



**Mrs Lea Turunen**  
**BIO Intelligence Service S.A.S.**

**Brussels, 1 August 2008**  
**Sent by Email**

**Response to RoHS Impact Assessment Draft Final Report 27 June 08**

JBCE<sup>1</sup> would like to provide comments on the second version of your draft final report (“Study to support the impact assessment of the RoHS review”), dated 27 June 2008, from a technical point of view.

JBCE member companies producing equipment covered by the WEEE categories 8 and 9 fully support the conclusions and recommendations of the relevant ERA report<sup>2</sup>. In view of the potential inclusion of categories 8 and 9 into the RoHS Directive, JBCE considers all exemptions listed in table 44 and some exemptions listed in table 71 essential.

Without these exemptions many kinds of measuring and medical equipment cannot be produced. One such example concerns the use of lead, cadmium and mercury in hollow cathode lamps used in the atom absorption spectrometers. In order to detect lead, cadmium or mercury, the lamp needs to contain the corresponding metal. This is a matter of physical principle, which companies cannot ignore/change.

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<sup>1</sup> The Japan Business Council in Europe (JBCE) was founded in 1999 as the representative organisation for Japanese companies operating in the European Union. Our membership consists of more than 60 leading multinational corporations corresponding to a broad spectrum of sectors including the electrical, electronic, automotive and chemical industries.

<sup>2</sup> ERA Technology, Review of Directive 2002/95/EC (RoHS) Categories 8 and 9 - *Final Report*, ERA Report 2006-0383, ERA Project 043121538, July 2006

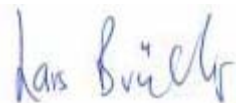
We therefore request that these exemptions are viewed as a priority matter when considering and proposing different options.

In the first version of your draft final report it was mentioned that the “ERA exemptions have been re-assessed and are still required” (P. 72). This important point has, though, disappeared from the second version text. Instead, the text seems to put priority on the timing of the inclusion of categories 8 and 9 into the Directive.

Concerning the second version text, JBCE generally feels that option 2 in combination with options 5 and/or 6 would be the best solution. However, in line with the aforementioned, JBCE strongly urges you to ensure that your previous conclusion that “ERA exemptions have been re-assessed and are still required” will be included into the final report text and that these exemptions are taken account of in relation to options 2, 5 and 6.

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

Kind regards,

A handwritten signature in blue ink that reads "Lars Brückner".

Lars Brückner

Chairman Environment Committee  
Japan Business Council in Europe (JBCE)