

## **EU consultation on the continued use of mercury-containing UV lamps**

The signatory associations represent the economic and technical interests of more than 120 member companies producing flexible packaging or tubes. These packaging systems are used for food, pharmaceutical products, cosmetics, and technical products. For example, flexible packaging or tubes are used for more than half of all food products placed on the European market, while they require only one sixth of the material of all primary packaging.

The member companies employ about 60,000 people at more than 400 sites across Europe. Most of the companies operate production lines with UV lamps for curing printing inks and varnishes. These production lines are indispensable for the packaging manufacturers for both economic as well as environmental reasons. UV curing of inks and varnishes requires significantly less energy than the comparable drying of solvent-based systems and at the same time avoids the emission of VOCs.

A ban on medium-pressure mercury lamps would jeopardise a significant part of the investments made on modern production equipment. Furthermore, any restriction of this technology within the EU would weaken the competitiveness of EU industry compared to manufacturers from non-EU countries, as the latter could continue to use mercury-based UV lamps.

In our experience, the only technology currently capable of replacing medium-pressure Hg lamps and allowing the continued use of UV curing equipment would be UV emitting LEDs. However, this technology still has several disadvantages, including the very limited range of the wavelength spectrum and the low output power. These drawbacks limit the potential applications of this technology quite considerably, especially when it comes to the curing of printing inks or the corresponding formulation of clear varnishes and white inks. The performance and availability of systems is currently not yet suitable to sufficiently replace the existing technology. It will be several years before a suitable alternative for the current UV technology based on Hg lamps will really be available.

In all this, we understand that, strictly speaking, the production lines operated by our member companies are not, in principle, covered by Directive 2011/65/EU at all, according to Article 2:

"4. This Directive does not apply to:

- (d) large-scale stationary industrial tools;
- (e) large-scale fixed installations;"

For this reason, it is of immense importance for our industry that this wording remains as it is.

Notwithstanding this, and in order to avoid misinterpretations and to provide legal certainty in case the derogation in Article 2 does not apply in a specific case, we ask for a further extension of derogation 4(f) of Annex III: "Mercury in other discharge lamps for special purposes not specifically mentioned in this Annex" at least until 2026 and preferably even beyond.

### **Signatory associations:**

etma – European Tube Manufacturers Association

FPE – Flexible Packaging Europe