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EBFRIP Encouraged by European Parliament Environment Committee Debate on RoHS

On 1 December, the European Parliament's Environment Committee held its first debate on the RoHS Directive recast following the publication of the draft report of UK MEP Jill Evans (Greens/EFA), the Rapporteur on the RoHS. The main focus of discussion was on Ms Evans' proposal to restrict new substances, including entire families of chemicals such as brominated flame retardants.

MEPs from the main political groups raised a number of points with regard to the draft report. While some expressed support for the draft, many MEPs expressed concerns, including the need for further information before restrictions could be considered.

- Polish centre-right MEP Boguslaw Sonik (EPP) questioned whether the proposed bans could lead to the use of substances that have not yet been sufficiently assessed, thereby undermining the protection of human health and the environment.
- Austrian centre-right MEP Richard Seeber (EPP) added that with the creation of REACH he did not see the need for a separate process for the use of substances in electronics.
- German Left MEP Sabine Wills (GUE) supported the use of RoHS as a tool to protect the environment indicating that some substances should not be used in production.
- Belgian Social-democrat MEP Kathleen van Brempt (S&D) indicated support for the proposed restriction but underlined the need to prove that alternatives are safer.
- UK Liberal MEP Chris Davies (ALDE) stressed the need to prove that alternatives are safer than the substances they replace, such as halogenated flame retardants and PVC.
- Polish Conservative MEP Tadeusz Cymanski (ECR) stated that the rapporteur's selective evidence does not justify the restriction of additional substances.

MEPs raised also the need to ensure reliability and efficiency of electrical and electronic equipment.

During the debate, Klaus Kogler, Head of Unit within DG Environment, representing the European Commission, made clear that currently there was no methodology to identify or restrict new substances under RoHS. He indicated that the Commission is proposing the development of such a methodology, which will allow for a careful examination of substances, thereby providing legal certainty for industry and authorities. He also reminded the Committee that the authors of the Öko Institut study acknowledged that, for most substances, data was deemed insufficiently robust to justify restrictions. To conclude, Mr Kogler said that, although the Commission believes that RoHS has hazard-based components, alignment with REACH is necessary and the future RoHS methodology will have to take risk into account.

Following the Committee debate, EBFRIP Chair Willem Hofland welcomed the debate and stated that "it would be premature and irresponsible to restrict chemical substances that have been extensively tested and are replaced by lesser-known alternatives".

The Committee Chair announced that the deadline for amendments to the RoHS recast has been postponed to 24 February and the vote in the Environment Committee is forecast for April 2010.