



The European Commission
Stakeholder consultation

Date: December 6, 2023

Subject: Request Extension of RoHS Annex III Exemptions

Dear Sir/Madam

Cummins is a global power leader that designs, manufactures, distributes and services diesel and natural gas engines and powertrain-related component products, including filtration, aftertreatment, turbochargers, fuel systems, controls systems, air handling systems, transmissions, electric power generation systems, batteries, and electrified power systems. We continue to make investments in critical future technologies and products to meet future emission requirements around the world and improve fuel economy performance of diesel and natural gas-powered engines and related components as well as development activities around fully electric, hybrid and hydrogen power solutions and hydrogen production.

We understand that the European Commission is currently considering an application to extend an existing exemption under Annex III of the European Union's Directive on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment:

- Exemption 6b-I Annex III, Lead as an alloying element in aluminium containing up to 0,4 % lead by weight, provided it stems from lead-bearing aluminium scrap recycling. (5 years)
- Exemption 6b and 6b-II Annex III, Lead as an alloying element in aluminium for machining purposes with a lead content up to 0.4% by weight. (5 years)
- Exemption 6a Annex III, Lead as an alloying element in steel for machining purposes containing up to 0.35%. (5 years)
- Exemption 42 Annex III: Lead in bearings and bushes of diesel or gaseous fuel powered internal combustion engines applied in non-road professional use equipment:
 - with engine total displacement \geq 15 litres,
 - or with engine total displacement $<$ 15 litres and the engine is designed to operate in applications where the time between signal to start and full load is required to be less than 10 seconds,
 - or regular maintenance is typically performed in a harsh and dirty outdoor environment, such as mining, construction, and agriculture applications. (5 years)
- Exemption 44 Annex III, Lead in solder of engine control units of combustion engines, installed in equipment used at fixed positions while in operation which is designed for professionals, but also used by non-professional users. (until January 2027).

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- Exemption 7a Annex III, Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more of lead) used in engines, engine components and ancillary components and in end-products in which they are used. (5 years)
- Exemption 7(c)-I Annex III, Electrical and electronic components containing lead in a glass or ceramic other than dielectric ceramic in capacitors, e.g. piezo-electronic devices, or in a glass or ceramic matrix compound used in engines, engine components and ancillary components and in end-products. (5 years)

These applications, filed by EUROMOT, would seek to extend that exemption for an additional five years.

On behalf of Cummins Inc., that serves businesses and consumers in Europe and around the world, I urge you to give full consideration of this application and to extend this exemption for a full five years. This continued exemption is critical for European manufacturers and to support businesses and consumers and to continue to improve the reliability and sustainability of their products. Thank you for the opportunity to provide our views on this exemption request and I welcome any follow-up questions you may have.

Sincerely,

A handwritten signature in blue ink that reads "Manishkumar J Patel".

Manishkumar J Patel

Product Disclosure Operations Director

VIA ELECTRONIC SUBMISSION: rohs@biois.eu