

## **Questionnaire Exemption Request No. 19**

### **“Handicraft luminous discharge tubes (HLDT) used for signs, decorative lighting and light-artwork, in fixed or portable installations”**

#### **Background**

The European Sign Federation (ESF) applies for an exemption for “Handicraft luminous discharge tubes (HLDT) used for signs, decorative lighting and light-artwork, in fixed or portable installations”

These applications used to fall under the exemption 4(f) “Mercury in other discharge lamps for special purpose not specifically mentioned in this Annex”. When the former Annex of the RoHS I Directive (2002/95/EC) was reviewed (relevant excerpt of the final report is available on the project website at <http://rohs.exemptions.oeko.info/index.php?id=125>) and the new exemption 3 came into force (2010/571/EU), the applicant feared legal uncertainty as to whether HLDT could be considered to be CCFL thus needing to comply with the stricter mercury limit values.

The applicant puts forward the following main arguments.

- a. For the requirements of handcrafted discharge tubes (i.e. use in outdoor condition, individual colour spectrum composition), an amount of mercury up to 100 mg is necessary.
- b. HLDT are individually handcrafted products to which standardised requirements cannot be applied. They can thus not be considered to be classified as CCFL falling under exemption 3.

For details, please check the applicant’s exemption request at <http://rohs.exemptions.oeko.info/index.php?id=125>. 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).

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.
  - a. Do you have any remarks / further input in this respect? In both cases provide detailed technical argumentation to support your statement.
  - b. The definitions provided by the applicant on HLDT cited from the standards EN 50107-1 and prHD 60364-7-719 also apply to other discharge tubes and should thus not be used to solely define HLDT. Do you know of any other commonly agreed definition for HLDT that would allow differentiating them from other CCFL? Or would it be sufficient to say that HLDT are defined through their handcrafted production in contrary to the industrial production of other CCFL?
2. Currently there is no substitution available. Furthermore, in the in the last 10 years the lamp industry supported are several programmes to reduce the amount of mercury per HLDT. However, no evidence was provided. Is there any supporting / contradicting evidence that you can provide?
3. The same applies to the statement that "In general, when HLDT are to be repaired (or an old installation is dismantled), the complete tubes are taken back to a Neon glass shop" and the mercury is then recycled. However, it is not clear whether there are take-back agreements / binding regulations (e.g. under the WEEE Directive) to support this or whether the fate of waste HLDT is not regulated and thus no evidence can be given on the proper waste treatment of the contained mercury. Is there any supporting / contradicting evidence that you can provide?
4. The applicant does not propose any expiry date, which means that the exemption would have a maximum validity until 2021. Do you agree with this expiry date, or would an earlier expiry be feasible in the face of upcoming mercury-free HLDT solutions?
5. The wording suggested for this new exemption would be "Mercury up to 100 mg per tube in handcrafted luminous discharge tubes (HLDT) used for signs, decorative lighting and light-artworks, in fixed or portable installations". Are there any amendments you would like to suggest?
6. 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.