

Questionnaire 1 (Clarification) for Exemption Request (MOCON)

AMETEK MOCON (MOCON) submitted a request for the below exemption on 5 November 2022. The requested exemption is identical to exemption IV-43 which expires on 15 July 2023. The request was submitted later than 18 months prior to the exemption expiry and therefore formally is to be treated as a request for a new exemption.

Table 1: Currently valid wording of exemption IV-43

No.	Current exemption wording	Current scope and dates of applicability
IV-43	Cadmium anodes in Hersch cells for oxygen sensors used in industrial monitoring and control instruments, where sensitivity below 10 ppm is required	Applies to category 9 industrial monitoring and control instruments. Expires on 15 July 2023 for category 9 industrial monitoring and control instruments.

Acronyms and Definitions

Cat.	Category, referring to the categories of EEE specified in Annex I of the current RoHS Directive 2011/65/EU
Cd	Cadmium
COM	European Commission
EEA	European Economic Area (EU 27 + Iceland, Liechtenstein and Norway)
EEE	Electrical and electronic equipment
EU	European Union
IMCI	Industrial monitoring and control instruments
MOCON	AMETEK MOCON
Pb	Lead
X-free	Not containing restricted substance X in the applications in scope of the exemption to be reviewed, e.g. cadmium-free, lead-free, or mercury-free.

1. Background

Bio Innovation Service, UNITAR and Fraunhofer IZM have been appointed¹ 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.

MOCON request the exemption detailed in the below table.

¹ Implemented through the specific contract 070201/2020/832829/ENV.B.3 under the Framework contract ENV.B.3/FRA/2019/0017

Table 2: Requested exemption

No.	Requested exemption	Requested scope and dates of applicability
IV-X	<i>Cadmium in Hersch cells for oxygen sensors used in industrial monitoring and control instruments, where sensitivity below 100ppm is required</i>	<i>Applies to category 9 industrial monitoring and control instruments.</i> <i>Expires on [7 years after official publication of the COM's decision]</i>

As result of a first review we identified that some information is missing. Against this background the questions below are intended to clarify aspects concerning the request at hand.

We ask you to kindly answer the below questions until 25 October latest.

General remark:

We understand that some information is sensitive and may therefore be confidential. It is, however, important to highlight that the consultants cannot recommend granting exemptions based on confidential information. Confidential information may provide helpful background for the consultants' understanding but applicants must make facts publicly available that are essential for the renewal of exemptions if they shall be used to substantiate an exemption request.

2. Questions

1. Could you please confirm that Table 2 correctly reflects the requested renewal of the exemption?

It is confirmed that Table 2 correctly reflects the requested renewal of the exemption.

2. The exemption request which you submitted contains confidential information. As all information used for recommendations as to granting or declining requested exemptions must be publicly available, we ask you to kindly provide us with an application form that can be published in the online stakeholder consultation.

Attached to the email with the clarification questions is a redacted version of the exemption renewal submission without the confidential information.

3. MOCON is the only applicant requesting this exemption, which is identical to exemption IV-43. The application for a renewal of this exemption was due to be



submitted to the COM on 14 January 2022 latest but the COM did not receive any such requests.

- a. Is MOCOCN the only producer of Hersch cells in the scope of the requested exemption?

AMETEK MOCOCN is the only currently known supplier of Hersch Cell technology.

- b. If not, why did no other producers of such Hersch cells either request the renewal of exemption 43 in time, or at least support your current exemption request?

Not applicable as AMETEK MOCOCN is the only known supplier.

4. In the figure on page 13 of your exemption request you use the acronym "OTR". Could you please spell out this term?

The acronym "OTR" stands for Oxygen Transition Rate, which is the rate at which oxygen molecules traverse through a specific material over a given time period.

Please note that answers to these questions will be published as part of the evaluation of this exemption 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.

We ask you to kindly provide the information in formats that allow copying text, figures and tables so that they can be included into the review report.

