

6 July 2005

Commission Proposal to exempt Deca-BDE from the RoHS Directive now awaiting decision by the European Council

As part of the consultation process, today the European Parliament gave its opinion on the Commission proposal to exempt the flame retardant Deca-BDE from the Directive restricting hazardous substances in new electrical and electronic equipments (RoHS).

Dr Dieter Drohmann, EBFRIIP Chairman, indicated “We regret today’s Parliament decision not to support the Commission’s proposal to exempt Deca-BDE from the RoHS Directive. We remain convinced that this vote is more the result of procedural elements rather than on substantive questions regarding Deca-BDE, in particular as previous Commission proposals to exempt other substances from the RoHS Directive were also subject to a similar position from the Parliament. Our belief is that after ten years of thorough risk assessment that identified no risk to environment or health there is a substantive basis to assert that the European Commission proposal to exempt Deca-BDE is well founded and sound”.

Dr Drohmann also specified: “Although the Parliament only has a consultative role in this process, we are concerned by such an action which indicates that the Parliament has no problem to advocate the ban of a substance for political reasons and in opposition to scientific conclusions and the industry monitoring and emissions control programmes aimed at addressing the remaining questions. Such a signal by the Parliament really puts in question the future of the upcoming REACH legislation which places science as the sole basis of any legislative decision.”

The Council has until 6 September by when to act or not on the Commission's proposal. The Council will need to take into account the Parliament's opinion. However, given the fact that a majority of Member State votes supported the Commission exemption proposal at a technical committee vote on 19 April, the most likely scenario is for the proposal to be sent back to the Commission in September for adoption.