

“Study to assess one (1) request for renewal of  
exemption 12 of Annex IV to Directive  
2011/65/EU”

Project Description Pack 19 – 2019/2020

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## 1. Background

The RoHS Directive (2011/65/EU) on the restriction of the use of certain hazardous substances in electrical and electronic equipment requires “*that EEE placed on the market, including cables and spare parts for its repair, its reuse, updating of its functionalities or upgrading of its capacity, does not contain the substances listed in Annex II*” (i.e. lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers and the phthalates dibutyl phthalate (DBP), bis(2-ethylhexyl)phthalate (DEHP), diethyl phthalate (DEP) and diisobutyl phthalate (DIBP). These provisions “*shall not apply to the applications listed in Annexes III and IV*” (Article 4). These Annexes are to be adapted to scientific and technical progress on the basis of the provisions listed in Article 5.

With contract No. 07.0201/2019/815245/ENV.B.3 implementing Framework contract No ENV.A.2/FRA/2015/0008, a consortium led by Oeko-Institut for Applied Ecology, has been requested by DG Environment of the European Commission to provide technical and scientific support for the evaluation of exemption requests under the RoHS 2 regime. The work is being undertaken by the Oeko-Institut and Fraunhofer IZM. The work has been requested in view of providing technical and scientific support for the evaluation of applications for granting, renewing or revoking an exemption to be included in or deleted from Annexes III and IV of the RoHS Directive 2011/65/EU.

## 2. Objectives

The objectives of this project can be outlined as follows:

- Provide a dedicated website which ensures that involved stakeholders will receive all necessary information and can contribute to online consultations (<http://rohs.exemptions.oeko.info>);
- Execute a clear technical and scientific assessment on whether requests for new exemptions are justified in line with the criteria given in Article 5(1)(a);
- Provide for the involvement and consultation of stakeholders (inter alia producers of electrical and electronic materials, components and equipment, recyclers, treatment operators, environmental organisations, employee and consumer associations), according to Article 5(7);
- Provide a clear and unambiguous wording for the preparation of a Draft Commission Decision for those exemptions, where on the basis of the result of the consultation and the evaluation, an exemption can be justified.

## 3. Scope

In agreement with the Commission, the request for the renewal of the exemption mentioned in the title will be evaluated.

The current wording of the exemption is “*Lead and cadmium in metallic bonds creating superconducting magnetic circuits in MRI, SQUID, NMR (Nuclear Magnetic Resonance) or FTMS (Fourier Transform Mass Spectrometer) detectors.*”

## 4. Project set-up

The overall project is led by Carl-Otto Gensch. At Fraunhofer IZM the contact person is Otmar Deubzer. The project team at Oeko-Institut consists of the technical expert Katja Moch.

The exemption evaluation will be performed in close co-operation with the European Commission and stakeholders (electrical and electronic industry and its associations, NGOs, independent experts etc.). This includes:

- Central communication access for stakeholders via the project-specific e-mail account [rohs.exemptions@oeko.de](mailto:rohs.exemptions@oeko.de);
- Project-specific website at <http://rohs.exemptions.oeko.info/> where relevant documents and project activities will be published;
- Information for stakeholders via website and via mailing lists for which stakeholders can register;
- Preparation and management of stakeholder consultation on exemption requests via project website;
- Technical and scientific evaluation of stakeholder input and further procedure for receiving a sound basis with a high level quality of data and information and for cross-checking information for technical correctness and confidentiality issues;
- Stakeholder workshop or meetings where necessary.

## 5. Time schedule

Assignment of project tasks to Oeko-Institut and Fraunhofer IZM started 11 November 2019 and will run over a period of 6 months, thus ending 10 Mai 2020. An interim report shall be delivered to the European Commission in the beginning of February 2020. The final report is due at the end of the project.

The stakeholder consultation is planned to be launched in the beginning of 2020.