

Dear Ms Stéphanie Zangl
Öko Institut e.V.

Brussels, 9th July 2008

Proposal on the review of the existing exemptions for Categories 8 and 9

JBCE member companies producing equipment covered by the WEEE categories 8 and 9 fully support the conclusions and recommendations of the relevant ERA report¹. The study behind the report was carried out on the basis of the existing exemptions. So the table 71 of the ERA study results and the table 44 of existing exemptions in the ERA report are the important condition when the equipment in category 8&9 will be subject to RoHS.


When this current existing RoHS review is completed and the result becomes effective about in 2010, the equipment in category 8&9 would not be under RoHS still. So there will be no effect on the equipment in category 8&9. According to the ERA report, in 2012 the equipment would be subject to RoHS. We believe the table 71 and the table 44 in the ERA report shall be respected based on the ERA report and propose your report has the message which means <When the equipment in category 8&9 is subject to RoHS, the existing RoHS exemption will start to be reviewed from the point of category 8 &9 >. This is mainly from the difference of category 8&9 which is described below.

The equipment in category 8&9 has the long product life and the high requirement for reliability, accuracy, and safety, which is types of different from the other categories equipment, as already reported by the ERA¹. Therefore, alternative technology applying the same evaluation as the equipment of other categories to category 8&9 equipment has some possibility of negative impacts to the human health, safety, environmental protection. So the review shall be done carefully in the close future as the equipment in category 8&9.

For each individual item, we have already proposed for the continuance of the existing exemption with technological elements(e.g. No.13). However, it is difficult for us to carry out the technical verification for all existing exemption items completely, because category 8&9 has not been covered by RoHS Directive until now.

Please contact us if you have any questions or would like to receive any further information.

Yours sincerely,



Lars Bruckner
Chairman of Environment Committee

¹ "Review of Directive 2002/95/EC for the possible inclusion in the scope of this Directive, equipment which falls under categories 8 and 9 set out in Annex IA to Directive 2002/96/EC (WEEE)"
http://ec.europa.eu/environment/waste/wEEE/pdf/era_study_final_report.pdf