

Renewal of

# EU-RoHS

Exemptions 13a and 13b

Why the exemptions 13a and 13b are not going to expire on the original expiration date 21 July 2016.

The industry association SPECTARIS, supported by 18 European and international associations, submitted applications to renew exemption 13a ("Lead in white glasses used for optical applications") and 13b ("Cadmium and Lead in filter glasses and glasses used for reflectance standards") on 11 November 2014.

When a renewal application is submitted, the exemption will remain valid until the Commission makes a decision on it. Regarding the time frame Article 5, paragraph 5 of the RoHS Directive says:

The Commission shall decide on an application for renewal of an exemption no later than 6 months before the expiry date of the existing exemption unless specific circumstances justify other deadlines.

The existing exemption shall remain valid until a decision on the renewal application is taken by the Commission.

The external consultant, Oeko-Institut, manages the process of reviewing the applications. The consultant's recommendation to the Commission - based on its technical analysis of the arguments presented by SPECTARIS - calls for extending the exemptions. The Commission is requested to agree to or reject the proposals. Regarding the further timeline, paragraph 6 says:

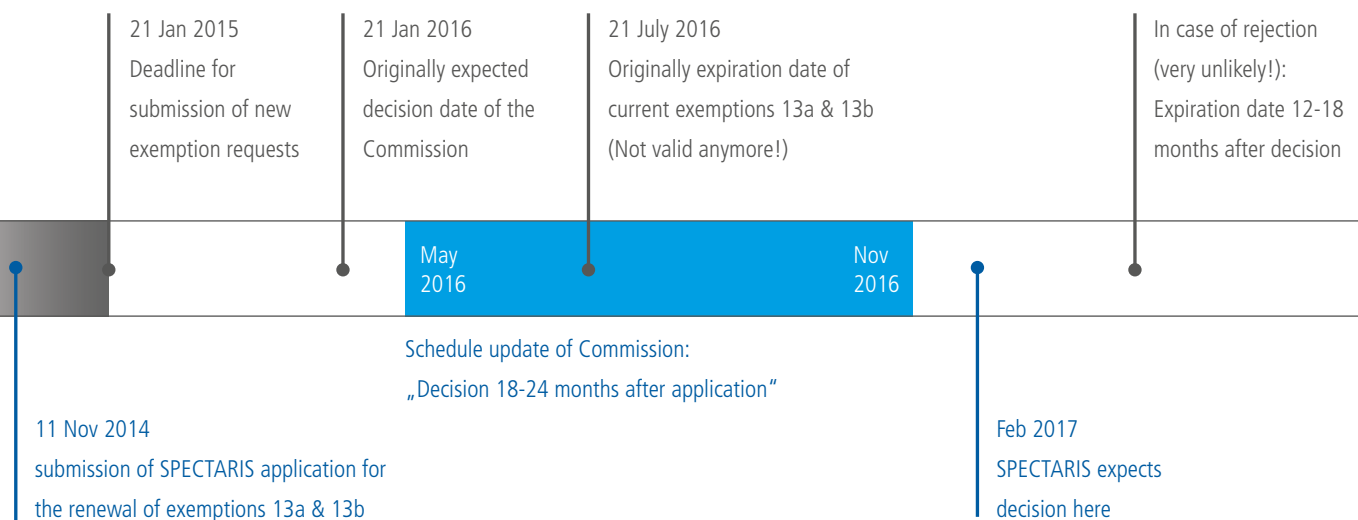
In the event that the application for renewal of an exemption is rejected or that an exemption is revoked, the exemption shall expire at the earliest 12 months, and at the latest 18 months, after the date of the decision.

On its website, the Commission states:

Considering the very large amount of renewal applications received, the expected timeframe for the Commission to take a decision on a RoHS exemption application is currently 18-24 months from the application date.

With an original exemption deadline on 21 July 2016, the Commission was expected to make a decision by 21 January 2016, but they did not. The Commission justifies the delay with a backlog of over 100 new exemption renewal applications, claiming the clause of "unless specific circumstances justify other deadlines".

In case of exemption requests 13a and 13b, the 24 month period ends on 11 November 2016. But Brussels-based partners of SPECTARIS place the anticipated decision date sometime early 2017. Further slips possible...



#### Further reading:

- RoHS 2 Directive 2011/65/EU (pdf)
- Evaluation Report of the Oeko-Institut on exemption request 13a and 13b (pdf)

#### For updates:

- RoHS 2 Exemption Requests website of the Commission

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