Consultation Questionnaire Exemption 13b of RoHS Annex III

Current wording of the exemption:

For categories 1 - 7 and 10

13b-I Lead in ion coloured optical filter glass types

13b-II Cadmium in striking optical filter glass types; excluding applications falling under point 39 of this Annex

13b-III Cadmium and lead in glazes used for reflectance standards

For categories 8, 9 and 11

13b Cadmium and lead in filter glasses and glasses used for reflectance standards

Expires on:

**13(b)-I, 13(b)-II, 13(b)-III:** 21 July 2021

**13(b):**

— 21 July 2023 for category 8 in vitro diagnostic medical devices;

— 21 July 2024 for category 9 industrial monitoring and control instruments and for category 11;

— 21 July 2021 for other subcategories of categories 8 and 9

# Acronyms and Definitions

Cd Cadmium

Pb Lead

# Background and Summary of the Exemtion Request

Bio Innovation Service, UNITAR and Fraunhofer IZM have been appointed[[1]](#footnote-2) by the European Commission through for the evaluation of applications for the review of requests for new exemptions and the renewal of exemptions currently listed in Annexes III and IV of the RoHS Directive 2011/65/EU.

Spectaris e.V. submitted a request[[2]](#footnote-3) for the renewal of the above-mentioned exemption. The request has been subject to a first completeness and plausibility check. The applicant has been re-quested to answer additional questions and to provide additional information, available on the request webpage of the stakeholder consultation.[[3]](#footnote-4)

According to the applicant: “This exemption renewal request is for the use of cadmium and lead in optical filter glass that is used in electrical and electronic equipment. There are many types of optical filter glass whose batch contains cadmium, but only a few formulations whose batch contains lead with only one filter glass whose batch contains lead being regularly manufactured. These types of optical filters are used in a very wide variety of optical applications and in many different types of equipment. These materials are used because of their unique optical properties, such as “sharp cut-off” in the visible spectrum that is unaffected by viewing angle. They are also very stable in harsh environments. Most of the alternatives to glass with cadmium and/or lead in the batch do not exhibit such sharp wavelength “cut-offs”. Interference filters can sometimes be used as they do have sharp cut offs but the wavelength at which this occurs is viewing angle dependent and so these are unsuitable for many applications. Most of the apparent alternatives are detrimentally affected by harsh environmental conditions such as heat, moisture, UV light, etc. which makes them unsuitable for many applications.

A special type of infrared interference filter is also used that contains lead for analysis of low concentrations of gas. These are a different design to the filters to the types used for visible light wavelengths.”

The stakeholder consultation is part of the review process for the request at hand. The objective of this consultation and the review process is to collect and to evaluate information and evidence according to the criteria listed in Art. 5(1)(a) of Directive 2011/65/EU.[[4]](#footnote-5)

To contribute to this stakeholder consultation, please answer the below questions until the 27th of May 2020.

# Questions

1. Spectaris e.V. requested the renewal2 of the above exemption for the maximum validity periods (5 and 7 years respectively) for all cat. 1-11 with the same scope and wording.
   1. Please let us know whether you support or disagree with the wording, scope and re-quested duration of the exemption. To support your views, please provide detailed technical argumentation / evidence in line with the criteria4 in Art. 5(1)(a).
   2. If applicable, please suggest an alternative wording and duration and explain your proposal.
2. Please provide information concerning possible substitutes or elimination possibilities at present or in the future so that the requested exemption could be restricted or revoked.
   1. Please explain substitution and elimination possibilities and for which part of the ap-plications in the scope of the requested exemption they are relevant.
   2. Please provide information as to research to find alternatives that do not rely on the exemption under review (substitution or elimination), and which may cover part or all of the applications in the scope of the exemption request.
   3. Please provide a roadmap of such on-going substitution/elimination and research (phases that are to be carried out), detailing the current status as well as the estimated time needed for further stages.
3. Do you know of other manufacturers producing devices of comparable features and performance like the ones in the scope of this exemption request that do not depend on RoHS-restricted substances, or use smaller amounts of these substances compared to the applications in the scope of this exemption?
4. As part of the evaluation, socio-economic impacts shall also be compiled and evaluated. For this purpose, if you have information on socioeconomic aspects, please provide details in respect of the following:
   1. What are the volumes of EEE in the scope of the requested exemptions which are placed on the market per year?
   2. What are the volumes of additional waste to be generated should the requested ex-emption not be renewed or not be renewed for the requested duration?
   3. What are estimated impacts on employment in total, in the EU and outside the EU, should the requested exemption not be renewed or be renewed for less than the re-quested time period? Please detail the main sectors in which possible impacts are expected – manufacturers of equipment in the scope of the exemption, suppliers, re-tail, users of MRI devices, etc.
   4. Please estimate additional costs associated should the requested exemption not be renewed, and how this is divided between various sectors (e.g. private, public, industry: manufacturers, suppliers, retailers).
5. The applicant has marked every category (from 1 to 11) as relevant for this exemption.

Are you aware of applications in categories 1 and 2 (large household appliances, small household appliances) and 11 where this exemption would be relevant?

1. Any additional information which you would like to provide?

**Please note that answers to these questions can be published in the stakeholder consultation, which is part of the evaluation of this request. If your answers contain confidential information, please provide a version that can be made public along with a confidential version, in which proprietary information is clearly marked.**

**Please do not forget to provide your contact details (Name, Organisation, e-mail and phone number) so that the project team can contact you in case there are questions concerning your contribution.**

1. It is implemented through the specific contract 070201/2020/832829/ENV.B.3 under the Framework contract ENV.B.3/FRA/2019/0017 [↑](#footnote-ref-2)
2. Exemption request available at <http://www.rohs.biois.eu/RoHS_exemption_application_SPECTARIS_13b.pdf> Additional information submitted by Spectaris e.V. is available at [RoHS Annex III exemption evaluation - Stakeholder consultation (biois.eu)](http://www.rohs.biois.eu/requests3.html) [↑](#footnote-ref-3)
3. Clarification questionnaire available at <http://www.rohs.biois.eu/Ex-13b-Annex-III_UP_Clarification_%20Answers.pdf> [↑](#footnote-ref-4)
4. Directive 2011/65/EU (RoHS) available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0065:EN:NOT> [↑](#footnote-ref-5)