



ORGALIME

The Director General

Mrs Brigitte KARIGL
Project Leader

Umweltbundesamt GmbH
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Brussels, 8 February 2013

RoHS2: Study for the Review of the List of Restricted Substances

Dear Mrs Karigl,

Thank you for inviting Orgalime to provide comments in the context of the first stakeholder consultation process within above mentioned project.

Notwithstanding the clarifications given in your second e-mail to the initial announcement of this stakeholder consultation, and in particular the purpose of your request for information on the uses of substances in electrical and electronic equipment at this early stage of the project, Orgalime would like to bring to your attention its overall concern on the suggested project approach.

We believe that developing the substance evaluation methodology of article 6 RoHS2 and assessing candidate substances at the same time, is neither logical nor appropriate. Starting the process with requests on substances and their uses in electrical and electronic equipment is even less so.

Instead, we advocate for a truly step by step process, whereby the first step should focus on the identification of the criteria of the substance evaluation methodology of article 6 RoHS2, prior to the identification of any specific substances and their uses in electrical and electronic equipment. Actually, the identification of the criteria that shall apply for identifying a candidate substance and the relevant information requirements for proposals for reviewing/amending annex II, should already form part of such a methodology. A common understanding of further criteria, such as how to implement the explicit obligation of article 6 that "*the review and amendment of the list of restricted substances in annex II shall be coherent with REACH*" and "*shall use publicly available knowledge obtained from the application of such legislation*" are in our view equally important to ensure the overall objective of a scientifically based and consistent review/amendment of annex II RoHS2.

Orgalime remains available and committed to contribute to such a project approach.

Consequently, we kindly ask you to revisit the overall project structure in full consultation of stakeholders and meanwhile, to remove the overview flowchart and information available at the project website http://ec.europa.eu/environment/waste/rohs_eee/review/index_en.htm.

The European Engineering Industries Association

Orgalime is both committed and available to provide input on the relevant criteria for a proper implementation of article 6 RoHS2 in line with the legal text of the Directive and its wider context.

A copy of this letter has been sent to the European Commission.

We remain available for any further information that you may wish to obtain.

Yours sincerely,

Adrian Harris
(signed electronically)