



Title: FAQs on RoHS Exemptions to be Expired on 21 July 2016

Date: 25 March 2016

Abstract: Large amount of RoHS exemptions are to be expired on 21 July 2016. Given no official publication of the Europe Union, those electrical and electronic equipment (EEE) cannot benefit from the exemptions after their expiry date (21 July 2016). Many businesses are consulting C&K Testing as they are wondering whether they have to improve the manufacturing techniques if the exemption expires. To be fair, there are still lots of techniques lacking in substitutes, while does it mean some businesses have to say goodbye to the EU market?

Large amount of RoHS exemptions are to be expired on 21 July 2016. Given no official publication of the Europe Union, those electrical and electronic equipment (EEE) cannot benefit from the exemptions after their expiry date (21 July 2016). Many businesses are consulting C&K Testing as they are wondering whether they have to improve the manufacturing techniques if the exemption expires. To be fair, there are still lots of techniques lacking in substitutes, while does it mean some businesses have to say goodbye to the EU market?

C&K Testing is willing to help you with these questions.

Q: What is an exemption in RoHS 2.0?

A: Taking account of the existing scientific and technical progress as well as socioeconomic benefits, 2011/65/EU Directive (RoHS 2.0) restricts the use of certain hazardous substances in electrical and electronic equipment on the European market. RoHS 2.0 also prepares Annexes III and IV to specify products falling within the category can be exempted from restrictions on hazardous substances in Annex II. It is the so-called exemption. However, products shall be subject to the limits of restricted substances (10) listed in Annex II when the exemption expires.

Q: How long will an exemption be valid?

A: Maximum validity period of exemptions under RoHS 2 as of 21 July 2011 unless a shorter period is specified

Category Annex I	Maximum validity period for new exemptions	Validity period for existing exemptions where no expiry date is specified	Validity period for existing exemptions where an expiry date is specified
1-7, 10, 11 (not applicable to Annex IV exemption)	5 years	22 July 2011 - 21 July 2016	22 July 2011 - specified date
8, 9 (medical and	7 years	22 July 2014 - 21 July 2021	22 July 2014 - specified

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monitoring and control devices)			date
8 (in vitro diagnostic medical devices)		22 July 2016 - 21 July 2023	22 July 2016 - specified date
9 (industrial monitoring and control instruments)		22 July 2017 - 21 July 2024	22 July 2017 - specified date

Q: What should you do for the exemptions to be expired?

A: For exemptions to be expired, businesses can submit applications for renewal, revision on limits or other amendments. The Commission decision on renewal request(s) for an exemption will either indicate the new expiry date in case of renewal, or, in case of rejection, grant a transition before the exemption expires, i.e. a period of minimum 12 months, maximum 18 months following the decision date.

Q: What does it mean if no application for renewal or revision for the exemptions to be expired?

A: Where an exemption with no application for renewal or revision within 18 months before the expiry date, the limits for the restricted substances (10) in Annex II shall be enforced. Businesses should comply with RoHS otherwise they would exit the European market.

Q: Which exemptions are to be expired while with no application for renewal or revision?

A: The exemptions to be expired while with no application for renewal or revision are as the followings:

	Exemptions	Scope and dates of applicability
5(a)	Lead in glass of cathode ray tubes	21 July 2016
7(b)	Lead in solders for servers, storage and storage array systems, network infrastructure equipment for switching, signalling, transmission, and network management for telecommunications	21 July 2016
17	Lead halide as radiant agent in high intensity discharge (HID) lamps used for professional reprography applications	21 July 2016
25	Lead oxide in surface conduction electron emitter displays (SED) used in structural elements, notably in the seal frit and frit ring	21 July 2016
30	Cadmium alloys as electrical/mechanical solder	21 July 2016

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	joints to electrical conductors located directly on the voice coil in transducers used in high-powered loudspeakers with sound pressure levels of 100 dB (A) and more	
31	Lead in soldering materials in mercury free flat fluorescent lamps (which, e.g. are used for liquid crystal displays, design or industrial lighting)	21 July 2016
33	Lead in solders for the soldering of thin copper wires of 100 µm diameter and less in power transformers	21 July 2016
38	Cadmium and cadmium oxide in thick film pastes used on aluminium bonded beryllium oxide	21 July 2016

It is clear that point 7 (b) application of Annex III has been withdrawn with no further application; point 39 has expired on 1 July 2014 while its application for renewal is still at stakeholder consultation, the evaluation result is expected to be issued on the second quarter of 2016.

Businesses fulfilling the above exemptions shall improve the products as soon as possible to ensure they can meet the restrictions in RoHS 2.0.

Q: How about the progress on applications submitted?

A: Öko-Institut organises a series of stakeholder consultations for exemptions with applications submitted, for example, the consultation for Pack 7 and Pack 9 covers 32 exemptions. As of today, the stakeholder consultation for Pack 9 has ended but with no results open to the public yet. A final report was published on 2 February 2016 including recommendations as the following:

	Exemption	Duration
9(b)	Lead in bearing shells and bushes for refrigerant-containing hermetic scroll compressors with a stated electrical power input equal or below 9kW for heating, ventilation, air conditioning and refrigeration(HVACR) applications	It would be recommended to provide the maximum transition period of 18 months, ending 21 January 2018
13(a)	Lead in White Glasses Used for Optical Applications	For Cat. 1-7 & 10: to expire 21 July 2021 For Cat. 8 and Cat. 9: to expire 21 July 2021 For Sub-Cat. 8 in-vitro: to expire 21 July 2023 For Sub-Cat. industrial: to expire 21 July 2024

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13(b)	Lead in ion coloured optical filter glass types, or cadmium in striking optical filter glass types or lead and cadmium in glazes used for reflectance standards – excluding applications falling under point 39 of this annex	For Cat. 1-7 & 10 : to expire 21 July 2021
	Cadmium and lead in filter glasses and glasses used for reflectance standards	For Cat. 8 and Cat. 9: to expire 21 July 2021 For Sub-Cat. 8 in-vitro: to expire 21 July 2023 For Sub-Cat. 9 industrial: to expire 21 July 2024

In the light of above recommendations, the European Union will reach a final decision which enters into force following its publication on the *Official Journal of the European Union*.

C&K Testing advises EEE manufacturers to strengthen technical development and quality control to reduce or eliminate the use of hazardous substances in production chain while paying attention to the amendment to exemptions.

Remarks: Applicable scope of RoHS 2.0

1. Large household appliances.
2. Small household appliances.
3. IT and telecommunications equipment.
4. Consumer equipment.
5. Lighting equipment.
6. Electrical and electronic tools.
7. Toys, leisure and sports equipment.
8. Medical devices.
9. Monitoring and control instruments including industrial monitoring and control instruments.
10. Automatic dispensers.
11. Other EEE not covered by any of the categories above

[中文阅读](#)

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