

Questionnaire Exemption Request No. 16

“Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and less than 85% by weight used in monitoring and control instruments (Category 9).”

Background

The Test and Measurement Coalition (TMC) applies for an exemption for “Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and less than 85% by weight used in monitoring and control instruments (Category 9)”.

The exemption listed as exemption 14 in Annex III of Directive 2011/65/EU (RoHS II) expired on 1 January 2011. The TMC wants the exemption to be revived for category 9 equipment. The exemption refers to pin grid array microprocessors (PGA) with high pin counts as produced by AMD. Alternative microprocessors are produced by Intel. The exemption was reviewed in 2008 resulting in its cancellation in 2011. The relevant excerpt of the final report is available on the project website at <http://rohs.exemptions.oeko.info/index.php?id=122>.

Category 9 equipment will be included into the scope of the RoHS Directive starting on 22 July 2014 and 22 July 2017 respectively for industrial monitoring and control instruments. If the exemption were to be adopted, it would be included into Annex IV of RoHS II and expire on 22 July 2021¹, unless an earlier expiry date is set.

The applicant justifies the exemption request with the following technical, scientific and socioeconomic arguments:

- a) Category 9 products are extremely complex and sophisticated equipment which require the use of microprocessors able to provide more functionality. For these reasons, pin grid array microprocessors in Category 9 equipment have large packages with substantial number of pins.

¹ Due to a standard 7 year validity period for category 9 exemptions as stated in Article 5 (2) of Directive 2011/65/EU

- b) Other microprocessors not relying on the requested exemption are different in architecture and require other software/firmware. An exchange would require a whole circuit and layout redesign and result in significant product requalification activities.
- c) The key impact is socio-economic. The additional time needed for adaptation and redesign of the sector's portfolios would be considerable causing massive withdrawal of products from the EU market. This would have very serious consequences, not only for Category 9 producers, but also on client industries which are of key importance for the EU economy and competitiveness such as communication, defence, research & development, aerospace, electronic manufacture, etc.

For details, please check the applicant's exemption request at <http://rohs.exemptions.oeko.info/index.php?id=122>. This exemption request has been subject to a first completeness and plausibility check. The applicant has been requested to answer additional questions and to provide additional information (c.f. link above).

In the document "[General comments to Oeko's questions.docx](#)", TMC justifies the exemption request with formal and procedural arguments. Such formal and procedural arguments cannot be taken into account during the evaluation by Öko-Institut and Fraunhofer IZM. Rather, 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 you can download from here:

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

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

Questions

1. Please state whether you either support the applicant's request or whether you would like to provide argumentation against the applicant's request. In both cases please provide detailed technical argumentation / evidence in line with the criteria in Art. 5 (1) (a) to support your statement.
2. The applicant asks for an extension of the exemption until 2021. Do you agree with this expiry date, or would an earlier expiry be feasible in case the exemption is justified?

3. Do you consider any other aspects or details to be of importance, which have not yet been taken into account?

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