such a ceramic? If so, please note that it is the manufacturer's responsibility to decide whether or not his application / product falls under the scope of an existing exemption. Please clarify and decide whether the exemption request should be maintained.*

Exemption 7(c) does not apply since this covers a totally different application. A lamp base, lamp carrier or clock does not fall under 'electronic ceramic part'. Therefore the exemption request should be maintained.

2. *Is this exemption request intended to clarify questions around the **homogeneous material**? If it is unclear whether the ceramic used for itself is considered as a homogeneous material, the manufacturer has to decide about this issue. Please refer to the Commission's FAQ-document and then decide whether the exemption request should be maintained.*

The Commission's FAQ document suggest that the bulb, the bulb holder and the base would have to be regarded as homogenous despite them being separate and identifiable components. This seems to stem from the legal definition of a luminaire which would include all the components. To our opinion the bases are not homogeneous and therefore not covered by RoHS. However that is not the interpretation we have been given to date and therefore we feel that the request should be maintained.

3. *From the submitted information, it is not clear for which **applications** the exemption for the use of lead and cadmium actually is requested. The request seems to refer to lead in ceramic bases for clocks and luminaires and possibly to other ceramics as well, and in colors and/or glazes on ceramics and possibly on other materials containing lead- is this a correct interpretation? The same seems to be the case for cadmium. Please specify exactly which use of lead and cadmium should be covered by the exemption request in case it should not be withdrawn.*

The exemption would only apply to lamp and clock bases etc. The reference made previously to ceramic tableware arises because the lamp bases are made in the same way and to the

standards as ceramic tableware which is subject to EU legislation (EC 84/500) which regulates the amount of lead and cadmium which can be released.

4. *Please explain why this exemption request has become **necessary now**, more than 18 months after the use of lead and cadmium has been banned under the RoHS Directive.*

In the past we considered that the lamp bases were not covered by the RoHS directive and that an application for exemption was therefore not required. However we became aware that an earlier application had been made and approved, as exemption 29, for lead bound in crystal glass (see Commission Decision (2006) 4789). Given these circumstances there is no alternative but to make a similar exemption for "Lead and Cadmium as components of the glazes and colour used to glaze or decorate lamp bases, lamp carriers or clocks".

5. *Please provide a **roadmap** with activities, milestones and timelines towards the replacement of lead and cadmium in this application.*

There is no roadmap as for certain applications, colours, etc, it has been impossible to produce acceptable alternatives.

We hope these answers clarify our support to exempt 'request 2' from the RoHS Directive.

We remain at your full disposal should you like more information or require a meeting to further discuss this issue.

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