



Mrs. Marianne Klingbeil
Head of Unit
DG Environment
Unit A.2 – RoHS Consultation
European Commission
B-1049 Brussels

Brussels, 12 January 2004

Consultation of interested parties on the amendment of Directive 2002/95/EC (RoHS) for the purpose of establishing the maximum concentration values for certain hazardous substances in electrical and electronic equipment

Dear Mrs Klingbeil,

Orgalime thanks the Commission inviting us to comment on the draft decision concerning the amendment of the annex according to article 5 (1)(a) of Directive 2002/95/EC.

As you may know, Orgalime¹ represents nearly all the sectors included in Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment.

After a thorough consultation of our membership, we would like to confirm that Orgalime welcomes the Commission's proposed amendment and looks forward to the rapid adoption of a decision. In order to avoid possible misinterpretations on the definition of "homogeneous material", we would, nevertheless, suggest the addition of the term "without irreversibly destroying its function" at the end of the proposed text, which would therefore read as follows:

“ A maximum concentration value of 0.1% by weight in homogenous materials for lead, mercury, hexavalent chromium, polybrominated biphenyls (PBB) and polybrominated diphenyl ethers (PBDE) and of 0.01% weight in homogenous materials for cadmium shall be tolerated. Homogenous material means a unit that can not be mechanically disjointed in single materials without irreversibly destroying its function.”

We remain at your disposal to discuss at your convenience the present proposal and further issues of technical guidance, which might become necessary.

In the meantime, wishing you all the best for the New Year, we remain,

Yours sincerely,

Adrian Harris

Cc.: Mrs Anna Passera

¹ *Orgalime speaks for 34 trade federations representing some 130,000 companies in the mechanical, electrical, electronic and metalworking industries of 23 European countries. These industries employ some 7.3 million people and account for 1200 billion euros of annual output, which is a quarter of the EU's output of manufactured products and a third of the manufactured exports of the European Union.*