

1 April 2010

STATEMENT TO MEMBERS OF THE ENVIRONMENT COMMITTEE ON THE RECAST OF DIRECTIVE 2002/95/EC ON THE RESTRICTION OF THE USE OF HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT (ROHS)

DIGITALEUROPE welcomes the Recast, designed to simplify the Directive, make it easier to comply with and enforce. We were pleased by the fact that the EVANS report recognizes the global importance and significance of RoHS¹ and the need to align it with REACH and the New Legislative Framework. In order to contribute indirectly to the discussion in the ENVI Committee on April 6, we would like to stress the following points:

No changes to scope without impact assessment

Any scope changes must be subject to an impact assessment. For example, an open scope would suddenly umbrella hundreds of industrial sectors, many of which haven't been previously in scope. Scope changes have direct and significant impact on economic operators, innovation and competitiveness in Europe.

Substance restrictions based on scientific risk evaluation

DIGITALEUROPE is not opposed to adding new substances to RoHS. However, substances should only be restricted after scientific risk evaluation and impact assessment². For example, We consider it too premature to regulate nanomaterials in RoHS (either by banning them directly or by requiring labeling EEE containing nanomaterials) when there has been little or no discussion about their environmental impact. Definitions of nanomaterials based on food or cosmetics legislation are inappropriate for electronics. We fully support amendments that seek to introduce REACH methodology to evaluate substances for inclusion in RoHS.

Greater legal certainty

One of our main goals with this Recast has been to introduce better legal certainty for our global industry and its complex supply chain. DIGITALEUROPE endorses amendments that seek to improve definitions and make the mechanism for reviewing existing, granting new and withdrawing exemptions more robust with timely decision-making.

We will continue to work closely with Members of the European Parliament, Member States and the Commission and other stakeholders in order to achieve a satisfactory outcome at First Reading.

¹ http://www.digitaleurope.org/index.php?id=1055&id_article=436

² http://www.digitaleurope.org/index.php?id=947&id_article=437

ABOUT DIGITALEUROPE

DIGITALEUROPE is the pre-eminent advocacy group of the European digital economy acting on behalf of the information technology, consumer electronics and telecommunications sectors. We are dedicated to improving the business environment, and to promoting industry's contribution to economic growth and social progress in the European Union.

DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. **DIGITALEUROPE's** members include 60 leading corporations and 40 national trade associations from all the Member States of EU; altogether 10,000 companies with 2 million employees and €1,000 billion in revenues. You can learn more about our activities via <http://www.digitaleurope.org>

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