industrial-
newsroom

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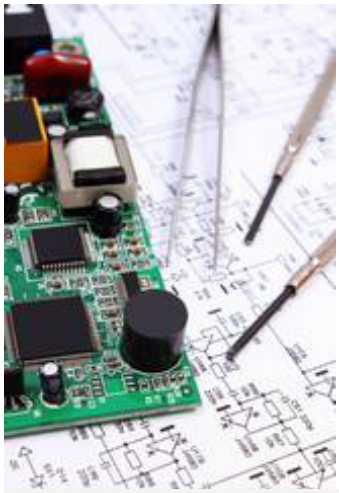
Wed 27.04.16 08:38

Amendments to RoHS Directive announced by European Commission

Important changes in the coverage of the RoHS Directive have been discussed and made public.



The European Commission has published an inception impact assessment [1] signaling its intention to amend the scope of the directive on the restriction of hazardous substances (RoHS) in electrical and electronic equipment. The changes are deemed necessary to tackle several unintended consequences of the revision of RoHS, also known as RoHS2, and published in 2011.

New RoHS Directive Specifications

Three different types of scope related problems have been identified:

1. Pipe organs problem: Unresolvable compliance problems were noted for pipe organs due to the lead alloy required for organ pipes

2. Secondary market problem: Only compliant products can benefit from the protection from retroactive measures. However, it has significant unintended retroactive side-effects. Non-compliant products placed on the market between January 2013 and July 2019, have to be taken off the market and cannot be resold or refurbished after July 22, 2019 (no secondary market operations would be possible)

3. Spare parts problem: Products newly in scope, other than medical devices, and monitoring and control instruments, placed on the market lawfully before July 22, 2019, cannot be repaired with spare parts after that date

Streamlining Requirements for Electrical and Electronic Equipment

The main policy option in the proposal aims to simplify the existing RoHS Directive by ensuring a more consistent approach in the scope, and aligning compliance dates for newly in-scope products with other EEE categories. This option will reduce burden to market operators and further ease second-hand and repair market operations; a sector with negligible relevance to RoHS objectives will be excluded from scope.

The option is articulated in three interventions, as follows:

1. A comprehensive scope exclusion for pipe organs to be listed among the exclusions in Article 2(4):
In consideration of the very limited changes in the organ construction in recent years, the recycling of the pipe material, and the negligible benefits of its inclusion in RoHS scope, the pipe organ sector is excluded from the RoHS Directive scope

2. The transformation of the Article 2(2) transitional period until July 22, 2019 for products newly in scope into a proper compliance requirement in Article 4(3) by the same date:
The deletion of Article 2(2) in combination with the insertion of an analogue provision in article 4(3) covering products newly in scope other than medical devices and monitoring control instruments with a proper compliance date identical to the original transitional period of Article 2(2)

3. A new spare part provision for all products newly in scope, other than those already covered in current Article (4), in order to allow the repair of products (placed on the Union market before the RoHS 2 requirements applied to its product category) with compatible spare parts:
In Article 4(4) a synchronized spare part provision should be added, similar to the other cases already given in Article 4(4)

Reference:

[1] European Commission, Inception Impact, 2016.

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